

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 26 August 2014 at 7:01pm.

MEMBERS PRESENT

His Worship the Mayor, AK Rollond
Deputy Mayor, S Patterson
Councillor RM Bouchée
Councillor KM Donaldson
Councillor LR Fisk
Councillor JD Huckstepp
Councillor SC Lonie – 7.05pm
Councillor TD Looker
Councillor RA Clancy
Councillor RC Patton
Councillor AP Roe
Councillor LJ Yates

STAFF IN ATTENDANCE

Chief Executive Officer - JP Lynch
Acting General Manager City Assets – K O’Neill
General Manager City Services - RA Cooper
General Manager Corporate Services - IS Walker
Manager Organisational Sustainability – PE 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 Kaurna 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 Kaurna 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 PW Dixon

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****C260814/1215**

That the minutes of the Ordinary Meeting of Council held on 12 August 2014 be taken as read and confirmed, with the removal of the Point of Order, regarding the interruption of the meeting by Councillor Bouchee, from the minutes.

Councillor Lonie joined the chamber at 7.05pm.

Moved by Councillor Yates, Seconded by Councillor Huckstepp

Carried**8. PUBLIC PRESENTATIONS**

8.1 **Petitions** - Nil

8.2 **Presentation** - Nil

8.3 **Deputations**

8.3.1 **St Vincent de Paul Society SA**

Brian Spencer, State President and David Wark, Chief Executive Officer from St Vincent de Paul Society made a five minute deputation regarding the acquisition of one or more holiday cabins from the Brighton Caravan Park.

8.3.2 **Jo Close**

Jo Close made a five minute deputation regarding The Original Town Hall Concept.

8.3.3 **James Hurst, Re-Enact SA, Anzac Centenary Committee**

James Hurst provided an overview on the forthcoming Anzac Centenary event being held at Glenelg on 14 September 2014.

9. QUESTIONS BY MEMBERS

9.1 Without Notice

9.1.1 Election Tweets– Councillor Bouchee

Councillor Bouchee asked a question regarding a number of tweets made by another Councillor.

The Chief Executive Officer, Mr J Lynch provided a response.

His Worship the Mayor, Dr A K Rollond provided a response.

9.1.2 Images of Council Meeting

Councillor Bouchee asked a question about taking images of members during a council meeting.

His Worship the Mayor, Dr A K Rollond provided a response.

9.2 With Notice

9.2.1 Question on Notice – Salary & Wage Expenditure in Overall Budget – Councillor Bouchee (Report No: 270/14)

Councillor Bouchee asked a question without notice at the Council meeting on 24 June which the Chief Executive Officer took on notice.

Councillor Bouchee asked the following question:

“What is the increase in wage expenditure from the 2009/2010 financial year to the 2014/2015 financial year and if the increase in wage expenditure is an ongoing trend?”

ANSWER – General Manager Corporate Services

In the 5 years to 2014/15, Council’s employment costs (excluding Alwyndor) have increased by 44%, compared with a 29% increase in rate revenue and total operating costs. The increase in employment costs has been driven by increases in the legislated minimum superannuation contribution from 9.00% to 9.50%, Council’s workers’ compensation premiums as well as increases in staff numbers as measured by full-time equivalent (FTE) positions. This includes:

- Fully grant-funded positions amounting to around 7% of employment costs (e.g. HACC and Lifelinks)
- Additional Council services including tourism & marketing, customer service, open space management and environmental services

- Additional legislative demands including in governance, financial controls and asset management
- Reducing our reliance on external consultants and contractors through more cost-effective staff resources including Partridge House and regulatory services

Comparing Council's cost structure with other councils can be useful but should be treated with some caution, as each council is different (population and growth, area, demographics and community demands). The following table compares employment costs as a percentage of rate revenue and total operating costs for a selection of councils using 2014-15 budgets.

Council	(A) Employment costs	(B) Employment costs
Holdfast Bay	39%	53%
Burnside	37%	43%
Unley	39%	46%
Marion	44%	50%
West Torrens	46%	54%

Holdfast Bay is near the lower-end of the range for employment costs as a percentage of total operating costs (column A) and probably reflects a variety of factors about different services and how each council funds its services.

