

## **COUNCIL MEETING**

**Minutes of the Corporation of the City of Unley  
Held on Monday 23 September 2013 at 7.01 pm  
In the Civic Centre  
181 Unley Road Unley**

### **PRESENT**

His Worship the Mayor, Mr L Clyne (Presiding Member	
Councillors	M Hudson
	M Saies
J Boisvert	D Palmer
A Lapidge	P Hughes
	B Schnell (Deputy Mayor)
R Salaman	

### **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 Finance & ICT, Mr M Carey  
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, and members of the gallery to the 23 September 2013, meeting of the Unley City Council.

## **APOLOGIES**

Councillor R Sangster  
Councillor M Hewitson  
Councillor J Koumi  
Councillor D Tipper

## **CONFLICT OF INTEREST**

Councillor Schnell advised that he had a conflict of interest in Item 910 and also in Councillor Saies' suggested Motion Without Notice, due to his employment.

## **ITEM 887**

### **CONFIRMATION OF MINUTES**

MOVED Councillor Hudson  
SECONDED Councillor Palmer

That

1. The Minutes of the Council meeting held on Monday 26 August 2013, as printed and circulated, be taken as read and signed as a correct record.

**CARRIED**

A Division was called and the previous decision set aside.

## **DIVISION**

Those voting in the affirmative:

Councillors Boisvert, Lapidge, Salaman, Schnell, Palmer, Hughes and Hudson

Those voting in the negative:

Councillor Saies

The Motion was declared **CARRIED**

## **PETITIONS**

Nil

## **PRESENTATION**

Nil

## **DEPUTATION**

Nil

## **CHANGE OF ORDER OF BUSINESS**

The Presiding Member suggested to Members that the order of business be changed to move Items 888 and 889 to the end of the meeting as they included confidential Items.

This was agreed with a two thirds majority.

### **ITEM 888**

#### **CEO PERFORMANCE REVIEW COMMITTEE**

See page 25 of these Minutes.

### **ITEM 889**

#### **UNLEY BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE**

See page 22 of these Minutes.

### **ITEM 890**

#### **MAYOR'S REPORT**

MOVED Councillor Palmer  
SECONDED Councillor Boisvert

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**ITEM 891**  
**DEPUTY MAYOR'S REPORT**

MOVED Councillor Palmer  
SECONDED Councillor Hughes

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**ITEM 892**  
**REPORTS OF MEMBERS**

a) Items of Particular Interest and Concern

Councillor Saies – Section 41 Committees versus Reference Groups. Mr John Clayton recently passed away – previously an Alderman at the City of Unley.

Councillor Palmer – first meeting of Goodwood Oval Reference Group, concern not enough resident representatives.

Councillor Hudson – thank you to officers and staff who have come to an agreement on Randolph Avenue.

Councillor Schnell – Residents of Mitcham use Unley facilities and would like to get the Eastern Courier Messenger instead of the Hills Messenger.

Councillor Boisvert – Clarence Park Community Centre AGM next Tuesday at 5pm. Final meeting of residents groups and DPTI.

Councillor Salaman – Garden wall at Ridge Park demolished. Residents impressed with help received from Council's building staff and Depot staff.

b) Centennial Park Cemetery Authority

The CEO advised that a quarterly report has been received from Centennial Park and will be presented to Council at the October meeting.

Councillor Lapidge advised that this report will take place of the monthly update.

c) Development Matters

Councillor Palmer – DAP advised members that Council has a new heritage architect, Andrew Stephens.

**ITEM 893**

**PROJECTS PRUDENTIAL MANAGEMENT POLICY**

MOVED Councillor Schnell

SECONDED Councillor Boisvert

That:

1. The report be received.
2. The Projects Prudential Management Policy, Attachment 2 to Item 893/13 be adopted.

**CARRIED UNANIMOUSLY**

**ITEM 894**

**GLEN OSMOND CREEK SHARED USE PATH – OPTIONS FOR CONNECTION TO SIMPSON PARADE AND ‘BEYOND’**

MOVED Councillor Salaman

SECONDED Councillor Schnell

That:

1. The report be received.
2. An allocation of \$10,000 be considered for concept design development and community engagement for the proposal as a new Elected Member initiative during budget deliberations for the 2014/15 financial year.
3. Community engagement with the relevant stakeholders be undertaken.
4. A report detailing the outcome of the community engagement and the concept design be presented to the Council at the end of that process.

