



Minutes of the Ordinary Meeting of Bayside City Council

The Meeting was held in the Council Chambers
Civic Centre, Brighton
on Tuesday 3 May 2011

The Meeting commenced at 7.00pm

PRESENT:

Cr Alex del Porto (Mayor)
Cr Felicity Frederico
Cr Clifford Hayes
Cr James Long BM JP
Cr Michael Norris
Cr Simon Russell JP

OFFICERS IN ATTENDANCE:

Adrian Robb	Chief Executive Officer
Shiran Wickramasinghe	Director City Strategy
Sharon Pearsons	Director Corporate Services
Heather Johnson	Director Community Services
Guy Wilson-Browne	Director Infrastructure Services
Matt Kelleher	Manager Urban Strategy
Stuart Caldwell	Manager Statutory Planning
Michael Divens	Manager Finance
Stephen Thorpe	Manager Environmental Sustainability and Open Space
Janice Pouw	Governance Officer
Karen Parkinson	Executive Assistant

The Chairman declared the meeting open at 7.00pm and invited Cr Russell to read the prayer.

1. Prayer

Cr Russell read the prayer at the commencement of the meeting.

O God
Bless this City, Bayside,
Give us courage, strength and wisdom,
So that our deliberations,
May be for the good of all,
Amen

The Mayor invited Councillors, staff and members of the gallery to remain standing to observe one minute silence to pay respect and reflect on the recent passing of Mr Donald Bruce Granter, former Councillor of Brighton from 1968 to 1977.

2. Acknowledgement of Original Inhabitants

Cr Norris read the acknowledgement of the original inhabitants of this land.

- ◆ We acknowledge that the original inhabitants of this land that we call Bayside were the Boonwerung people of the Kulin nation.
- ◆ They loved this land, they cared for it and considered themselves to be part of it.
- ◆ We acknowledge that we have a responsibility to nurture the land, and sustain it for future generations.

3. Apologies – .

An apology from Cr Cooper-Shaw was submitted to this meeting.

Moved: Cr Norris

Seconded: Cr Long

That the apology of Cr Cooper-Shaw be received and leave of absence be granted.

CARRIED

4. Disclosure of any Conflict of Interest of any Councillor

Prior to the Chairman calling for any declarations of interest, the Chairman advised the meeting that he intends to split item 10.11 relating to the 2011/2012 Proposed Budget into 4 separate parts to address any Councillors conflicts of interest in the budget.

- Cr Russell declared an Indirect Conflict of Interest by close association in Item 10.11 part C as his wife is a sole trader in a business which requires Health Department registration that includes fees listed in this item.

5. Adoption and Confirmation of the minutes of previous meeting

5.1 Confirmation of the Minutes of the Ordinary Meeting of Council held on Tuesday 29 March 2011

Moved: Cr Hayes

Seconded: Cr Frederico

That the minutes of the Ordinary Meeting of Bayside City Council held on Tuesday 29 March 2011 as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

6. Public Question Time

In accordance with Section 66 of Council's Governance Local Law No 1, the following individuals submitted 3 public questions to the Meeting:

1. Ms Sue Hardiman

- (a) The Bayside Leader of 5 April 2011 reported that the Mayor and two Councillors (Long and Frederico) are scheduled to attend the Australian Local Government Association Conference in Canberra in June of this year at a cost of \$7500. Was this amount included in the Budget and if so, on what page?
- (b) What are the benefits to the Bayside Community having three Councillors attend this Conference?

Response

- a) The cost of attending the conference is allowed for within the budget for the Governance Department in the 2010/2011 budget.
- b) The National General Assembly of Local Government is the premiere local government event bringing together around 700 representatives from councils across Australia to develop local government policy, meet with key federal politicians and hear from renowned experts on key issues affecting local government sector in Australia. The theme of this year's conference is Growing with our Community: Place, Position and Partnership, and is aimed at stimulating delegates to develop new ways of better meeting the needs of local communities.

It is not unusual for more than one Councillor to attend this event. There is an additional council report on tonight's agenda recommending the attendance of Cr Cooper Shaw.

