

MINUTES

**Minutes of the Corporation of the City of Unley
Council Meeting
Held Monday 23 January 2017 at 7.00pm
Council Chambers
181 Unley Road Unley**

PRESENT

Mayor Lachlan Clyne – Presiding Member
Deputy Mayor, Michael Rabbitt
Councillors R Sangster
A Lapidge P Hughes
J Koumi M Hudson
B Schnell L Smolucha
J Boisvert D Palmer
R Salaman M Hewitson

OFFICERS PRESENT

Chief Executive Officer, Mr P Tsokas
General Manager City Services, Ms M Berghuis
General Manager City Development, Mr J Devine
General Manager Business & Service Improvement, Ms N Tinning
A/Group Manager Governance and Risk, Ms S Bayly
Executive Assistant to CEO & Mayor, Ms C Gowland
Finance Manager, Mr M Carey
Manager Urban Design, Mr K Davis
Team Leader Community Centres, Ms R Cox

ACKNOWLEDGEMENT

The Presiding Member opened the meeting with the Kaurna acknowledgement.

PRAYER AND SERVICE ACKNOWLEDGEMENT

Members stood in silence in memory of those who had made the Supreme Sacrifice in the service of their country, at sea, on land and in the air.

WELCOME

The Presiding Member welcomed Members of Council, Senior Staff, Media and members of the gallery to the 23 January 2017, meeting of the Unley City Council.

PRESENTATION

Mayor Clyne advised the Council, that Mr Erin Lesley, a descendant of a member of the 27th Battalion, had offered to take a framed picture of the Unley Civic Centre and Town Hall complex, to present to the Mayor of Pozieres, on behalf of the City of Unley. Mr Lesley was in attendance to accept the presentation. Mr Lesley was also presented with a copy of the print and a book on Whistler's Unley.

APOLOGIES

Nil

ITEM 722 **CONFLICT OF INTEREST**

Councillor Hewitson advised of a conflict of interest in respect to Item 731, and would be leaving the Chambers when the item is to be discussed.

ITEM 723 **CONFIRMATION OF MINUTES**

MOVED Councillor Palmer
SECONDED Councillor Sangster

That:

1. The minutes of the Council Meeting held on Monday 12 December 2016, as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 724
DEPUTATIONS

Mr Gerhard Ganser of Fullarton and Mr John Carrangis of Beaumont, made a deputation on behalf of the Rosefield Community Shed in respect to the application for the position of a part time coordinator for the Rosefield Community Shed.

CHANGE TO ORDER OF AGENDA

The Presiding Member advised the Council that he thought it would be beneficial to bring forward Item 728, Submission or Funding – Rosefield Community Shed. This was agreed with a two thirds majority.

ITEM 728
SUBMISSION FOR FUNDING – ROSEFIELD COMMUNITY SHED

MOVED Councillor Lapidge
SECONDED Councillor Hughes

That:

1. The report be received.
2. A funding agreement be established with the Rosefield Community Shed, providing \$7,500 (ex GST) funding per annum in 2016/17 and 2017/18 to support the employment of a paid Coordinator.
3. The Rosefield Community Shed be formally advised of the decision.

CARRIED UNANIMOUSLY

ITEM 725

MINUTES OF THE UNLEY BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

MOVED Councillor Koumi
SECONDED Councillor Lapidge

That:

1. The minutes of the Unley Business and Economic Development Committee meeting held on Tuesday, 7 December 2016, be received.
2. The recommendations listed under:

Item 31

King William Road Implementation – Business Case

Item 32

City of Unley Mainstreet Association Review 2016

Item 33

Vacancy Rate Review

Item 34

Association Coordinators Quarterly Reports for the period 1 July - 30 September 2016

Item 35

Unley Business and Economic Development Committee Meeting Dates 2017

inclusive, be adopted.

CARRIED UNANIMOUSLY

ITEM 726

MINUTES OF THE STRATEGIC PROPERTY COMMITTEE

MOVED Councillor Koumi
SECONDED Councillor Palmer

That

1. The Minutes of the Strategic Property Committee meeting held on Tuesday 13 December 2016, be received.
2. The recommendations under

Item 2
Financial Context for Strategic Property Acquisition and Divestment Opportunities

be adopted.
3. Item 3, 4 and 5 be moved to the end of the meeting.

CARRIED UNANIMOUSLY

ITEM 727

MINUTES OF THE AUDIT AND GOVERNANCE COMMITTEE

MOVED Councillor Schnell
SECONDED Councillor Rabbitt

That Item 44 be moved to the end of the meeting.