**CARRIED UNANIMOUSLY**

**ITEM 895**  
**VARIATION TO FESTIVE SEASON OPENING HOURS**

MOVED Councillor Schnell  
SECONDED Councillor Palmer

That:

1. The report be received.
2. The early closure of the Civic Centre, Library and Depot on Friday, 20 December 2013 at 12 noon and Tuesday, 24 December 2013 at 3pm be endorsed.

**CARRIED UNANIMOUSLY**

**ITEM 896**  
**REVIEW OF CONFIDENTIALITY ORDERS**

MOVED Councillor Boisvert  
SECONDED Councillor Hudson

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**ITEM 897**  
**COUNCIL ACTION RECORDS**

MOVED Councillor Schnell  
SECONDED Councillor Salaman

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

## **ITEM 898**

### **QUESTIONS ON NOTICE FROM COUNCILLOR HUDSON RE GAP WATER INVESTIGATION**

The following Questions on Notice have been received from Councillor Hudson and the answers are provided:

#### **Questions**

1. What progress, if any has been made to date on the investigation into the suitability of GAP water for sporting surfaces such as tennis courts and lawn bowls greens?  
To whom has Council made a request, if any, on further advice in relation to this issue?

#### **Background**

My question(s) are sparked by the final paragraph on the first page of the recent agenda item dealing with the new lease for the Sturt Lawn Tennis Club, stating that the jury was still out on the long-term effects of GAP.

#### **Answers**

Council utilises GAP water on a number of public reserves throughout Unley. The recycled water is generally used to irrigate the grassed and planted areas and is not used for trees or the specialist cricket pitch sites at Goodwood and Unley ovals.

In 2011, the Administration commissioned Turfwise Consulting (Daryl Sellar M.Agr ) to undertake annual investigations to monitor any impact the use of recycled water may have on the health of Councils' parks and reserves.

As part of this regular process, Turfwise Consulting and park staff develop site specific management plans for the coming year. It is likely the Administration and park staff will maintain this conservative approach for a number of years as we develop skillsets that further support the use of alternative water sources.

Mr Sellar was recently approached to provide commentary on the suitability of GAP water for sporting surfaces such as tennis courts and lawn bowls greens. His advice follows:

*Management of fine turf (such as tennis courts and bowling greens) requires careful consideration of their growing environment and the management resources available. Critical to this is the soil type and water source being utilised, as neither can be easily altered and they can have an enormous influence on the quality of turf and/or management requirements. The more closely mown a turf surface becomes as a result of playing surface requirements, the more susceptible it is to environmental and physical stress, as there is less protection of the critical growing point of the turf plant (crown) and generally a reduced root system in proportion to the reduced height of cut.*

*When combined with the soil types usually found under these surfaces (and the reliance on bounce and roll), soil compaction is common, and this can induce further pressure on the turf surface and its root system.*

*In particular, soil infiltration and drainage is often restricted. This is critical in considering irrigation with water sources that have elevated salinity levels, as the reduced ability to “flush” salts from the turf root zone can result in more rapid accumulation of salts that can be detrimental to turf health. In these environments, the restricted depth of root systems reduces the ability of turf to access deeper, less saline soil moisture, and so the problem can be compounded.*

*Surface levels are also critical so that water does not accumulate in low lying areas only to evaporate and leave behind a concentration of salts on the soil surface.*

*It must also be understood that the nutrient levels within recycled water sources can make the production of playing surfaces such as tennis courts and bowling greens more challenging, as there is usually a need to manage growth rates very carefully to maintain the desired characteristics of bounce and roll. The addition of nutrients with each irrigation cycle needs to be considered carefully when designing nutritional programs, with excessive growth requiring additional maintenance practices (renovations, dusting programs, more frequent mowing etc) to combat issues such as thatch accumulation.*

*The use of recycled water in these environments should be considered carefully, with a detailed understanding of the soil types and water quality critical to making a well informed decision. In many cases the use of recycled water may be manageable, but there is likely to be some additional management practices that will need to be implemented. In other cases, the use of recycled water would not be recommended for these types of playing surfaces.*