Column B presents a different picture, with Holdfast Bay at the higher end (i.e. a higher percentage of rate revenue is spent on employment costs). This too reflects differences between councils, such as:

- Burnside, Unley and Marion have a greater reliance on rate revenue than Holdfast Bay and West Torrens (i.e. rate revenue makes up a higher proportion of total revenue) and therefore the percentage of rate revenue spent on employment costs would, all things equal, be lower.
- All councils, other than Holdfast Bay, are budgeting for significant operating surpluses of \$1.0m to \$6.7m (Holdfast Bay is budgeting for a nominal operating surplus) which, coupled with a higher reliance on rate revenue would, all things equal, result in a lower percentage of rate revenue spent on employment costs. If Marion and West Torrens had budgeted for a nominal operating surplus (like Holdfast Bay) and reduced its rate revenue accordingly, then the percentage of rate revenue spent on employment costs would increase to 53% and 64% respectively (compared to Holdfast Bay 53%).

Council's staff costs are sustainable and are closely monitored to ensure the best value is delivered in supporting the directions set out in Council's *Our Place* Community Plan.

10. MEMBER'S ACTIVITY REPORTS

10.1 Planning Reform Workshop

Councillor Yates reported that she attended a Planning Reform Workshop at the City of Marion.

10.2 HACC Program

Councillor Clancy passed on thanks from a new HACC client for the spring cleaning service they received.

11. MOTIONS ON NOTICE

11.1 **Motion on Notice – Open Space Contributions – Councillor Bouchee** (Report No: 276/14)

Section 50 of the *Development Act 1993* enables development proponents to make financial contributions in lieu of providing required open space under certain circumstances when dividing land, similar to application of Council's Car Parking Fund. Funds raised are then either held in a Council trust fund or in the State's Planning and Development Fund for use in acquiring or developing land for open space.

Funds received and held by councils only occur where more than 20 new residential allotments are proposed, which is uncommon in established areas such as Holdfast Bay. Financial contributions made to the State's Planning and Development Fund are also subject to a competitive grants system (eg for initiatives such as the Coast Park) and may not go back into the local area for open space improvements.

While State Government strategies (including The 30-Year Plan for Greater Adelaide) promote increased residential infill in established areas to counter urban sprawl, this type of development does not generally result in any direct open space contributions to Council, yet places pressure on existing public open space and a need for open space improvements given smaller rear yards and private open space areas.

It is therefore appropriate that the State Government gives further consideration to the application of the open space contributions scheme relating to infill development to ensure funds can go into local public open space improvements.

Motion

C260814/1216

1. **That Council write to the Minister for Planning seeking State Government reform of the Open Space Contributions scheme and administration of the Planning and Development Fund to ensure that financial contributions made under the scheme for infill development can be directed back into the local area for public open space improvements.**
2. **A copy of Council's correspondence should also be forwarded to the Local Government Association, the Government's Expert Panel on Planning Reform and other inner metropolitan councils.**

Moved Councillor Bouchee, Seconded Councillor Roe

Carried

11.2 **Motion on Notice - Recycling Compact Fluorescent Lamps – Councillor Paterson**
(Report No: 281/14)

Compact Fluorescent Lamps are a very energy efficient form of lighting and have surged in popularity as a means of households saving on electricity costs and also reduce greenhouse gas emissions in the last 5 years.

Fluorescent lamps contain mercury and, according to Zero Waste SA, 95% of the globes currently end up in landfill. Mercury is a highly toxic element that once it reaches landfill can leech into the ground water and contaminate it. While on the one hand CFL's have been a vehicle to protect the environment they also have the potential for environmental damage.

CFL's have a long life, with average lifespans in excess of 10,000 hours. This long lifespan will cause a lag between the lift in consumer take up and the number of CFL's being deposited into land fill operated by Southern Region Waste Resource Authority.

With this looming problem it would be wise to be proactive and try and encourage the Holdfast Bay Community to recycle their CFL's. Consumers can already drop off their lamps at Mitre 10 stores, of which there are 2 in the City of Holdfast Bay. However many consumers purchase their lamps from other retailers and an opportunity exists to significantly increase recycling rates if they could easily return used lamps at the same point of sale via drop off bins.