CARRIED UNANIMOUSLY

ITEM 728

SUBMISSION FOR FUNDING – ROSEFIELD COMMUNITY SHED

See page 3 of these Minutes.

ITEM 729

FINANCE PERFORMANCE REPORT FOR QUARTER ENDED DECEMBER 2016

MOVED Councillor Boisvert
SECONDED Councillor Smolucha

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 730**

**COMMUNITY CONSULTATION AND DESIGN REVIEW OF OXFORD TERRACE
STREETSCAPE CONCEPT**

MOVED Councillor Palmer
SECONDED Councillor Lapidge

That:

1. The report be received.
2. The concept report Oxford Terrace Streetscape Concept Design be adopted for community consultation.
3. A design review process be undertaken with input from the community consultation, and the result of the design review be presented to Council

Councillor Sangster MOVED as an AMENDMENT, SECONDED Councillor Hewitson

That:

1. The report be received.
2. The concept report Oxford Terrace Streetscape Concept Design be adopted for community consultation.

3. A design review process be undertaken with input from the community consultation, and the result of the design review be presented to Council
4. As part of the Oxford Terrace Design Process the Administration liaise with DPTI with a view to improving traffic flow at both Oxford Terrace and Arthur Street intersections with Unley Road.

The AMENDMENT was put and CARRIED

The AMENDMENT then became the MOTION and was **CARRIED**

SUSPENSION OF MEETING

The Presiding Member advised Members that he would like the meeting to take a break of 5 minutes at 8.36pm.

This was agreed with a two thirds majority.

Meeting procedures resumed at 8.41pm.

ITEM 731**

BREACH OF CODE OF CONDUCT FOR COUNCIL MEMBER

Councillor Hewitson declared a conflict of interest in this Item and left the meeting at 8.42pm.

MOVED Councillor Schnell
SECONDED Councillor Rabbitt

That:

1. The report be received.
2. Council notes that having investigated the alleged breach of the Code of Conduct for Council Members, the Ombudsman finds that Cr Michael Hewitson has breached Part 3 of the Code and in doing so committed misconduct in public office.
3. Council reprimands Cr Michael Hewitson and requires him to apologise for this behaviour. The apology to be made at the February 2017 Council meeting as a Personal Explanation in accordance with the *Local Government (Procedure at Meetings) Regulations 2013, 15(3)*.
4. Council requires that Cr Michael Hewitson undertake refresher training to ensure that he understands the legal obligations under the *Local Government Act 1999*, in particular the Code of Conduct for Council Members.

5. The Administration respond in writing to the Ombudsman confirming the Final Report was tabled at Council within the stipulated timeframe and enclosing a copy of the resolution passed reprimanding Cr Hewitson.
6. The Administration review the distribution of confidential emails and include a disclaimer below the signature line on all outgoing emails identifying or limiting the ways in which the information in emails can be distributed.

Councillor Palmer MOVED an AMENDMENT, SECONDED Councillor Salaman, that:

1. The report be received.
2. Council notes that having investigated the alleged breach of the Code of Conduct for Council Members, the Ombudsman finds that Cr Michael Hewitson has breached Part 3 of the Code and in doing so committed misconduct in public office.
3. Council reprimands Cr Michael Hewitson and requires him to apologise for this behaviour. The apology to be made at the January 2017 Council meeting as a Personal Explanation in accordance with the *Local Government (Procedure at Meetings) Regulations 2013, 15(3)*.
4. Council requires that Cr Michael Hewitson undertake refresher training to ensure that he understands the legal obligations under the *Local Government Act 1999*, in particular the Code of Conduct for Council Members.
5. The Administration respond in writing to the Ombudsman confirming the Final Report was tabled at Council within the stipulated timeframe and enclosing a copy of the resolution passed reprimanding Cr Hewitson.
6. The Administration review the distribution of confidential emails and include a disclaimer below the signature line on all outgoing emails identifying or limiting the ways in which the information in emails can be distributed.

The AMENDMENT was put and CARRIED

The AMENDMENT then became the MOTION and was **CARRIED**

Councillor Hewitson returned to the Chambers at 9.01pm.

PERSONAL EXPLANATION

The Presiding Member asked for leave of the Council to allow Councillor Hewitson to make an apology.

This was agreed with a two thirds majority.

Apology by Councillor Hewitson:

Of course I sincerely apologise to the CEO and Council for passing on an email that appeared to me to be non-confidential, and even though it was not marked confidential it was an email that our CEO expected to be confidential.