*In all cases, the retention of a better quality (e.g. potable) water supply is recommended to allow periodic “flushing” of the soil profile, which can be quite effective when combined with good agronomic practices.*

#### **ITEM 899**

#### **QUESTION ON NOTICE FROM COUNCILLOR HUDSON RE STURT'S NEW TRAINING LEASE**

The following Questions on Notice have been received from Councillor Hudson and the answers are provided:

#### **Question**

1. At the time of writing, I believe that EMs have still to sight details of Sturt's new, reduced cost lease for training hours. When will these be available?



## **Answer**

On 12 August 2013, Council endorsed the New Training Lease for Sturt Football Club (SFC) which reduced their permitted use of the oval from 750 hours to 500 hours. SFC advises that their training use will be Mon-Thursday 5.15pm-7.45pm and Sunday 8am-11am. There will be no training at Unley Oval from October – March.

## **Question**

2. How is the public being made aware of the new hours, and therefore the extra hours that the Oval will be available for public use?

## **Answer**

The following measures will be taken to promote the extra hours of availability for the general community:

- City of Unley web-site
- Unley Life
- Signage at the entrances to Unley Oval

## **ITEM 900**

### **QUESTION ON NOTICE FROM COUNCILLOR HUDSON RE CONSULTANT FOR UNLEY OVAL REDEVELOPMENT**

The following Questions on Notice have been received from Councillor Hudson and the answers are provided:

## **Question**

1. Under what circumstances were the new consultants for the proposed development of Unley Oval chosen?

## **Answer**

The Consultants were appointed to undertake the next phase of work – namely some conceptual designs. They were chosen on the basis of their experience and expertise, and their agreement to work within a very small budget and to exceptionally ambitious timelines.

2. Was the position put out to tender?

**Answer**

No. A Tender was not required in accordance with our Procurement Policy. A Tender could not have been undertaken in any event and a report provided that still met the requirements of the Council motion from 8 July.

3. If so, when?

**Answer**

N/A

4. If so, how many applicants were there?

**Answer**

N/A

5. Who undertook the selection of the consultants?

**Answer**

The General Manager Economic Development and Planning (GMEDP), the Manager Public Realm & Integrated Movement (MPRIM) and the Acting Recreation Planner met with them following a direct approach from the GM EDP, and discussed their experience and capability in projects of this nature. They undertook some ideas generation work (at no cost to Council) before presenting those ideas to the GM EDP and Manager PRIM. Following that presentation, they were engaged to undertake the next component of work, as per the Scope provided to Elected Members.

6. Were any Elected Members involved in the process?

**Answer**

No.

**ITEM 901****QUESTION ON NOTICE FROM COUNCILLOR HUDSON RE COMMUNITY MEETING HALL**

The following Question on Notice have been received from Councillor Hudson and the answers are provided:

**Question**

1. Given the VERY close proximity of an empty community hall to the Unley Oval precinct (Jack's Club), why would there be a need to include another such facility in any redevelopment of the Unley Oval?

**Answer**

There may not be. No decision has been made to include a new community hall. The option of a new building is one of the options that will be provided to Council for consideration, but what that new building may be used for has not yet been determined.

The report to come before Council in October 2013 will allow Council to provide direction on what elements of the concept plan it wishes to proceed to community consultation.

**ITEM 902****QUESTION ON NOTICE FROM COUNCILLOR HUDSON RE STURT FOOTBALL CLUB FENCING CLAIMS**

The following Question on Notice have been received from Councillor Hudson and the answers are provided:

**Questions**

1. Given the fact that it has not been the situation since the Double Blues returned to Unley Oval from the Adelaide Oval, has Council Administration sought an explanation from Sturt Football Club on the claim that permanent fencing is 'vital' to the future of the Club?

If so, what has been the answer?

**Officer's Comments**

Sturt Football Club have previously advised that although permanent fencing is not 'vital' to the future of the Club, the current arrangement with temporary fencing is costly.

Members should also note that the current temporary fencing is reaching the end of its 'life' and will need to be replaced at some stage in the next few years.