The lamps are then sent to one of two companies in Australia with fluorescent lamp processing capabilities.

Motion

C260814/1217

That Administration provide a report on what how council can encourage and assist local retail outlets that sell compact fluorescent lamps (CFL) to provide on-site drop off bins to assist consumers recycle their end-of life CFL globes to increase their diversion away from landfill.

Moved Councillor Patterson, Seconded Councillor Donaldson

Carried

12. ADJOURNED MATTER - Nil

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

13.1 Minutes – Development Assessment Panel – 23 July 2014 (Report No: 233/14)

Council's Development Assessment Panel is established under the Development Act 1993.

The minutes of the Development Assessment Panel meeting held 23 July 2014 are presented to Council for information.

Motion

C260814/1218

That the minutes of the Development Assessment Panel meetings held on 23 July 2014 be received.

Moved Councillor Looker, Seconded Councillor Huckstepp

Carried

14. REPORTS BY OFFICERS

14.1 Items in Brief (Report No: 236/14)

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

C260814/1219

That the following items:

- **Follow the Sun Festival**
- **Visitation to the City of Holdfast Bay**
- **Smoking Exclusion Zone Moseley Square Glenelg – Delay in Regulation**

be noted and items of interest discussed.

Moved Councillor Looker, Seconded Councillor Patton

Carried

14.2 Preliminary Draft Adelaide Airport Masterplan for Consultation (Report No: 249/14)

Adelaide Airport Limited (AAL) recently released the Adelaide Airport Preliminary Draft Master Plan for public consultation on 16 July 2014. The Master Plan is the

primary planning document for the airport that sets out a legislative framework for its future planning and development. The Master Plan is a statutory requirement of the *Airports Act 1996* and is reviewed every five (5) years. Administration has prepared a draft submission to AAL on the Master Plan for Council's consideration.

That Council:

1. **Endorses the draft submission to Adelaide Airport Limited located at Attachment 1 to Report Number 249/14 in response to the Preliminary Draft Adelaide Airport Master Plan dated 26 August 2014 and that the Long term infrastructure impact is noted.**
2. **That copies of Council's submission also be forwarded to the Cities of West Torrens and Charles Sturt and Jetty Road Mainstreet Management Committee to reinforce Council's position and ensure continuing dialogue on airport planning matters.**

Moved Councillor Clancy, Seconded Councillor Looker

Carried

14.3 **Information Report – Southern Region Waste Resource Authority** (Report No: 267/14)

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

C260814/1220

That the information report of the Southern Region Waste Resource Authority for its meeting held 4 August 2014 be received and noted.

Moved Councillor Huckstepp, Seconded Councillor Yates

Carried

14.4 **Brighton Caravan Park Up-Grade – Revised Masterplan** (Report No: 273/14)

In August 2013 Council approved a concept plan for the redevelopment of the Brighton Caravan Park. While work has progressed, there have been delays in seeking planning approval because of legal proceedings. Council has had an opportunity to review a revised Masterplan at a recent workshop and this report seeks endorsement of that revised plan.

Motion

C260814/1221

That Council endorses the revised Brighton Caravan Park Masterplan as attached to this report.

Moved Councillor Clancy, Seconded Councillor Patterson

Carried

14.5 **Former Brighton Town Hall – Revocation of Community Land Status** (Report No: 275/14)

Council wrote to the then Minister for Local/State Government Relations in May 2012 seeking to revoke the Community Land Status of the Former Brighton Town Hall and surrounds. The purpose for seeking the revocation was to allow the sale of the building and surrounding land with the intention of using proceeds from the sale to improve community facilities at the Brighton Oval complex. The Minister for Planning, the Hon. John Rau has recently provided his approval to revoke the Community Land classification. Council is required to formally resolve to so revoke the classification.

Motion

That the City of Holdfast Bay in recognising the impending state Heritage listing of the Original Brighton Town Hall is now willing to review its previous decision to sell the property and go to a community consultation to explore alternative uses including, but not limited to, those ideas suggested by Ms Jo Close. Any decisions whether to sell or retain is left to the new Council in 2015.

Councillor Bouchee left the chamber at 8.18pm.

Councillor Bouchee re-joined the chamber at 8.19pm.