ITEM 732**

NOMINATIONS LOCAL GOVERNMENT ADVISORY COMMITTEE

MOVED Councillor Lapidge

SECONDED Councillor Sangster

That:

1. The report be received.
2. Councillor Palmer be nominated as a Local Government representative on the Local Government Advisory Committee.

CARRIED UNANIMOUSLY

Councillor Hewitson left the meeting at 9.07pm during debate on the above Item.

ITEM 733**

NOMINATIONS TO STATE RECORDS COUNCIL

MOVED Councillor Hughes

SECONDED Councillor Rabbitt

That:

1. The report be received.
2. Ms R Wilson, Group Manager Governance and Risk, be nominated as a Local Government representative on the State Records Council.

CARRIED UNANIMOUSLY

ITEM 734
NUISANCE AND LITTER ACT DELEGATIONS

MOVED Councillor Koumi
SECONDED Councillor Boisvert

That:

1. The report be received.
2. **Delegations made under Local Government Act 1999**
 - 2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999, the powers and functions under the Local Nuisance and Litter Control Act 2016 and specified in the proposed Instrument of Delegation contained in Attachment 1 to Item 734/17 are hereby delegated this 23rd day of January 2017 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
 - 2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
 - 2.3 It is a condition of this delegation to the Chief Executive Officer that such powers under the Local Nuisance and Litter Control Act 2016 are to be effective and exercised only according to the following timetable;
 - (i) Commencing 1 February 2017; provisions relating to litter control.
 - (ii) Commencing 1 July 2017; provisions relating to local nuisance.
3. **Amendments**
 - 3.1 Council notes the amendment to Section 236 of the Local Government Act 1999 effective from 1 February 2017 as shown at Attachment 2 to Item 734/17.

CARRIED

ITEM 735
INFORMAL GATHERINGS POLICY

MOVED Councillor Palmer
SECONDED Councillor Smolucha

That:

1. The report be received.
2. Council adopt the revised "Informal Gatherings Policy" as attached at Attachment 1 to Item 735/17.

CARRIED

ITEM 736
ERA CHAIRMAN AND CEO REPORT (JULY TO DECEMBER 2016)

MOVED Councillor Rabbitt
SECONDED Councillor Sangster

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 737
COUNCIL ACTION REPORT

MOVED Councillor Smolucha
SECONDED Councillor Boisvert

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 738**

QUESTION ON NOTICE – COUNCILLOR RABBITT RE PAID PARKING

Councillor Rabbitt has asked the following questions on notice, and the answers are provided.

1. Boffa Lane, Goodwood

At the Council Meeting on 23 February 2015, a Motion was passed that a parking fee of \$1.00 for a 3 hour period be charged at the Boffa Lane car park (Item 58).

On 27 June 2016, Cr Salaman moved a Motion that 'The decision to charge \$1.00 for 3 hours parking in the Boffa Street carpark (Item 58, Council 23 February 2015) be rescinded.' The Motion was put and declared Lost.

Recently, a visitor to King William Road advised me that she had parked in the Boffa Lane car park, found the machine OUT OF ORDER, and (mistakenly) assumed that the 3 Hour Limit did not apply. She returned to her car shortly over 3 hours and found that she had received an Infringement Notice.

Photographs confirming the 'OUT OF ORDER' notice.



What is the current status of the machine and parking arrangements in the Boffa Lane Car Park?

Answer

As of December 2016, the parking machine is in operation as approved by Council. It is correct that the parking machine was 'out of order' due to a maintenance issue and this has now been resolved.

It is a standard practice not to infringe the vehicles if the machine is out of order. For the particular incident above, Administration has contacted the affected customer to seek further details of the incident in order to assist with the matter.

2. Railway Terrace South, Goodwood

The response to my question on 27 June 2016 regarding 'suspension' of the Paid Parking Trial at this location was that a meeting with DPTI had been scheduled.

Have meetings with DPTI been held in relation to this matter and if so, what is the outcome?

Answer

There have been a few meetings with DPTI Officers regarding the parking meters and more generally the shared pathways. Prior to the introduction of the parking meters the Minister of Transport has asked to be consulted.

It was agreed (between DPTI and Council staff) that a formal agreement be put in place covering all shared pathways across Unley. This agreement would provide clarity on mutual responsibilities.

Following endorsement of this agreement, the issue of potentially reintroducing the parking meters could be considered.