**ITEM 903****QUESTION ON NOTICE FROM COUNCILLOR HUDSON RE PICKET FENCE**

The following Questions on Notice have been received from Councillor Hudson and the answers are provided:

**Questions**

1. On numerous occasions Sturt Football Club has expressed concern at possible danger from the concrete gutter surrounding the footy pitch?

**Answer**

In March 2011 the Unley Oval Advisory Group discussed the concrete gutter on the perimeter of the oval. Quotes were subsequently sought by SFC to remove the guttering. The quote was cost prohibitive. It is anticipated that redevelopment of Unley Oval will mitigate any risks associated with the concrete guttering.

2. If so, what safety precautions would need to be put in place to ensure that players are not placed in danger by the suggested introduction of a picket fence in the same area?

**Answer**

Issues regarding fencing will be considered in the redevelopment of Unley Oval. The redevelopment will take into account the needs of all users and will be in accordance with best practice design and safety standards.

## **QUESTIONS WITHOUT NOTICE**

Councillor Boisvert asked a question regarding the Register for Trees.

## **ITEM 904** **CORRESPONDENCE**

The correspondence from

- Friends of the Unley Museum
- Mayor Lewis, City of Marion
- Hon Tony Piccolo, Minister for Communities and Social Inclusion
- Hon Michael O'Brien, Minister for Finance
- CEO, National Association of Charitable Recycling Organisations
- Asia Pacific Tennis League
- Steph Key, Member for Ashford
- Hon John Rau, Deputy Premier
- Hon Jack Snelling, Minister for Health and Ageing

be noted.

## **ITEM 905** **NOTICE OF MOTION FROM COUNCILLOR HUDSON RE PARKING IN THE SOUTHERN PARKLANDS**

That

1. In light of diminished rail services to the showgrounds, Council's administration asks ACC to provide a one off extension of parking in the southern parklands for the life of the Show.

Councillor Hudson withdrew the above Notice of Motion.

**ITEM 906**

**NOTICE OF MOTION FROM COUNCILLOR SAIES RE COUNCIL'S POLICY ON COMMUNITY REFERENCE GROUPS**

MOVED Councillor Saies

SECONDED Councillor Salaman

That:

1. The Administration investigate the merits of Council's current policy (the subject of Council's resolution passed on 25 March 2013 – (703/13) relating to the function and operations of the Community Reference Groups.
2. The Administration prepare a report to Council which addresses ways in which the terms of the current policy can be relaxed to make the operation of the Community Reference Groups more effective and more conducive to the constructive involvement of members of the community.

**CARRIED**

**ITEM 907**

**NOTICE OF MOTION FROM COUNCILLOR TIPPER RE TELECOMMUNICATIONS FACILITIES**

That:

1. Council consider, as a new initiative in the 2014/15 budget, the establishment of a Register containing technical details and photographic record of all Low Impact Telecommunications Facilities located in the City of Unley, and that this Register be updated by planning staff whenever Council is notified of new or modified facilities being constructed or existing facilities being decommissioned.
2. On an annual basis, Council receive a 'For Information' report from Administration summarising the changes to the Register over the previous twelve months (based on the notifications received from the telecommunications companies or their representatives), with the first report to be provided one calendar year after the Register is completed.
3. The Register is to be available at any time to Elected Members on request and provision of reasonable notice to the Administration.
4. The Administration continue the existing regime of notification to Elected Members when new facilities are to be constructed.

As Councillor Tipper was an apology for this meeting, she asked that her Notice of Motion be withdrawn.

**ITEM 908**

**NOTICE OF MOTION FROM COUNCILLOR HUDSON RE CROWD LIMITS AT UNLEY OVAL**

That:

1. Council Administration liaise, as soon as possible with Sturt Football Club's Administration regarding the introduction of an upper limit for crowds attending the Club's home games at Unley Oval.

Councillor Hudson asked that the above motion be withdrawn.

**ITEM 909**

**NOTICE OF MOTION FROM COUNCILLOR HUDSON RE TREE DAMAGE TO TENNIS COURTS**

MOVED Councillor Hudson  
SECONDED Councillor Salaman

That work be undertaken as soon as possible, on the installation of a root barrier to the south of the two large trees to the northern side of Sturt Tennis Club's courts, together with minor pruning of branches overhanging the courts.

