

COUNCIL MEETING

**Minutes of the Corporation of the City of Unley
Held on Monday 25 November 2013 at 7.00pm
In the Civic Centre
181 Unley Road Unley**

PRESENT

His Worship the Mayor, Mr L Clyne (Presiding Member
Councillors J Koumi M Hudson
R Sangster M Saies
J Boisvert
A Lapidge P Hughes
R Salaman M Hewitson

OFFICERS PRESENT

Chief Executive Officer, Mr P Tsokas
General Manager Economic Development & Planning, Mr D Litchfield
General Manager Community, Ms M Berghuis
General Manager People & Governance, Mr S Faulkner
General Manager Assets & Infrastructure, Mr J Devine
Manager Governance & Risk, Ms R Wilson
Manager Community Development, Ms M Smith
Manager Swimming Centre, Mr N Byles
Recreation & Open Space Coordinator, Mr J Wilkinson
Executive Assistant to the CEO, Ms C Gowland

ACKNOWLEDGEMENT

The Presiding Member opened the meeting with the Aboriginal 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 and Senior Staff, members of the gallery and the media to the 25 November 2013, meeting of the Unley City Council.

(This is page 1 of the Council Minutes for 25 November 2013)

** denotes change

APOLOGIES

Councillor D Tipper – Leave of Absence
Councillor B Schnell (Deputy Mayor)
Councillor D Palmer

CONFLICT OF INTEREST

Nil

ITEM 959

CONFIRMATION OF MINUTES FOR COUNCIL MEETING HELD ON 28 OCTOBER 2013

MOVED Councillor Lapidge
SECONDED Councillor Hudson

That the minutes of the Council meeting held on Monday 28 October 2013, as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 960

PETITION RE ANDERSON STREET FULLARTON

MOVED Councillor Boisvert
SECONDED Councillor Lapidge

That:

1. The petition be received.
2. The principal petitioner be notified that the petition has been received.

CARRIED UNANIMOUSLY

DEPUTATIONS

Mr Nathan Lymberopoulos notified Council that he wished to withdraw his request for a deputation.

Mr Tom Hester, representative of “Save our Streets” re opposition to high flow culverts – Stormwater Management Plan. Mr Hester asked a series of questions of the Council and a copy of his deputation to the Council is attached.

Mr David Hudson, resident and Mr Graham Davies, Chair Sustainable Engineering Society re flood design modelling used in Brown Hill Keswick Creek Stormwater Project.

CHANGE OF ORDER OF BUSINESS

The Presiding Member suggested to Members that the order of business be changed to bring forward Item 972 – Brown Hill Keswick Creek Project Update, as this Item was the Item that the majority of the gallery were here for. This was agreed with a two thirds majority.

ITEM 972

BROWN HILL KESWICK CREEK PROJECT UPDATE

MOVED Councillor Boisvert
SECONDED Councillor Saies

That:

- 1 The report be received.
- 2 The final report acknowledges that many Unley residents will not accept any option that has high flow culverts in Unley streets and seeks to find a viable option that achieves this.
3. The Save Our Streets group be added to the list of special interest groups.

CARRIED

Councillor Salaman left the meeting at 8.10pm returning at 8.11pm after debate on the above Item.

ITEM 961
MINUTES OF 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 Wednesday 6 November 2103, be received.
2. The recommendations listed under:

Item 18
Association Coordinators' Quarterly Reports for the period ending 30
September 2013

Item 19
Car Park Map Project Scope

Item 20
Goodwood Central Traders Association Coordinator's Quarterly Reports for
the periods ending 30 June 2013 and 30 September 2013

inclusive, be adopted.

CARRIED UNANIMOUSLY

CHANGE OF ORDER OF BUSINESS

The Presiding Member suggested to Members that the order of business be changed to move Item 962 – Minutes of Audit and Governance Committee, to the end of the meeting as it included confidential Items.
This was agreed with a two thirds majority.

ITEM 962
MINUTES OF AUDIT AND GOVERNANCE COMMITTEE

See Page 23 of these Minutes.