2. Mr Kevin Spencer

As stated in the Bayside Community Plan, its purpose is "to work with the community to make Bayside a better place to live" We will increase transparency and ensure our approaches to community engagement are appropriate, ongoing, open etc. Why then does council continue with its secretive Assembly of Councillors meetings, (Six (6) listed tonight) that curtail community involvement and lack of public debate. When looking at the Implications of such restrictive meetings under the various headings such as Policy, such meetings held in camera are contrary to councils Community Plan Policy, with the legal/statutory requirements fail to show the location of the assembly. The financial & Resources Implications state there are no financial & Resource implications. This is an understatement when considering the venue costs, and finally the Social Impacts that disadvantage the community by holding such covert meetings that bring about further disenchantment of council by members of the Bayside community.

A. Bearing in mind this closed meeting travesty and the pledge by council to be open and transparent with its community, will council cease this unnecessary practice and include all future items from such meetings at Ordinary Meetings of council, with genuine confidential items treated as pursuant to Section 89(2) of the Local Government Act 1989, in the interest of real Community Engagement.

Response

- a) Assemblies of Councillor briefing sessions for providing Councillors with necessary background information on various matters. These briefing sessions unlike an Ordinary Meeting of Council are for information purposes only and are not a decision making forum. In order to ensure decisions are made based on up to date information and the smooth running of council meetings in a timely manner, it is necessary to provide the relevant information to Councillors prior to the Ordinary Council meeting. Assembly of Councillor matters are provided for under the Local Government Act and Bayside City Council's Assembly of Councillors. They are an accepted part of a framework of Good Governance.

3. Mr Kevin Spencer

Like bees to the honey pot the Australian Local Government Association (ALGA) is once again holding its assembly in Canberra June this year. Under Financial & Resources Implications council states "that the cost associated with the attendance & travel of the Mayor at the national assembly is provided in the current 2010/2011 Budget.

- A. As the Mayors costs only are provided for in the Budget, will the three councillors be paying their own costs? Which on estimation is well over \$10,000 for four (4) councillors including the Mayor. If not, will the ratepayers of the City of Bayside be getting value for money by this unnecessary cost burden brought on by the financial cost of three extra councillors.
- B. Will all councillors attending make separate public reports on their understanding of deliberations from the ALGA meeting effectual to the City of Bayside to justify their attendances.

Response

- a) The authors statement regarding the Mayor's costs are inaccurate. The budget for 2010/2011 has provision for Councillor development which incorporates expenditure for Councillor attendance at the ALGA. Attendance is considered to be of significant benefit to Councillors and to Council.
- b) A combined report on attendance, provided by the Mayor would be considered sufficient, but individual Councillors may wish to provide their own report.

7. Petitions to Council

7.1 Petition: Mackenzie Street, Cheltenham

Corporate Services - Governance
File No: FOL/1234

“We the undersigned residents of Mackenzie Street, Cheltenham, humbly beseech you to attend to flooding of properties with their rear fences backing on to the park to the west of Mackenzie Street.

The flooding is a result of the formation of the artificial bank on the eastern side of the oval in conjunction with the ground slope; funnelling water along the fences of properties with their boundary fences facing the park”.

Moved: Cr Norris

Seconded: Cr Russell

That the petition be received and a report submitted to Council on this matter.

CARRIED

8. Reports by Advisory Committees

8.1 Assembly of Councillors Records

Corporate Services - Governance
File No: COR/1234

Moved: Cr Frederico

Seconded: Cr Hayes

That Council notes the Assembly of Councillor records submitted as required by the Local Government Act.

CARRIED

9. Reports by Special Committees

There were no reports by Special Committees submitted to the meeting.

10. Reports by the organisation

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REQUESTS TO BE HEARD:

In accordance with Council's Governance Local Law No.1 Clause 68, individuals cannot speak for more than 3 minutes.

Requests to be heard were received from the following people:

Item 10.1 – George Street Reserve Pathway – Planning Permit application

Ms Pauline Reynolds
Mr Derek Wilson

Item 10.2 – Installation of a footpath in Fir Grove, Cheltenham

Mr Paul Crompton

Item 10.5 – Petition – Drainage issues in the Concourse, Beaumaris

Mr Stephen Edmunds
Mr George Reynolds

Item 10.6 – Petition – Brickwood Street, Brighton

Mr Jonathan Wolfe

Item 10.7 – Potential sale of the Highett CSIRO site

Ms Pauline Reynolds

Item 10.10 – Planning delegation

Mr George Reynolds

10.1 George Street Reserve Pathway – Planning Permit Application

City Strategy – Environmental Sustainability & Open Space
File No: FOL/10/121300

It is recorded that Ms Pauline Reynolds and Mr Derek Wilson spoke in relation to this matter.