The finalisation of the Shared Use Agreement is expected by June 2017.

ITEM 739

QUESTIONS ON NOTICE FROM COUNCILLOR PALMER

Councillor Palmer has asked the following questions on notice, and the answers are provided.

Stencilled Road Pavement Treatment

Question

I watched with interest last year as the traffic slowing treatment was applied to the corner where Byron Road meets Canterbury Terrace in Black Forest. In lieu of providing pavers we used a stencil or stamp impression onto the paving to create a brick look and a tumble feel when driving over.

I have some questions regarding this form of treatment.

1. *What is the cost comparison between replacing the bitumen and pavers verses the stamping procedure, which I note was quite labour intensive.*

Answer

The amount of work required to install pavers over this area would have been considerable as the bitumen is only approx. 35mm thick whereas the interlocking pavers are 80mm deep plus a suitable base to lay the pavers. The work would have required the excavation of the road pavement to a sufficient depth to enable the preparation of a suitable base to allow for the pavers plus a layer of bedding to be installed matching existing finished road level. This would have increased the time required for the project inconveniencing road users as well as additional traffic management for the project. The initial

estimates indicated that the paver option would have been approx. double the cost of the stencilled option.

2. *How long does the colour last or how often do we need to recolour it in order to keep the contrast that was provided. I notice that the red colouring is already fading but a month after installation with the rubber being left by vehicles traveling through this junction.*

Answer

The colour coating material used on the road pavement has a life expectancy of 5-8 times the normal road line marking paint according to the manufacturer. This product has been used elsewhere in the City such as the existing slow points along the rest of Bryon Road which have been in place for some 10 years. The discolouration of the new coloured pavement is probably due to dirt and grime as well as rubber from the tyres on the finished surface. However, the integrity of the material will remain and the traffic calming feature of the treatment will continue to be achieved. The difference in cost for the treatments does give us the ability to reapply the colouring as required.

Asbestos found in Orphanage Park

Questions

The recent discovery of material containing asbestos in Orphanage Park is known to all of us.

1. *Do we know what the material containing the asbestos is. Where in the park was it found, just in the creek or elsewhere and (if so) where?*

Answer

A fibre board containing Chrysotile and Amosite asbestos and organic fibre was detected in the South East corner near the creek and Percy Street, but not in the creek channel itself.

2. *Was the material in good condition with the asbestos safely contained or fractured potentially exposing the asbestos fibre?*

Answer

The material found was in small fragments, less than half a kilogram in total and non-friable.

3. *Do we know how it came to be in the Park. Is it reasonable to assume it was deposited in the park via the recent storm activity via Brownhill Creek. If not is it reasonable to assume it has been there a while.*

Answer

The material could have been deposited as a result of a recent storm however, we believe it may have been in the park for some time and buried beneath the earth mound. We removed this mound on Wednesday, 18 January 2017.

4. *How confident are we that it has all be located/found and therefore removed?*

Answer

See above.

Section 117 Development Act
Question

I recently observed for members a web page that suggested to my mind that the focus of that arborist was on their client and not the tree. It is my belief that a professional should observe without a leaning to what their client may want but what is appropriate (in this case) for the future of the tree.

We (Council) have the responsibility to oversee that reports received by Council are prepared in this light. I am aware as a previous DAP member that Section 117 (1) of the Development Regulations requires anyone who is providing an expert report on a regulated tree the subject of a development application to hold a Certificate V in Horticulture (Arbor culture).

My question on notice is what procedures do we have in place to identify/confirm that any report we receive, no matter the source, is from someone with these qualifications.

Answer

There is no formal procedure in place for this purpose but the Development Team is aware that Regulations 117 (1) sets out the qualifications of the person providing the expert report are to be **Cert V in Horticulture (Arbor culture), or a comparable or higher qualification.**

When an arborist report is received as part of an application or requested by administration, the report is first reviewed by the assessing officer, then by the Council's arborist to ensure that the report has been provided by a person with the appropriate qualification. This is part of the assessment process. If the arborist report provided does not include the qualifications of the person who has written/provided the report, then the assessing officer would make the necessary investigation to find out the information.

Anything less than a Cert V in Horticulture fails to satisfy the threshold, therefore the report is ignored.

Additionally, when further information is sought by administration requesting an arborist report, the request specifies that the arborist report must be prepared by a person holding a Certificate V in Horticulture (Arbor culture), or comparable or higher qualification.

ITEM 740
QUESTIONS WITHOUT NOTICE

Councillor Schnell asked a question on Nuisance and Litter Control Act if the delegations had been handed to local government.

Answer was provided advising that there will be an increase in costs to council and the work had previously been undertaken by the EPA.

Councillor Schnell – development opposite Cremorne – what is the status.
Advised that nothing had been provided to Council.

Councillor Palmer asked a question regarding the tram overpass on South Road. What will Council's administration be doing to assist or direct DPTI in managing the diversion of traffic and in particular heavy vehicles through our streets to minimise inconvenience to residents and businesses alike.

Can we not only take a proactive role in determining with DPTI the least inconvenient detours but request DPTI to alert residents and businesses alike by letter box drop or other such communication or do so ourselves as a service to the Black Forest, Everard Park, Clarence Park, Millswood and Forestville communities.

This question will become a question on notice for the February meeting of Council.

Councillor Hewitson returned to the Chamber at 9.11pm during the above Item.

ITEM 741
MAYOR'S REPORT

MOVED Councillor Rabbitt
SECONDED Councillor Palmer

That:

1. The report be received.

CARRIED.

ITEM 742
DEPUTY MAYOR'S REPORT

MOVED Councillor Sangster
SECONDED Councillor Palmer

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 743
REPORTS OF MEMBERS

Council to note the attached reports from Members

1. Councillor Palmer

ITEM 744
NOTICE OF MOTION FROM COUNCILLOR RABBITT RE VACANT LAND AT 255
GOODWOOD ROAD

MOVED Councillor Rabbitt
SECONDED Councillor Sangster

That:

1. Administration investigates ownership of the vacant land at 255 Goodwood Road, Kings Park (believed to be owned by the Department of Planning Transport and Infrastructure).
2. On the basis of 1. above being confirmed, Administration requests the transfer of ownership of this land to the City of Unley 'gratis', on the basis that council will maintain the land in a tidy state.
3. Administration prepares a concept plan and costing for a low maintenance, dry garden area that would provide an additional 'green space', enhance the western approach to the Millswood Train Station and hopefully discourage the regular dumping of rubbish at the site.
4. Administration identifies funding sources as part of the 2017/18 budget process.

CARRIED UNANIMOUSLY

ITEM 745**NOTICE OF MOTION – COUNCILLOR BOISVERT RE VICTORIA STREET AND GOODWOOD ROAD**

MOVED Councillor Boisvert
SECONDED Councillor Palmer

That:

1. Council request administration to monitor the turning movements out of Victoria Street on to Goodwood Road, following completion of the current upgrade works and report back to Council on any proposed changes required to remedy any additional queuing experienced by traffic wanting to exit Victoria Street in peak periods. These recommendations may involve the banning of right turns out of Victoria Street into Goodwood Road during the peak periods.

CARRIED

ITEM 754**MOTIONS WITHOUT NOTICE**

MOVED Councillor Hughes
SECONDED Councillor Palmer

That Council thank Councillor Rabbitt for his contribution as Deputy Mayor during 2016.

CARRIED UNANIMOUSLY

ITEM 746**UNRESOLVED ITEMS**

Meeting Date	Item	Status
Council 12 September 2016	Item 584 Millswood Sporting Complex Detailed Design	The Item remains laid on the table.

ITEM 747

CONFIDENTIALITY MOTION FOR ITEM 748 – KING WILLIAM ROAD TRADERS ASSOCIATION

MOVED Councillor Koumi

SECONDED Councillor Rabbitt

That:

1. Pursuant to Section 90(2) and (3)(g) of the Local Government Act 1999 the Council orders the public be excluded, with the exception of the following:

Mr P Tsokas, Chief Executive Officer

Ms M Berghuis, General Manager City Services

Mr J Devine, General Manager City Development

Ms N Tinning, General Manager Business Support & Improvement

Ms S Bayly, Acting Group Manager Governance and Risk

Ms C Gowland, Executive Assistant to CEO and Mayor

Ms A Klingberg, Coordinator Business and Economic Development

on the basis that it will receive and consider the report on the King William Road Traders Association, and that the Council is satisfied that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:

- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

It would be in the best interest of Council to consider this matter in confidence.

CARRIED UNANIMOUSLY

The doors to the Council Chambers were closed at 9.37pm.

Councillor Smolucha left the meeting at 9.37pm returning at 9.38pm.

CONFIDENTIAL

ITEM 748

KING WILLIAM ROAD TRADERS ASSOCIATION

ITEM 749

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – ITEM 748 – KING
WILLIAM ROAD TRADERS ASSOCIATION**

MOVED Councillor Koumi
SECONDED Councillor Boisvert

That:

1. The report be received.
2. Pursuant to Section 91(7) and (3)(g) of the Local Government Act:

2.1 The

☒ Minutes

☒ Report

remain confidential on the basis that the information contained in this report because of matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty, and

- 2.2 the minutes and report will be kept confidential until the item is revoked by the Chief Executive Officer.

CARRIED UNANIMOUSLY

The doors to the Council Chambers were opened at 9.47pm.

ITEM 750

**CONFIDENTIALITY MOTION FOR ITEM 4 – STRATEGIC PROPERTY
COMMITTEE MINUTES**

MOVED Councillor Boisvert
SECONDED Councillor Smolucha

That:

1. Pursuant to Section 90(2) and (3)(b) of the Local Government Act 1999 the Council orders the public be excluded, with the exception of the following:

Mr P Tsokas, Chief Executive Officer
Ms M Berghuis, General Manager City Services
Mr J Devine, General Manager City Development
Ms N Tinning, General Manager Business Support & Improvement
Ms S Bayly, Acting Group Manager Governance and Risk
Ms C Gowland, Executive Assistant to CEO and Mayor

on the basis that it will receive and consider the report on Strategic Property Purchase and that the Council is satisfied that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:

(b) information the disclosure of which

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
- (ii) would, on balance, be contrary to the public interest.

It would be in the best interest of the Council to consider this matter in confidence.

CARRIED UNANIMOUSLY

The doors to the Council Chambers were closed at 9.47pm.

CONFIDENTIAL

ITEM 4 STRATEGIC PROPERTY COMMITTEE MINUTES

ITEM 751

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – ITEM 4 – STRATEGIC PROPERTY COMMITTEE MINUTES

MOVED Councillor Sangster
SECONDED Councillor Rabbitt

That:

1. The report be received.
2. Pursuant to Section 91(7) and (3)(b) of the Local Government Act:

2.1 The

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remain confidential on the basis that the information contained in this report could confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, and

- 2.2 the minutes, report and attachments will be kept confidential until the item is revoked by the Chief Executive Officer.

CARRIED UNANIMOUSLY

The doors to the Council Chambers were opened at 9.55pm.

EXTENSION TO MEETING TIME

It was agreed, with a two thirds majority, that the meeting time be extended for a further 30 minutes, up to 10.30pm if necessary.

ITEM 752

**CONFIDENTIALITY MOTION FOR ITEM 44 – AUDIT AND GOVERNANCE
COMMITTEE MINUTES**

MOVED Councillor Palmer

SECONDED Councillor Rabbitt

That:

1. Pursuant to Section 90(2) and 90(3)(d) of the Local Government Act 1999 the Audit and Governance Committee orders the public be excluded, with the exception of the following:

Mr P Tsokas, Chief Executive Officer
Ms M Berghuis, General Manager City Services
Mr J Devine, General Manager City Development
Ms N Tinning, General Manager Business Support & Improvement
Ms S Bayly, Acting Group Manager Governance and Risk
Ms C Gowland, Executive Assistant to CEO and Mayor

on the basis that it will receive and consider the report and attachments on the Centennial Park Cemetery Authority's Asset Management Plan and that the Council is satisfied that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter on the grounds that they contain:

- (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.

CARRIED UNANIMOUSLY

The doors to the Council Chambers were closed at 9.56pm.

CONFIDENTIAL

ITEM 44**

AUDIT AND GOVERNANCE COMMITTEE MINUTES

ITEM 753

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE ITEM 44 – AUDIT
AND GOVERNANCE COMMITTEE MINUTES**

MOVED Councillor Koumi
SECONDED Councillor Palmer

That:

1. The report be received.
2. Pursuant to Section 91(7) and (3)(d) of the Local Government Act:

2.2 The

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- ☒ Attachments

remain confidential on the basis that the information contained in this report could prejudice the commercial position of the person who supplied the information, or confer a commercial advantage on a third person, and

- 2.2 the minutes, report and attachments will be kept confidential until the item is revoked by the Chief Executive Officer.

CARRIED

The doors to the Council Chambers were opened at 10.11pm.

ITEM 754

MOTIONS WITHOUT NOTICE

See page 18 of these Minutes.

NEXT MEETING

Monday 27 February 2017 – 7.00pm

CLOSURE

The Presiding Member closed the meeting at 10.11pm.

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PRESIDING MEMBER

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