ITEM 963**MINUTES OF INFRASTRUCTURE AND CAPITAL PROJECTS COMMITTEE**

MOVED Councillor Boisvert
SECONDED Councillor Koumi

That:

1. The minutes of the Infrastructure and Capital Projects Committee meeting held on Monday 18 November 2103, be received.

CARRIED UNANIMOUSLY

2. The recommendations listed under:

Moved Councillor Boisvert
Seconded Councillor Hewitson

Item 9
Waste Management Strategy
Be adopted

CARRIED UNANIMOUSLY

Moved Councillor Boisvert
Seconded Councillor Sangster

Item 10
Kerbside Waste and Recycling Contract
Be adopted

CARRIED UNANIMOUSLY

Moved Councillor Boisvert
Seconded Councillor Koumi

Item 11
Asset Management System Update
Be adopted.

CARRIED UNANIMOUSLY

ITEM 964**MAYOR'S REPORT FOR MONTH OF NOVEMBER 2013**

MOVED Councillor Sangster
SECONDED Councillor Hughes

That the report be received.

CARRIED UNANIMOUSLY

ITEM 965

DEPUTY MAYOR'S REPORT FOR MONTH OF NOVEMBER 2013

MOVED Councillor Hughes
SECONDED Councillor Hudson

That the report be received.

CARRIED UNANIMOUSLY

ITEM 966

REPORTS OF MEMBERS

a) Items of particular interest, concern or urgency.

Councillor Boisvert – Trying to meet with CEO of DPTI re outstanding issues. Graffiti management still has not happened. Noise of activated crossing too loud.

Councillor Saies – 50th anniversary of JFK assassination has written a song and sent to various people.

Councillor Hewitson – Re Unley Oval newsletter – urging Council to put out something with the correct details regarding Unley Oval.

b) Development Matters

Nil

ITEM 967

GOODWOOD OVAL AND MILLSWOOD SPORTING COMPLEX IMPROVEMENT PLAN – PROJECT BRIEF

MOVED Councillor Boisvert
SECONDED Councillor Sangster

That:

1. The report be received.
2. Council endorse the project brief for the development of an Improvement Plan for Goodwood Oval and Millswood Sporting Complex.

CARRIED UNANIMOUSLY

ITEM 968
COMMUNITY ENGAGEMENT POLICY

MOVED Councillor Hughes
SECONDED Councillor Lapidge

That:

1. The report be received.
2. Attachment 1 to Item 968/13 be endorsed for the purpose of community consultation on a revised Community Engagement Policy.

CARRIED UNANIMOUSLY

ITEM 969
FREE CASUAL ENTRY TO THE UNLEY SWIMMING CENTRE FRIDAY
EVENINGS

MOVED Councillor Hughes
SECONDED Councillor Hewitson

That:

1. The report be received.
2. Casual entry to the Unley Swimming Centre be free on Fridays from 5pm, commencing 7 February 2014 and concluding 23 May 2014.
3. All information regarding free entry is gathered and the associated costs and benefits be reported to Council following this year's season, to determine the on-going viability of this service to the community.

CARRIED UNANIMOUSLY

ITEM 970

GENERAL DEVELOPMENT PLAN AMENDMENT – STATEMENT OF INTENT

MOVED Councillor Koumi
SECONDED Councillor Hewitson

That:

1. The report be received.
2. The Statement of Intent for the General Development Plan Amendment (Attachment 1 to Item 970/13) be endorsed and submitted to the Minister for Planning with a request for agreement.
3. The Administration be authorised to negotiate matters of detail that maintain the intent of the Statement of Intent and General Development Plan Amendment as required to obtain the agreement of the Minister for Planning.

CARRIED UNANIMOUSLY

ITEM 971

REVIEW OF ACCESS REQUIREMENTS FOR HEAVY VEHICLES INTO AND OUT OF KING WILLIAM ROAD AND ARTHUR STREET**

MOVED Councillor Salaman
SECONDED Councillor Hewitson

That:

1. The report be received.
2. Implement the following protocols
 - No legal restrictions placed on heavy vehicles using Arthur Street
 - Woolworths delivery vehicles will be directed by the company to access Arthur Street from Unley Road
 - Articulated vehicles that have delivered their entire load to Woolworths Unley will exit via the King William Road intersection.
 - All other Woolworth's delivery vehicles will exit via Unley Road.