Moved: Cr Norris

Seconded: Cr Hayes

That Council reconsider this issue in the light of responses from the Department of Sustainability and Environment, withdraws the current Planning Permit application and Permit to take Protected Flora under the *Flora and Fauna Guarantee Act 1988*, and resolves to not construct the proposed pathway through George Street Reserve.

The Motion was Put and a **DIVISION** was called.

DIVISION: **FOR:** Crs Hayes, Norris, Long and del Porto (4)
 AGAINST: Crs Frederico and Russell (2)

CARRIED

10.2 Installation of a footpath in Fir Grove, Cheltenham

Infrastructure Services – Asset Management Services
File No: FOL/10/215845

It is recorded that Mr Paul Crompton spoke in relation to this matter.

Moved: Cr Frederico

Seconded: Cr Russell

That Council:

1. consults with the residents of Fir Grove, Cheltenham and, subject to 6 of 8 abutting land owners agreeing, proceeds with the construction of a footpath on the northern side of Fir Grove (between Tulip Grove and Paul Street) fully funded from the current footpath capital works account.
2. informs the residents of Fir Grove, Cheltenham of Council's decision.

CARRIED

10.3 Council Plan 2009-13 Annual Review

Corporate Services - Governance
File No: FOL/11/588

Moved: Cr Frederico

Seconded: Cr Long

That Council, having undertaken a review of its Council Plan for the period of 2009-2013 (adjusted 2010):

1. resolves the 2009-2013 Council Plan (adjusted 2010) requires no adjustments at this time other than an updated Strategic Resource Plan; and
2. notes the Strategic Resource Plan will be updated as part of the Annual Budget 2011-2012 process which is subject to a separate Council Report.

CARRIED

**10.4 Australian Local Government 2011 – National General Assembly of
Local Government**

Corporate Services - Governance
File No: FOL/1234

Moved: Cr Frederico

Seconded: Cr Hayes

That Council approves the attendance of Cr Louise Cooper-Shaw at the ALGA National Assembly to be held in Canberra from 19-22 June 2011.

CARRIED

10.5 *Petition: Drainage issues in the Concourse, Beaumaris*

Infrastructure Services – City Works
File No: FOL/11/215860

It is recorded that Mr Stephen Edmunds and Mr George Reynolds spoke in relation to this matter.

Moved: Cr Russell

Seconded: Cr Norris

That Council:

1. notes that the Beaumaris Concourse shopping centre is located in an area designated by Melbourne Water as a Special Building Overlay; and
2. advises the head petitioner that the drainage capacity investigation and catchment analysis in the Beaumaris Concourse shopping centre will be undertaken in the 2011/2012 financial year, subject to adoption of the proposed 2011/2012 budget.

CARRIED

10.6 Petition: Brickwood Street, Brighton

Infrastructure Services – City Works
File No: FOL/11/483

It is recorded that Mr Jonathan Wolfe spoke in relation to this matter.

Moved: Cr Hayes

Seconded: Cr Long

That Council:

1. advises the head petitioner that street sweeping operations in Brickwood Street, Brighton will continue on a 4 weekly program, however the program will be amended to ensure street sweeping operations in Brickwood Street, Brighton occur prior to 8am in the morning and that Council officers will continue to monitor the quality of the operations to ensure compliance with performance standards;
2. receives a report on the effectiveness of the program in six months time with an estimated cost of increasing the frequency of cleaning to be fortnightly and weekly during the autumn period; and
3. advises the head petitioner accordingly.

CARRIED

10.7 Potential Sale of the Highett CSIRO Site

City Strategy – Urban Strategy
File No: FOL/11/800

It is recorded that Ms Pauline Reynolds spoke in relation to this matter.

Moved: Cr Frederico**Seconded: Cr Russell**

That Council further to its previous resolution of 29 March 2011:

1. advocates for the following planning provisions to be applied to the site as part of the rezoning, consistent with the Highett Structure Plan and Bayside Planning Scheme:
 - o Residential 1 Zone (R1Z), with the potential to apply the Public Park and Recreation Zone (PPRZ) to open space and the Public Conservation and Resource Zone (PCRZ) to conservation areas;
 - o Environmental Audit Overlay (EAO), Vegetation Protection Overlay (VPO) and Development Plan Overlay (DPO); and
 - o The Development Plan Overlay Schedule will reflect the directions of the Highett Structure Plan and Clause 22.08 Highett Neighbourhood Activity Centre Policy and include prescriptive design guidelines for development form and height, including controls to manage the adjoining residential interface.
2. advocates for Clause 52.01 of the Bayside Planning Scheme to be amended to require an open space contribution in the order of 3 to 4 hectares of the site pursuant to Council's previous resolution;
3. advocates to the Minister for Planning for these Planning Scheme provisions and controls; and
4. in the event that Council receives the open space, a masterplan is formulated taking into account ;
 - a) Environmentally sensitive areas
 - b) Passive areas
 - c) Active areas.