Moved Councillor Donaldson, Seconded Councillor Yates

Lost

Division called

A division was called:

Those voting for: Councillors Fisk, Bouchee, Donaldson, Patterson and Yates (5)

Those voting against: Councillors Patton, Looker, Clancy, Lonie, Roe and Huckstepp (6).

His Worship the Mayor declared the motion

Lost

Motion

That Council:

1. **pursuant to subsection 194(3)(b) of the Local Government Act 1999, Council revokes the Community Land Classification for the former Brighton Town Hall and surrounds located at 388 Brighton Road Hove (described in Certificate of Title Volume 5184 Folio 889); and**

2. commences the processes required for the sale of the land, including a current valuation.
3. That Council investigates the commissioning of a statue of Susan Grace Benny to be placed outside the former Brighton Town Hall

Councillor Bouchee left the chamber at 8.47pm.

Councillor Bouchee rejoined the chamber at 8.48pm.

Moved Councillor Looker, Seconded Councillor Clancy

Motion

C260814/1222

That the Questions from Councillor Donaldson and the answers provided be recorded in the minutes.

Moved Councillor Bouchee, Seconded Councillor Fisk

Carried

Councillor Donaldson asked the following Questions

1. What conditions will be attached to the sale of the Former Brighton Town Hall by Council.

The Chief Executive Officer, Mr J Lynch provided the following response:
The Conditions which will be included in the sale documentation for the Former Brighton Town Hall will be up to Council to determine.

2. As this is a State Heritage Listed Building , if it is not used and occupied by future owners, no maintenance is required for the building if it is not used/occupied.

The Chief Executive Officer, Mr J Lynch provided the following response:
The previous proposal for sale of the site required the building to be used as part of any future development.

3. What will be the conditions on the sale.

The Chief Executive Officer, Mr J Lynch provided the following response:
The conditions of sale will not be determined by council tonight.

4. What would be the cost of further Community Consultation, Administration would have an idea of the cost due to the current community consultation regarding the Somerton Yacht Club. What is the cost for reinstating the community land status if this is revoked.

The Chief Executive Officer, Mr J Lynch provided the following response:

The cost for the community consultation would be staff time and the Council is able to determine the land status.

5. Can the new Council (elected November 2014) ask for further community consultation and what would the cost be.

The Chief Executive Officer, Mr J Lynch provided the following response:
The cost would probably be a few thousand dollars.

Amendment

C260814/1223

- 1. Pursuant to subsection 194(3)(b) of the Local Government Act 1999, Council revokes the Community Land Classification for the former Brighton Town Hall and surrounds located at 388 Brighton Road Hove (described in Certificate of Title Volume 5184 Folio 889); and**
- 2. That the Council defer the sale processes in order to allow Jo Close to get a proposal back to the new council.**
- 3. That Council investigates the commissioning of a statue of Susan Grace Benny to be placed outside the former Brighton Town Hall.**

Moved Councillor Roe, Seconded Councillor Yates

The amendment on being put was

Carried

The motion, as amended, on being put was

Carried

Division called

A division was called:

Those voting for: Councillors Patton, Looker, Clancy, Lonie, Roe, Huckstepp and Yates (7)

Those voting against: Councillors Fisk, Bouchee, Patterson and Donaldson (4).

His Worship the Mayor declared the motion

Carried

14.6 Sale of 18 Cabins at the Brighton Caravan Park (Report No: 278/14)

As part of the Brighton Caravan Park redevelopment there are 18 cabins planned to be sold at public auction, with the funds of the sale returning to the project budget. A written request has been submitted by St Vincent de Paul Society SA expressing their desire to acquire one or more of the surplus cabins.

Motion

That Council:

1. receives and notes the report on the sale of 18 Cabins at the Brighton Caravan Park; and
2. donates four budget cabin to St Vincent de Paul Society SA, to be removed at their cost.

Moved Councillor Patterson, Seconded Councillor Bouchee

Amendment

C260814/1224

That Council:

1. receives and notes the report on the sale of 18 Cabins at the Brighton Caravan Park; and
2. donates one budget cabin to St Vincent de Paul Society SA, to be removed at their cost and considers offers for the purchase of a further three cabins from St Vincent de Paul Society SA.