Councillor Schnell MOVED as an AMENDMENT Seconded Councillor Palmer

That work be undertaken as soon as possible, on either the installation of a root barrier to the south of the two large trees to the northern side of Sturt Tennis Club's and/or the removal of the southern tree, together with minor pruning of branches overhanging the courts.

The AMENDMENT was put and **LOST**

The original motion was then put and **LOST UNANIMOUSLY**

**ITEM 910****NOTICE OF MOTION FROM COUNCILLOR BOISVERT RE ASSETS,  
GOODWOOD**

Councillor Schnell declared a conflict of interest due to his employment, and left the Chambers at 8.04pm

MOVED Councillor Boisvert  
SECONDED Councillor Palmer

That:

In relation to dilapidation of Council owned assets as a result of construction work related to the Goodwood Junction rail project being undertaken by DPTI Council request Administration to:

1. Identify any long term damage that has resulted in reducing the lifespan of Council assets such as roads, footpaths, and signs, that may not need immediate replacing.
2. Negotiate with DPTI an agreed amount of money to compensate for this loss to Council.
3. Prepare a report for Council on how this will best be managed before signing off on the agreement with DPTI.

**CARRIED UNANIMOUSLY**

Councillor Hudson left the meeting at 8.04pm returning at 8.06pm during discussion on the above Item.

Councillor Schnell returned to the Chambers at 8.16pm.

**ITEM 915****COUNCILLOR SAIES MOTION WITHOUT NOTICE – DAMAGE TO SIGNIFICANT  
TREE ON ARUNDEL AVENUE**

Councillor Schnell declared a conflict of interest due to his employment, and left the Chambers at 8.19pm.

MOVED Councillor Saies  
SECONDED Councillor Boisvert

That:

1. The Administration investigates and prepares a report into the damage to the roots of a significant tree on Arundel Avenue, Millswood allegedly caused by a contractor working on the Goodwood Junction Grade Separation project several weeks ago (culminating in the removal of that tree).



2. The Administration investigates whether, in light of the circumstances of the damage to the tree roots, a prosecution should be pursued by the Council, under the *Development Act, 1993*, against the contractor, the Department of Planning Transport and Infrastructure and/or some other person.

Councillor Palmer MOVED as an AMENDMENT, SECONDED by Councillor Hughes, that:

1. The Administration investigates and prepares a report into the damage or removal of any trees caused by DPTI or its contractors working on the Rail Revitalisation Projects in Unley.
2. The Administration investigates whether prosecution could be pursued by the Council, under the *Development Act, 1993*, against any contractor, the Department of Planning Transport and Infrastructure and/or some other person.

The AMENDMENT was put and **CARRIED**

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

Councillor Hughes left the meeting at 8.18pm returning at 8.20pm during discussion on the above Item.

#### **ITEM 911** **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.

Councillor Schnell returned to the Chambers at 8.40pm.

**ITEM 912**

**CONFIDENTIALITY MOTION FOR ITEM 913 – CONTRACT KERBSIDE WASTE AND RECYCLING COLLECTION**

MOVED Councillor Schnell  
SECONDED Councillor Boisvert

That:

1. Pursuant to Section 90(2) and (3)(d) 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 the Contract for Kerbside Waste and Recycling Collection 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:

- (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,

because, disclosure of this information would be contrary to the public interest.

**CARRIED UNANIMOUSLY**

The doors to the Council Chambers were closed at 8.42pm.

# CONFIDENTIAL

ITEM 913

CONTRACT KERBSIDE WASTE AND RECYCLING COLLECTION

**ITEM 914**

**CONTRACT KERBSIDE WASTE AND RECYCLING COLLECTION**

MOVED Councillor Schnell  
SECONDED Councillor Palmer

That:

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

2.1 The

- ☒ Report
- ☒ Attachments

remain confidential on the basis that the information supplied could confer a commercial advantage on a third party.

- 2.2 The report and minutes 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 8.44pm.