AMENDMENT

Moved: Cr Norris

Seconded: Cr Long

That Council further to its previous resolution of 29 March 2011:

1. advocates for the following planning provisions to be applied to the site as part of the rezoning, consistent with the Highett Structure Plan and Bayside Planning Scheme:
 - o Residential 1 Zone (R1Z), with the potential to apply the Public Park and Recreation Zone (PPRZ) to open space and the Public Conservation and Resource Zone (PCRZ) to conservation areas;
 - o Environmental Audit Overlay (EAO), Vegetation Protection Overlay (VPO) and Development Plan Overlay (DPO); and
 - o The Development Plan Overlay Schedule will reflect the directions of the Highett Structure Plan and Clause 22.08 Highett Neighbourhood Activity Centre Policy and include prescriptive design guidelines for development form and height, including controls to manage the adjoining residential interface.
2. reaffirms that it does not support the realignment of Graham Road through the site to link with Bay Road due to potential impacts on Grassy Woodlands vegetation at the South of the site;
3. advocates for Clause 52.01 of the Bayside Planning Scheme to be amended to require an open space contribution in the order of 3 to 4 hectares of the site pursuant to Council's previous resolution;
4. advocates to the Minister for Planning for these Planning Scheme provisions and controls; and
5. in the event that Council receives the open space, a masterplan is formulated taking into account ;
 - a) Environmentally sensitive areas
 - b) Passive areas
 - c) Active areas

The AMENDMENT was **CARRIED** and became the Motion before the Chair.

The Motion Moved by Cr Norris and Seconded by Cr Long was Put and
CARRIED

10.8 Association of Bayside Municipalities

City Strategy – Environmental Sustainability & Open Space
File No: FOL/11/426

It is recorded that Cr Hayes vacated the Chamber at 8.54pm and re-entered at 8.57pm.

Moved: Cr Norris

Seconded: Cr Long

That Council continues its membership of the Association of Bayside Municipalities in 2011/12 at the new fee level of \$7,471 on the basis that the Association of Bayside Municipalities provides effective advocacy and value for money in representing the interests of bayside councils.

CARRIED

10.9 Green Waste Processing

City Strategy – Environmental Sustainability & Open Space
File No: FOL/11/2

*It is recorded that Cr Russell vacated the Chamber at 8.58pm and re-entered at 9pm.
It is recorded that Cr Norris vacated the Chamber at 9pm.*

Moved: Cr Norris

Seconded: Cr Long

That Council:

1. authorises the Chief Executive Officer to sign a non-binding 'letter of commitment' to the Metropolitan Waste Management Group and continues to investigate options to join with Councils in the south-east of Melbourne in a potential future contract for green waste processing to facilitate the development of a regional facility; and
2. receives a further report to Council once the Memorandum of Understanding has been provided by the Metropolitan Waste Management Group.

CARRIED

10.10 Planning DelegationCity Strategy
File No: FOL/10/215916

*It is recorded that Cr Norris entered the Chamber at 9.04pm.**It is recorded that Mr George Reynolds spoke in relation to this matter.***Moved: Cr Frederico****Seconded: Cr Russell**

That Council:

1. varies the Instrument of Delegation with respect to the Planning and Environment Act 1987 to extend delegation to the Chief Executive Officer, Director City Strategy and Manager Statutory Planning to make decisions on planning permit applications, amendments to planning permits and secondary consents, except where more than three (3) objections have been received, or where a building of four or more storeys is proposed, and subject to there being no Councillor call-in following notification of the delegate's intention, noting that multiple objections from persons residing at one address shall be considered a single objection for the purpose of the delegation instrument; and
2. receives a further report after six months operation of the amended delegation, including consideration of other potential delegation and planning decision making models.