Moved Councillor Clancy, Seconded Councillor Looker

Point of Order

Councillor Looker under R29 called a Point of Order and requested that the Presiding Member ask members who were conducting side conversations, interrupting the meeting to cease.

His Worship the Mayor upheld the Point of Order and asked members to respect the meeting and the members who were speaking.

The amendment on being put was

Carried

The motion, as amended, on being put was

Carried

Division called

A division was called:

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

Those voting against: Nil.

His Worship the Mayor declared the motion

Carried

Councillor Donaldson left the chamber at 9.28pm.

This report is to present Council with the Resilient South Regional Climate Change Adaptation Plan (the Regional Adaptation Plan) for adoption, and to seek approval from Council to continue to work in partnership with the other three partner Councils and the State and Australian Governments to implement the plan. The same report is being presented for endorsement to the other three partner Councils in August 2014.

Motion

C260814/1225

1. **That the Resilient South Engagement Feedback Report be noted.**
2. **That the Resilient South Regional Climate Change Adaptation Plan be adopted noting that it is a regional plan that will require the support and commitment of all levels of government, business, communities and individuals (Refer Attachment 2, report distributed separately due to size).**
3. **That the Resilient South project be continued in 2014-15 noting the following project objectives for this period:**
 - **Update the Resilient South Heads of Agreement between the four Partner Councils for the period 2014-15 to be signed by each Chief Executive;**
 - **Engage Partner Councils and the South Australian Government in a process to prioritise and cost the regional Adaptation Plan's regional and local adaptation options; and**
 - **Develop a new Sector Agreement with the South Australian government for endorsement by August 2015 to progress priority adaptation options and assist in winning new grant funding.**
4. **That an allocation of \$22,000 be approved to allow for Council's contribution to the employment of a Project Officer for 12 months (based at Onkaparinga Council) to deliver on the objectives above on behalf of the four Councils.**

Councillor Donaldson rejoined the chamber at 9.32pm.

Moved Councillor Looker, Seconded Councillor Yates

Carried

Division called

A division was called:

Those voting for: Councillors Patterson, Looker, Clancy, Donaldson, Lonie, Roe and Yates (7)

Those voting against: Councillors Fisk, Bouchee, Patton and Huckstepp (4).

His Worship the Mayor declared the motion

Carried

14.8 **Mint on Moseley – Trial Period Review** (Report No: 268/14)

At its meeting held Tuesday 11 June 2013 Council endorsed a variation to various conditions on Restaurant Liquor Licence 50600460 (Resolution No.: C110613/946) for 'Mint on Moseley'.

Subsequently, based on Council's recommendations, on 30 September 2013 the Liquor and Gambling Commissioner granted the variations for an interim twelve (12) month trial period of assessment.

As the end of the twelve (12) month trial period draws near, the Administration has undertaken a review of the licensed premise. As no official complaints have been received during the trial period it is suggested that Consumer and Business Services be notified that Council hold no objection to the trial period restrictions being removed.

Motion

C260814/1226

That Council advises Consumer and Business Services that it does not object to the trial period restrictions being removed from Restaurant Liquor Licence No.: 50600460.

Moved Councillor Patton, Seconded Councillor Looker

Carried

14.9 **Outdoor Dining Policy Review 2014** (Report No: 269/14)

The City of Holdfast Bay's current Outdoor Dining Policy (adopted on 13 October 2009) is due for review in October 2014. Administration has now conducted a review and completed a new draft policy that clearly defines Council's responsibilities and powers in relation to the control of Outdoor Dining Areas, as well as setting out clear terms of reference for use by Permit Holders based on the 'City Wide Outdoor Dining Urban Design Guidelines', and legislative amendments.

Council endorsement is now required to implement this new policy.

Motion

C260814/1227

That Council endorses the new 2014 Outdoor Dining Policy and its implementation.

Moved Councillor Patton, Seconded Councillor Fisk

Carried

14.10 **Community Donations Program 2014/2015** (Report No: 235/14)

Council provides annual financial support of \$40,000 through the Community Donations Program to support local clubs, groups and organisations in a range of areas. The program is designed to support and encourage community initiatives and projects within the City of Holdfast Bay, which will positively influence the community. Eighteen eligible applications were received for the 2014/2015 Community Donations Program totalling \$44,832. The applications were considered in accordance with the program guidelines and sixteen applications have been recommended for approval.