**ITEM 916**

**CONFIDENTIALITY MOTION FOR ITEM 889 – UNLEY BUSINESS AND  
ECONOMIC DEVELOPMENT COMMITTEE MINUTES**

MOVED Councillor Palmer  
SECONDED Councillor Salaman

That:

1. Pursuant to Section 90(2) and (3)(d) 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 the Contract for Kerbside Waste and Recycling Collection 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:

- (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,

because, disclosure of this information would be contrary to the public interest.

**CARRIED UNANIMOUSLY**

The doors to the Council Chambers were closed at 8.45 pm.

**ITEM 889**

**UNLEY BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE**

MOVED Councillor Palmer

SECONDED Councillor Lapidge

That:

1. The minutes of the Unley Business and Economic Development Committee Meeting held on Wednesday 4 September 2013 be received.
2. The recommendations listed under Items 12 – 17 inclusive, be adopted.

**CARRIED UNANIMOUSLY**

**ITEM 917**

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE ITEM 15 UNLEY  
BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**

MOVED Councillor Palmer  
SECONDED Councillor Salaman

That:

1. The report be received.
2. Pursuant to Section 91(7) and (9) of the Local Government Act:
  - 2.1 The
    - ☒ Report and Attachments relating to Item 15remain confidential on the basis that the information supplied could confer a commercial advantage on a third party.
  - 2.2 The 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 9.00pm.

**ITEM 918**

**CONFIDENTIALITY MOTION FOR ITEM 888 CEO PERFORMANCE REVIEW  
COMMITTEE MINUTES**

MOVED Councillor Palmer  
SECONDED Councillor Hudson

That:

1. Pursuant to Section 90(2) and (3)(a) 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 C Gowland, Executive Assistant to CEO

on the basis that it will receive and consider the report on the performance review of the Chief Executive Officer, 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:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

because, information contained in this report relates to an individual employee of Council and should not be made available at this time. It would be in the best interest of Council to consider this matter in confidence.

**CARRIED**

A Division was called and the previous decision set aside

**DIVISION**

Those voting in the affirmative:

Councillors Boisvert, Lapidge, Salaman, Schnell, Palmer, Hughes and Hudson

Those voting in the negative:

Councillor Saies

The MOTION was then declared **CARRIED**

The doors to the Council Chambers were closed at 9.04 pm.



## **ITEM 888**

### **CEO PERFORMANCE REVIEW COMMITTEE MINUTES**

#### **SUSPENSION OF STANDING ORDERS**

The Presiding Member advised the Council that he thought the meeting would benefit from a short term suspension of the meeting procedures, for up to 20 minutes to discuss the recommendation under Item 18 of the CEO Performance Review Committee. This was supported with a two thirds majority.

Standing Orders were suspended at 9.04pm.

#### **EXTENSION TO SUSPENSION OF STANDING ORDERS**

The Presiding Member suggested a further extension to the suspension of standing orders for 15 minutes. This was supported with a two thirds majority.

Standing Orders were suspended at 9.20pm.

Standing Orders were resumed at 9.35pm.

The Chief Executive Officer left the meeting at 9.35pm.

MOVED Councillor Boisvert  
SECONDED Councillor Hughes

That:

1. The minutes of the CEO Performance Review Committee held on Thursday, 8 August 2013, be received.
2. The recommendations listed under Item 18 as amended, be adopted.

Councillor Schnell MOVED as an AMENDMENT, SECONDED by Councillor Lapidge, that:

1. The minutes of the CEO Performance Review Committee held on Thursday, 8 August 2013, be received.
2. The recommendations listed under Item 18, be adopted.

The AMENDMENT was put and **CARRIED**

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

**ITEM 919**  
**CONFIDENTIALITY MOTION FOR ITEM 18 CEO PERFORMANCE REVIEW**  
**COMMITTEE**

MOVED Councillor Schnell  
SECONDED Councillor Boisvert

That:

1. The report be received.
2. Pursuant to Section 91(7) and (9) of the Local Government Act:

2.1 The

- ☒ Attachments
- ☒ Report
- ☒ Minutes

remain confidential on the basis that the information contained in this report details information concerning the personal affairs of an employee and

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

**CARRIED**

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

**NEXT MEETING**

Monday 28 October 2013.

**CLOSURE**

The Presiding Member closed the meeting at 9.55pm.

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**PRESIDING MEMBER**

.....