The Motion was Put and a **DIVISION** was called.**DIVISION:** **FOR:** Crs Frederico, Russell and Norris (3)
 AGAINST: Crs Hayes, Long and del Porto (3)The Chairman used his casting vote against, and the Motion was **LOST**

Moved: Cr Norris**Seconded: Cr Russell**

That Council:

1. varies the Instrument of Delegation with respect to the Planning and Environment Act 1987 to extend delegation to the Chief Executive Officer, Director City Strategy and Manager Statutory Planning to make decisions on planning permit applications, amendments to planning permits and secondary consents, except where more than two (2) objections have been received, or where a building of four or more storeys is proposed, and subject to there being no Councillor call-in following notification of the delegate's intention, noting that multiple objections from persons residing at one address shall be considered a single objection for the purpose of the delegation instrument; and
2. receives a further report after six months operation of the amended delegation, including consideration of other potential delegation and planning decision making models.

The Motion was Put and a **DIVISION** was called.

DIVISION: **FOR:** Crs Frederico, Norris and Russell (3)
 AGAINST: Crs Hayes, Long and del Porto (3)

The Chairman used his casting vote against, and the Motion was **LOST****Moved: Cr Norris****Seconded: Cr Frederico**

That Council receives a further report on this matter in nine months looking at alternative delegation models based on the recommendations of the 'Steering not Rowing' report.

CARRIED

10.11 Budget 2011/12, Strategic Resource Plan 2011 – 2015, Long Term Financial PlanCorporate Services - Finance
File No: FOL/1234

It is recorded that the Chairman advised the meeting once again that he proposes to split this item into 4 separate parts to accommodate various Councillors Conflicts of Interest.

It is recorded that Cr Russell declared an Indirect Conflict of Interest by close association in Item 10.11 part C as his wife is a sole trader in a business which requires Health Department registration that includes fees listed in this item.

Moved: Cr Hayes**Seconded: Cr Long****Part A**

That Council formally prepares the 2011/12 Proposed Budget for the purpose of Section 127 of the *Local Government Act 1989*

CARRIED**Moved: Cr Norris****Seconded: Cr Long****Part B**

That Council adopts "in principle" the Schedule of Discretionary Fees and Charges attached to the 2011/12 Proposed Budget excluding those relating to environmental health.

CARRIED

Cr Russell vacated the Hall at 9.59pm prior to the consideration of Part C of this matter.

Moved: Cr Frederico**Seconded: Cr Hayes****Part C**

That Council includes into the Schedule of Discretionary Fees and Charges attached to the 2011/12 Proposed Budget the fees and charges relating to environmental health.

CARRIED

It is recorded that Cr Russell was absent from the Chamber whilst this matter was discussed and was not present in the Chamber whilst the vote was taken on this item.

It is recorded Cr Russell returned to the Chamber at 10pm.

Moved: Cr Frederico

Seconded: Cr Long

Part D

That Council:

1. gives Public Notice of the preparation of the 2011/12 Proposed Budget and makes available copies of the proposed budget for public inspection purposes.
2. in accordance with Section 223 of the Local Government Act 1989, a Special Committee of Council be established consisting of all Councillors with a quorum of four (4) Councillors to hear submissions in relation to the 2011/12 Proposed Budget on Wednesday 15 June 2011 at 6.30 pm at the Council Chambers, Civic Centre, Brighton.

CARRIED

10.12 *Financial report for nine (09) months to 31 March 2011*

Corporate Services - Finance
File No: COR/20686

Moved: Cr Hayes

Seconded: Cr Norris

That Council notes the financial report for the nine month period ended 31 March 2011.

CARRIED

10.13 *VCAT Decisions*

City Strategy – Statutory Planning
File No: COR/1234

Moved: Cr Norris

Seconded: Cr Long

That the report on VCAT decisions on planning applications handed down since the last Council Meeting be received and noted.

CARRIED

10.14 *Council Action Awaiting Report*

Corporate Services - Governance
File No: FOL 1234

Moved: Cr Frederico

Seconded: Cr Russell

That Council notes the Council Action Awaiting Report for the period to April 2011 and updates the comments status section for the next meeting.

CARRIED

11. Reports by Delegates

Association of Bayside Municipalities – Cr Norris

No report was submitted to the meeting.

MAV Strategic Environment Advisory Group – Cr Hayes

No report was submitted to the meeting.

Metropolitan Transport Forum – Cr Russell

No report was submitted to the meeting.

Municipal Association of Victoria – Cr Long

No report was submitted to the meeting.

Victorian Local Governance Association – Cr Norris

No report was submitted to the meeting.

Inner South Metropolitan Mayors' Forum – Cr del Porto

No report was submitted to the meeting.