This report seeks Council's endorsement for the successful applicants of the 2014/2015 Community Donations Program.

Motion

C260814/1228

- 1. That Council endorses the successful applicants of the Community Donations Program 2014/2015 as outlined in this report.**
- 2. That Council prepares a further report for the next donation period to amend the grants program to exclude clubs with licenced premises and paid players**

Councillor Roe left the chamber at 9.49pm.

Councillor Roe rejoined the chamber at 9.52pm.

Councillor Huckstepp left the chamber at 9.52pm.

Moved Councillor Bouchee, Seconded Councillor Looker

Carried

14.11 Jetty Road Mainstreet Management Committee – Terms Of Reference (Report No: 263/14)

Councillor Huckstepp rejoined the chamber at 9.53pm.

At the meeting of the Jetty Road Mainstreet Management Committee held on 6 August 2014, the Committee's Terms of Reference were discussed with a view to reviewing the Terms of Reference and enhancing the Community members' representation by enabling the existing Chair to be included in the assessment process for new Community members.

Motion

C260814/1229

That Council approve the amended Terms of Reference for the Jetty Road Mainstreet Management Committee

Councillor Looker left the chamber at 9.54pm.

Councillor Looker rejoined the chamber at 9.56pm.

Moved Councillor Patton, Seconded Councillor Fisk

Carried

Division called

A division was called:

Those voting for: Councillors Patton, Patterson, Clancy, Donaldson, Lonie, Roe, Huckstepp and Yates (8)

Those voting against: Councillors Fisk, Bouchee and Looker (3).

His Worship the Mayor declared the motion

Carried

Councillor Patton left the chamber at 10.02pm.

Councillor Lonie left the chamber at 10.02pm.

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING

16.1 Community Donation Program – Warradale Cricket Club

Councillor Huckstepp commented on the approved donation to the Warradale Cricket Club

Councillor Patton rejoined the chamber at 10.04pm.

16.2 Street Tree Plantings in Moseley Street, Glenelg

His Worship the Mayor, Dr K Rollond, asked that Council consider the request from the resident living at 95 Moseley Street Glenelg not to have Plane Trees planted in the street.

Councillor Lonie rejoined the chamber at 10.06pm.

Councillor Patterson left the chamber at 10.09pm.

Motion

That Council move to the next item of business.

Moved Councillor Looker

Lapsed for want of a seconder.

Point of Order

Councillor Clancy called a Point of Order under Regulation 29, as the matter being discussed was not urgent and the debate was not respecting the Guiding Principles.

His Worship the Mayor did not rule on the Point of Order.

Motion

C260814/1230

That Council investigate the removal of the plane tree and an alternative street tree for the location on 95 Moseley Street be identified, with a medical certificate from the two residents.

Councillor Roe left the chamber at 10.14pm.

Moved Councillor Fisk, Seconded Councillor Yates

Carried

Division called

A division was called:

Those voting for: Councillors Fisk, Bouchee, Patton, Donaldson, Roe, Huckstepp and Yates (7)

Those voting against: Councillors Patterson, Lonie, Clancy and Looker (4).

His Worship the Mayor declared the motion

Carried

17. ITEMS IN CONFIDENCE

17.1 Kingston Park Kiosk – Expression of Interest (Report No: 274/14)

- 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:**
 - d. commercial information of a confidential nature (not being a trade secret) the disclosure of which –**
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and**
 - (ii) would, on balance, be contrary to the public interest.**

Moved Councillor Yates, Seconded Councillor Lonie

Carried

Kingston Park Kiosk – Expression of Interest (Report No: 274/14)

Councillor Roe rejoined the chamber at 10.20pm.

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

Motion

C260814/1232

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: 274/14) including:

- Minutes
- Report
- Attachments

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)(d).

2. The Chief Executive Officer is authorised by the Council to release the report, minutes and attachments when the contract is signed.

Moved Councillor Bouchee, Seconded Councillor Yates

Carried

CLOSURE

The Meeting closed at 10.21pm.

CONFIRMED Tuesday 9 September 2014

MAYOR