Councillor Hughes MOVED an AMENDMENT, SECONDED Councillor Boisvert

That:

1. The report be received.

(This is page 8 of the Council Minutes for 25 November 2013)

** denotes change

2. Implement the following protocols for a six month trial period

- No legal restrictions placed on heavy vehicles using Arthur Street
- Woolworths delivery vehicles will be directed by the company to access Arthur Street from Unley Road
- Articulated vehicles that have delivered their entire load to Woolworths Unley will exit via the King William Road intersection.
- All other Woolworth's delivery vehicles will exit via Unley Road.

The AMENDMENT was put and **CARRIED**

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

DIVISION

A Division was called and the previous decision set aside.

Those voting in the affirmative:

Councillors Boisvert, Lapidge, Koumi, Salaman, Hughes and Hewitson

Those voting in the negative:

Councillors Saies, Sangster and Hudson

The MOTION was then declared **CARRIED**

ITEM 972

BROWN HILL KESWICK CREEK PROJECT UPDATE

See page 3 of these Minutes.

ITEM 973

ROAD TRAFFIC ACT : MINISTER FOR TRANSPORT – UPDATED INSTRUMENT FOR AUTHORISED OFFICERS

MOVED Councillor Saies

SECONDED Councillor Boisvert

That:

1. The report be received.

2. Council hereby revokes its previous authorisations to council officers and delegation to the Chief Executive Officer of powers under clauses A, B, C, D, E and F of the Minister for Transport's Instrument dated 27 April 2009 under the Road Traffic Act 1961.
3. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure, the Council delegates to the person occupying the office of Chief Executive Officer, the power to appoint Authorised Officers to exercise for, and on behalf of Council, the powers under clauses A, B, C, D, and F of the Instrument in relation to the Road Traffic Act 1961.
4. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument') the Council authorises the following persons pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such persons shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:

General Manager Economic Development and Planning
Manager Public Realm and Integrated Movement
Traffic Engineer
Transport and Technical Officer.

5. In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:

General Manager Economic Development and Planning
Manager Public Realm and Integrated Movement
Traffic Engineer
Transport and Technical Officer.

6. In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Sub-delegation (annexed to the Report dated 25 November 2013 and entitled "Road Traffic Act; Minister for Transport Updated Instrument for Authorised Officers" and marked Attachment 4) is hereby sub-delegated this 25th day of November 2013 to the person occupying the office of Chief Executive Officer of the Council subject to:

- (i) the conditions contained in the Instrument, and
- (ii) any conditions contained in this Resolution or in the Instrument of Sub-delegation, and

(This is page 10 of the Council Minutes for 25 November 2013)

- (iii) the creation of a separate instrument in writing reflecting such sub-delegation under the Instrument and this Resolution.

7. In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:

General Manager Economic Development and Planning
Manager Public Realm and Integrated Movement
Traffic Engineer
Transport and Technical Officer.

CARRIED UNANIMOUSLY

Councillor Hudson left the Chambers at 9.36pm.

ITEM 974
QUARTERLY PERFORMANCE REPORT

MOVED Councillor Hughes
SECONDED Councillor Sangster

That the report be received.

CARRIED UNANIMOUSLY

ITEM 975
COUNCIL ACTION RECORDS

MOVED Councillor Lapidge
SECONDED Councillor Sangster

That the report be received.

CARRIED UNANIMOUSLY

ITEM 976
QUESTIONS ON NOTICE FROM COUNCILLOR BOISVERT RE BROWN HILL
KESWICK CREEK

The following Questions on Notice were received from Councillor Boisvert in October (Item 955) and the answers are provided below:

(This is page 11 of the Council Minutes for 25 November 2013)

** denotes change

Questions

1. When was the Appendix B – City of Unley Submission to BHKCSP on 2011 Draft SMP debated and approved by Council?
<http://www.unley.sa.gov.au/webdata/resources/files/Final%20SMP%202012%20Appendices%20Part%201.pdf>

Answer

The City of Unley submission was debated at the City Strategy & Policy meeting of 14 May 2012, (Item 109) and the minutes were endorsed by Council at its meeting on 28 May 2012.