Metropolitan Waste Management Forum – Cr Long

No report was submitted to the meeting.

12. Urgent Business

12.1 *Letter under seal – Mr John Mulcahy*

Moved: Cr Long

Seconded: Cr Frederico

That the matter of a letter under seal for Mr John Mulcahy, Chairperson Council's Audit Advisory Committee be dealt with as a matter of urgent business.

CARRIED

Moved: Cr Frederico

Seconded: Cr Long

That Council provide a letter under seal to Mr John Mulcahy in appreciation for his service as provided as a member on Council's Audit Advisory Committee from 23 March 1998 to 11 May 2011 with a majority of this term as Chairperson. Mr Mulcahy's attention to detail and commitment in this role has been exceptional and Council records its appreciation on the hard work and achievements made by Mr Mulcahy and the Committee throughout this time.

CARRIED

12.2 *Letter of condolence under seal*

Moved: Cr Long**Seconded: Cr Hayes**

That a letter of condolence under seal for the late Mr Donald Bruce Granter be dealt with as a matter of urgent business.

CARRIED

Moved: Cr Hayes**Seconded: Cr Long**

That Council provide a letter of condolence under seal to the family of the late Mr Donald Bruce Granter, Brighton Councillor in recognition for his services to the community from 1968 to 1977.

CARRIED

12.3 *Asset Acquisition*

Moved: Cr Long**Seconded: Cr Hayes**

That the matter of an asset acquisition be dealt with as a matter of urgent business in confidential business in accordance with Section 89(2)(h) of the Local Government Act 1989.

CARRIED

13. Notices of Motion

13.1 *Notice of Motion 198 – Link the sale of further bathing boxes with improving infrastructure*

Moved: Cr Long

Seconded: Cr Hayes

That Council receives a report on opportunities to link the sale of further bathing boxes at Dendy Street beach to improving infrastructure in the vicinity of the beach and to this end, Council considers when adopting its 2011/12 Annual Budget, the provision for sale of three bathing boxes in the budget.

CARRIED

13.2 *Notice of Motion 199 – Options to narrow Beach Road to reduce the loss of foreshore vegetation*

Moved: Cr Norris

Seconded: Cr Hayes

That Council, in view of Section 10(a) of the Transport Integration Act 2010 and of the loss of foreshore vegetation, including many trees, in the current proposals for the 'missing link' between Cromer Road and Charman Road Beaumaris in the Bayside section of the Bay Trail:

1. calls on the Minister for Roads to actively reconsider options to narrow Beach Road between Cromer Road and Charman Road Beaumaris in view of both the currently proposed loss of vegetation and the lack of evidence that the three metre wide right-turn central area of Beach Road (for traffic heading towards the City) is required for traffic or amenity reasons.
2. seeks the support of State Members of Parliament for this resolution
3. brings this resolution to the attention of the Minister for Environment".

CARRIED

13.3 Notice of Motion 200 – Consideration of liquor licence applications not covered by the Bayside Planning Scheme

It is recorded that Cr Long vacated the Chamber at 10.42pm and re-entered at 10.45pm.

Moved: Cr Norris

Seconded: Cr Hayes

That Council receive a report on improving the process of considering liquor licence applications not covered by the Bayside Planning Scheme, including those relating to sports reserves, by holding consultation meetings with affected parties”.

LOST

14. Confidential Business

Moved: Cr Frederico

Seconded: Cr Hayes

That pursuant to Section 89(2) of the Local Government Act 1989, the Council resolves that so much of this meeting be closed to members of the public, as it involves Council consideration of matters coming within some or all of the following categories listed in Section 89(2) of such Act.

- (a) Personnel matters;*
- (b) The personal hardship of any resident or ratepayers;*
- (c) Industrial matters;*
- (d) Contractual matters;*
- (e) Proposed developments;*
- (f) Legal advice;*
- (g) Matters affecting the security of Council property;*
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;*
- (i) A resolution to close the meeting to members of the public.*

CARRIED

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- 14.1 Contract No 101162X Wickham Road pavement rehabilitation works from Scott Street to Worthing Road, Hampton East
- 14.2 Urgent Business – Asset Acquisition

It is recorded that the public gallery was vacated to enable Council to consider the above listed items in Confidential Business.

Following consideration of Confidential Business the Chairperson declared the meeting closed at 11pm.

CONFIRMED THIS 24 DAY OF MAY 2011

CHAIRMAN: