



Council Meeting Minutes

**7 February 2006 at 7.00 pm
Council Chamber, 401 Greenhill Road, Tusmore**

Present

Her Worship the Mayor, Wendy Greiner
Councillors Bills, Collins, Davey, Gilbert, Harris, Hillier, Jacobsen, Morley, Obst and Wilkins

Opening Prayer

The Mayor read the Opening Prayer.

Apologies

Councillors Ward and Wickham.

Confirmation of Minutes

Councillor Collins moved:

C6698 That the minutes of the meeting of Council held on 31 January 2006 be taken as read and confirmed.

Seconded by Councillor Obst

CARRIED

Reports of Delegates/Working Parties

- Councillor Morley advised of his attendance at a meeting of the Dulwich Community Centre on 3 February.
- Councillor Davey advised of her attendance at a meeting of the Eastern Health Authority on 1 February where their Strategic and Business Plans were adopted.
- Councillor Jacobsen advised of his attendance at Michael Keenan's election presentation on 1 February; a Pepper Street Gallery Launch of the Pip Comport Exhibition on 3 February; the opening of the Abergeldie Holistic Centre on 4 February; and Joe Scalzi's election presentation on 5 February.
- Councillor Wilkins advised of her attendance at the opening of the Abergeldie Holistic Centre on 4 February.
- Councillor Gilbert advised of his attendance at a meeting of the Dulwich Community Centre on 3 February.

Correspondence**Letter from the Chairman of the Burnside Environment Advisory Committee re Proposal for Greenwaste Depot**

Councillor Jacobsen moved:

1. That the correspondence be received.
2. That a report be brought forward reviewing further options for green waste disposal and recyclables.

Seconded by Councillor Wilkins

LOST

A Division was called

In Favour

Cr Hillier
Cr Collins
Cr Jacobsen
Cr Wilkins

Against

Cr Morley
Cr Harris
Cr Davey
Cr Obst
Cr Bills
Cr Gilbert

LOST

Councillor Morley moved:

C6699 That the correspondence be received.

Seconded by Councillor Davey

CARRIED

A Division was called

In Favour

Cr Morley
Cr Harris
Cr Davey
Cr Hillier
Cr Collins
Cr Obst
Cr Bills
Cr Gilbert

Against

Cr Jacobsen
Cr Wilkins

CARRIED

Adjournment of Council for the Meeting of the Strategic Planning & Environment Committee and the Finance & Administration Committee

Councillor Hillier moved:

C6700 That the Meeting be adjourned at 7.20 pm for the Meetings of the:

- Strategic Planning & Environment Committee; and
- Finance & Administration Committee

Seconded by Councillor Morley

CARRIED

Resumption of Council

Councillor Morley moved:

C6701 That the Meeting be resumed at 8.45 pm.

Seconded Councillor Davey

CARRIED

Adoption of Committee Reports

Councillor Collins moved:

C6702 **1. Strategic Planning & Environment Committee**

That the Report on the Strategic Planning & Environment Committee meeting held on 7 February 2006 be received and the recommendations contained therein be adopted.

2. Finance & Administration Committee

That the Report on the Finance & Administration Committee meeting held on 7 February 2006 be received and the recommendations contained therein be adopted.

Seconded by Councillor Hillier

CARRIED

Consideration of Motions of Which Notice has not been Given**Speeding Traffic – Stonyfell Road, Stonyfell**

Councillor Gilbert moved:

C6703 That staff bring back a brief report on speeding traffic on Stonyfell Road, Stonyfell.

Seconded by Councillor Bills

CARRIED
UNANIMOUSLY

Speeding Traffic – Roads Surrounding Schools

Councillor Jacobsen moved:

That staff bring back a brief report on all roads adjoining schools in the Burnside area with regard to speeding traffic.

Seconded by Councillor Wilkins

LOST

A Division was called

In Favour

Cr Jacobsen
Cr Wilkins
Cr Gilbert

Against

Cr Morley
Cr Harris
Cr Davey
Cr Hillier
Cr Collins
Cr Obst
Cr Bills

LOST

Confidential Items

Minutes, report and attachments A, B & C released from confidential orders but attachment D remains confidential until 30/4/11 (27/1/10 C7777). Confidential orders to continue subject to annual review of individual items 4/4/11 A/CEO.

Motion to Move into Confidential Mode for the Review of Confidential Items

Councillor Hillier moved:

C6704 That Council, having formed the view that the principle that meetings of the Council should be conducted in a place open to the public is outweighed by the need to keep the information and/or discussion of the next item of business relating to Council's Register of Confidential Items confidential, hereby order pursuant to Section 90(2) of the Local Government Act, 1999 that:

the public be excluded from the meeting in order to consider in confidence, the next item;

and the grounds for exclusion be recorded as:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- (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
- (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;
- (g) matters that must be considered in confidence in order to ensure that the Council does not breach any law, any duty of confidence, or other legal obligation or duty;
- (h) legal advice;
- (i) information relating to actual litigation, or litigation that the Council or Council Committee believes on reasonable grounds will take place, involving the Council or an employee of the Council;
- (k) tenders for the supply of goods, the provision of services or the carrying out of works; and

- (m) information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act.

Seconded by Councillor Collins

CARRIED

Review of Confidential Items

Councillor Morley moved:

- C6705
1. That the Report be received.
 2. That the Minutes and Reports relating to the items listed in Schedule A be released from the confidential orders previously made by Council.
 3. That only the Minutes associated with the items in Schedule B be released from the confidential orders previously made by Council.
 4. That the Reports associated with the items in Schedule B remain confidential for a further period of 12 months, on the grounds previously identified for those items.
 5. That the Minutes and Reports relating to the items listed in Schedule C remain confidential for a further 12 months, on the grounds previously identified for those items.
 6. That, subject to the orders above, an order be made under the provisions of Section 91(7) of the Local Government Act, 1999, as amended, that the Report and accompanying documents having been dealt with on a confidential basis under Part 3 of Chapter 6 of the Act, should be kept confidential on the grounds previously identified for a period of twelve (12) months.
 7. That an order be made under the provisions of Section 91 (7) of the Local Government Act, 1999, as amended, that the minutes relating to discussion of this item be kept confidential on the grounds previously identified for a period of twelve (12) months.

Seconded by Councillor Harris

CARRIED

Closure

The Meeting closed at 9.22 pm.