2. Can you outline all Council decisions relating to the Brown Hill Keswick Creek Stormwater Management Plan in chronological order as well as the meetings at which they were discussed?

Answer

The following provides a summary of Council decisions (relevant to the current Plan) between 2011 and 2013.

Item 112 - Council 28/3/11 – Brown Hill Keswick Creek Stormwater Project

- “1. The report be received.
2. Council endorses the proposed timing and process for completing preparation of a revised Stormwater Management Plan as proposed in this report, including the following indicative timeframes:
 - 2.1 Receipt of the draft revised Stormwater Management Plan by the end of June 2011.
 - 2.2 Review of the report and Council's consideration by mid September 2011.
 - 2.3 Community consultation on the plan takes place between mid September to the end of October 2011.
 - 2.4 Review of consultation outcomes by mid December 2011.
 - 2.5 Council's approval of the revised Stormwater Management Plan and submission to the Stormwater Management Authority by early March 2012”

Item 245 - Council 26/9/11 – Keswick and Brown Hill Creek Draft Stormwater Management Plan for Community Consultation

1. The report be received.
2. The draft Brownhill Keswick Creek Stormwater Management Plan be received for the purpose of community consultation that will occur between 31 October and 12 December 2011.

Item 387 - Council 26/3/12 – Brown Hill Keswick Creek Update

1. The report be received.

2. The Community Consultation Report for the Brown Hill Keswick Creek Draft Stormwater Management Plan be noted.

Item 109 - City Strategy & Policy meeting of 14/5/12 (minutes endorsed FCM 28/5/12) – Brown Hill Keswick Creek Draft Stormwater Management Plan

1. The report be received.
2. The City of Unley endorses the proposed two-part strategy, as outlined in Attachment 1 to Item 109/12, for delivering a Stormwater Management Plan for the catchment councils.
3. In so far as flood mitigation measures within the City of Unley are concerned, the City of Unley endorses the submission, as outlined in Attachment 2 to Item 109/12, to the Brownhill Keswick Creek Stormwater Project.

Note : this two part strategy recommended investigating a preferred 'no dam' solution.

Item 514 - Council 27/8/12 – Brown Hill Keswick Creek Stormwater Project – Endorsement of Stormwater Management Plan

- “1. The report be received.
2. Council endorses the Brown Hill Keswick Creek Stormwater Project 'Draft Stormwater Management Plan 2012' for joint submission to the Stormwater Management Authority (SMA) from the Cities of Adelaide, Burnside, Mitcham, Unley and West Torrens.
3. The five (5) Councils undertake further discussions with the State and Commonwealth Government to determine future funding models which recognises life cycle costs, renewal and depreciation of assets created within the Stormwater Management Plan.
4. Council insists that State Government Agencies continue to be responsible for the funding of existing and/or upgrade of assets under their control, inside of the catchment.
5. The City of Unley reinforces the view that the draft Stormwater Management Plan explores
 - a. Opportunities through DPs and/or DPAs for diminishing discharge of stormwater to the street watertable
 - b. Other methods not currently detailed in the Plan which can diminish local flooding and improve the water quality of stormwater runoff eg stormwater harvesting and reuse.”

Item 654 – Council 29/1/13 – Brown Hill Keswick Creek Stormwater Project – Goodwood Junction

- “1. The report be received.
2. In respect of the Brown Hill Keswick Creek Stormwater Project (the 'project'), Council commits to its share of the project councils' payment to Department of Planning, Transport and Infrastructure (DPTI) for part of the construction cost (including net cost of land acquisition) incurred by DPTI for works to successfully divert Brown Hill Creek as part of the Goodwood Junction Rail Upgrade Project, subject to:
 - a) approval by the Stormwater Management Authority (SMA) of the Stormwater Management Plan (SMP);
 - b) the SMA and State Government jointly agreeing to give necessary financial support to a minimum of 50% of the capital cost of the project (as described in the SMP) net of any Commonwealth Government financial contribution;

(This is page 13 of the Council Minutes for 25 November 2013)

** denotes change

- c) DPTI having ownership and maintenance responsibilities for the assets constructed and acquired, until such time as alternative responsibilities are agreed between the project and DPTI; and
 - d) the other four project councils, namely the Cities of Adelaide, Burnside, Mitcham and West Torrens, providing similar commitment (including parts a, b and c) to pay their share of the payment to DPTI.
3. The amount of payment to DPTI (the 'final amount') will be negotiated between the project and DPTI based on the project paying the cost increase between a system which diverts Brown Hill Creek for the purposes of the Goodwood Junction Rail Upgrade Project and a system which also satisfies requirements of the SMP, but the final amount will not exceed \$5 million.
 4. The Chief Executive Officer is delegated to negotiate the final amount, for joint agreement with the other four project councils and DPTI.
 5. The amount to be paid collectively by the project councils shall not exceed 50% of the final amount, net of any amount obtained (or due through formal agreement) from the Commonwealth Government in accordance with the cost sharing proposal between the three spheres of government as described in the SMP. The upper limit of 50% applies only to the project councils' payment to DPTI for the Goodwood Junction works. For all other infrastructure works of the project the cost sharing between the three spheres of government as proposed in the SMP will apply.
 6. Unley Council will contribute 21% of the total amount payable collectively by the project councils, but not more than \$525,000.
 7. Unley Council, as host council for the project and with agreement of the other four project councils, will be requested to apply for a payment contribution from the Stormwater Management Authority after the final amount is agreed between the project and DPTI.
 8. The amount of payment contribution sought from the SMA (in terms of recommendation 6) is the balance of the final amount resulting from the amount paid collectively by the catchment councils less any amount obtained from the Commonwealth Government (recommendation 4).
 9. The project uses its best endeavours to seek an amount from the Commonwealth Government in respect of cost sharing between the three spheres of government as proposed in the SMP.
 10. Payment by Council (recommendation 5) would be made in the financial year of 2014/15 or such later time as agreed with DPTI, and is subject to the project and DPTI reaching agreement on the final ownership and maintenance responsibilities associated with the assets."

Item 655 – Council – 29/1/13 – Brown Hill Keswick Creek Project – Funding for Ridge Park Dam

- "1. The report be received.
2. A flood detention dam in Ridge Park, as proposed in the Brown Hill Keswick Creek Stormwater Management Plan and as subsequently designed, be constructed.
3. Unley Council provides contingency funding of \$1 438 000 to cover the funding shared by the five catchment councils of up to 50% of the project cost, in the event that one or more of the other four councils do not contribute.

(This is page 14 of the Council Minutes for 25 November 2013)

** denotes change

4. Council notes that implementation of the project in its current form is subject to funding by the Stormwater Management Authority of 50% of the project cost, for which a funding application has been submitted."

3. Can you list the reports that have been debated by Council on this topic?

Answer

As for Question 2 above.

4. When will the information shared with Councillors on this topic at a recent briefing be made public?

Answer

A report outlining progress of the Plan is included in this month's agenda (Item 972).

As investigations progress, further reports will be submitted to Council for information, direction and/or decision.

ITEM 982

QUESTIONS WITHOUT NOTICE

Councillor Boisvert asked the following question at the October meeting: "when the DAP or planning approve the removal of a regulated or significant tree they also condition the approval regarding the number of trees that must be replaced (to the satisfaction of Council). How is Council recording this information to ensure that each property can be followed up to ensure the survival of each tree and will this be recorded as an encumbrance when the property is sold?"

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

ITEM 977
CORRESPONDENCE

The correspondence from

- John Hipper – tabled by Councillor Boisvert at October Council meeting
- YMCA of South Australia
- Mayor David O’Loughlin, President LGA
- Premier Jay Weatherill MP
- Mayor David O’Loughlin, President LGA
- Hon Tony Piccolo MP, Minister for Social Housing
- Office of the Industry Advocate
- Hon Tony Piccolo MP, Minister for Volunteers
- Hon Jennifer Rankine MP, Minister for Multicultural Affairs
- Mayor Felicity-ann Lewis, Australian Local Government Association
- Economic Development Australia
- Hon David Ridgway MLC

be noted.

ITEM 978
UNRESOLVED ITEMS

Meeting Date	Item	Status
Council 22/3/10	Item 622 (UBED Item 46 Adjourned Debate – Item 46 – Unley Business and Economic Development Committee – Glen Osmond Road Separate Rate Negotiation. (copy attached)	The Item lie on the table.

ITEM 979

CONFIDENTIALITY MOTION FOR ITEM 980 – LAND ENCROACHMENT

MOVED Councillor Hewitson
SECONDED Councillor Koumi

That:

1. Pursuant to Section 90(2) and (3)(i) 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
Mr D Litchfield, General Manager Economic Development and Planning
Mr S Faulkner, General Manager People and Governance
Ms M Berghuis, General Manager Community
Mr J Devine, General Manager Assets and Infrastructure
Ms R Wilson, Manager Governance and Risk
Ms C Gowland, Executive Assistant to CEO

on the basis that it will receive and consider the report on Land Encroachment 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:

- (i) information relating to actual litigation, or litigation that the Council believes on reasonable grounds, will take place, involving the Council or an employee of the Council.

The report contains information regarding Council's position in relation to the property. Given these circumstances this item will need to be considered in confidence at this point in time.

Carried Unanimously

The doors to the Council Chamber were closed at 9.49pm.

Councillors Saies and Koumi left the meeting at 9.49pm returning at 9.50pm.

CONFIDENTIAL

ITEM 980
BUILDING ENCROACHMENT **

(This is page 18 of the Council Minutes for 25 November 2013)

** denotes change

ITEM 981

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE ITEM 980 – LAND ENCROACHMENT

MOVED Councillor Salaman
SECONDED Councillor Sangster

That:

1. Pursuant to Section 91(7) and (9) of the Local Government Act:

1.1 The

- ☒ Minutes
- ☒ Report
- ☒ Attachments

remain confidential on the basis that the information contained in this report contains information with regard to possible litigation regarding the property, and

1.2 the 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 10.29pm.

ITEM 962
MINUTES OF AUDIT AND GOVERNANCE COMMITTEE

MOVED Councillor Saies
SECONDED Councillor Sangster

That:

1. The minutes of the Audit and Governance Committee meeting held on Tuesday 12 November 2103, be received.
2. The recommendations listed under:

Item 75
Fraud and Corruption Policy – Draft

Item 76
Whistleblowers' Protection Policy – Draft

Item 77
Audit and Governance Committee 2013-14 Workplan

Item 78
Response to Dean Newbery and Partners

Item 79
Correspondence

inclusive, be adopted.

CARRIED

ITEM 72

CONFIDENTIALITY MOTION FOR ITEM 73 – EXTERNAL AUDIT APPOINTMENT

MOVED Councillor Hughes

SECONDED Councillor Hewitson

That:

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

Mr P Tsokas, Chief Executive Officer

Mr D Litchfield, General Manager Economic Development and Planning

Mr S Faulkner, General Manager People and Governance

Ms M Berghuis, General Manager Community

Mr J Devine, General Manager Assets and Infrastructure

Ms R Wilson, Manager Governance and Risk

Ms C Gowland, Executive Assistant to CEO

On the basis that it will adopt the recommendation of the Audit and Governance Committee regarding the report on Evaluation of Audit Tender, and that the Committee is satisfied that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:

- (a) the disclosure of the commercial information which is of a confidential nature (not being a trade secret) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage on a third party, without losing its element of confidentiality.

The report recommends that the Audit and Governance Committee makes a recommendation to Council in regards to the external auditor contract.

CARRIED UNANIMOUSLY

Item 73
External Audit Appointment - Confidential

MOVED Councillor Saies
SECONDED Councillor Boisvert

That the recommendation under Item 73 be adopted.

CARRIED UNANIMOUSLY

MOVED Councillor Hughes
SECONDED Councillor Salaman

Item 74
Confidentiality Motion to Remain in Confidence – Item 73 – External Audit Appointment

That the recommendations under Item 74 be adopted.

CARRIED UNANIMOUSLY

ITEM 982
QUESTIONS WITHOUT NOTICE

See page 15 of these minutes.

The doors to the Council Chambers were opened at 10.49pm.

NEXT MEETING

Monday 9 December 2013 – 7.00pm

CLOSURE

The Presiding Member closed the meeting at 10.49pm.

.....
PRESIDING MEMBER

.....