

SPECIAL COUNCIL MEETING MINUTES

Special Council Meeting

30 June 2014

A Special Council Meeting was held in the Council Chamber, Sandgate Street, South Perth on Monday 30 June 2014 at 5:30 pm.

The purpose of the meeting was to:

- To consider Stage Two of the Civic Triangle Private Tender process.



CLIFF FREWING
CHIEF EXECUTIVE OFFICER
1 July 2014

Our Guiding Values

Trust

Honesty and integrity

Respect

Acceptance and tolerance

Understanding

Caring and empathy

Teamwork

Leadership and commitment

Disclaimer

The City of South Perth disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

Where an application for an approval, a licence or the like is discussed or determined during this meeting, the City warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the City.

Further Information

The following information is available on the City's website.

- **Council Meeting Schedule**

Ordinary Council Meetings are held at 7pm in the Council Chamber at the South Perth Civic Centre on the fourth Tuesday of every month between February and November. Members of the public are encouraged to attend open meetings.

- **Minutes and Agendas**

As part of our commitment to transparent decision making, the City makes documents relating to council and its committees' meetings available to the public.

- **Meet Your Council**

The City of South Perth covers an area of around 19.9km² divided into four wards. Each ward is represented by two councillors, presided over by a popularly elected mayor. Councillor profiles provide contact details for each elected member.

<http://www.southperth.wa.gov.au/Our-Council>

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Special Council Meeting Minutes

Minutes of the Special Council Meeting held in the Council Chamber, Sandgate Street, South Perth
Monday 30 June 2014 at 5:30 pm.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor opened the meeting at 5.34 pm and welcomed everyone in attendance. She then acknowledged we are meeting on the lands of the Noongar / Bibbulmun people and that we honour them as the traditional custodians of this land.

2. DISCLAIMER

The Mayor read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 AUDIO RECORDING OF COUNCIL MEETING

The Mayor requested that all mobile phones be turned off or to silent. She then reported that the meeting is being audio recorded in accordance with Council Policy P673 "Audio Recording of Council Meetings" and Clause 6.16 of the Standing Orders Local Law 2007 which states:

"A person is not to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member"

and stated that as Presiding Member she gave permission for the Administration to record proceedings of the Special Council meeting.

4. ATTENDANCE

Chair

Mayor Sue Doherty

Councillors

Cr C Cala	Manning Ward
Cr S Hawkins-Zeeb	Manning Ward (arrived at 5.53 pm)
Cr G Cridland	Como Ward
Cr M Huston	Mill Point Ward
Cr C Irons	Mill Point Ward
Cr Trent, OAM, RFD	Moresby Ward
Cr F Reid	Moresby Ward

Officers

C Frewing	Chief Executive
M Kent	Director Financial and Information Services
V Lummer	Director Development and Community Services
M Taylor	Acting Director Infrastructure Services
P McQue	Manager Governance and Administration
S Kent	Governance Officer (Minute Secretary)

Gallery

There was 1 member of the public and 0 members of the press present.

4.1 APOLOGIES

Cr V Lawrence Como Ward

4.2 ABSENT

Nil

4.3 LEAVE OF ABSENCE

Nil

5. DECLARATION OF INTEREST

Conflicts of Interest are dealt with in the Local Government Act, Rules of Conduct Regulations and the Administration Regulations as well as the City's Code of Conduct 2008. Members must declare to the Chairperson any potential conflict of interest they have in a matter on the Council Agenda.

The Mayor noted the following Declarations of Interest were received for Item 8.1 (Civic Triangle –Stage 2: Private Tender):

- Director Financial and Information Services, M Kent declared a *Financial Interest*

The Mayor advised in accordance with Local Government (Rules of Conduct) Regulations 2007 these declarations would be read out immediately before these items were discussed.

6. PUBLIC QUESTION TIME (IN RELATION TO ITEM 8)

The Mayor stated that Public Question Time is operated in accordance with the *Local Government Act* regulations and the City's Standing Orders Local Law. She also stated that questions are to be in writing and questions received prior to this meeting will be answered tonight, if possible or alternatively may be taken on notice. Questions received in advance of the meeting will be dealt with first.

The Mayor then opened Public Question Time at 5.36 pm.

With no questions put forward, the Mayor closed Public Question Time at 5.36 pm.

7. DEPUTATIONS (IN RELATION TO ITEM 8)

No Deputations were received.

8. REPORTS

8.1 Civic Triangle – Stage 2: Private Tender

Location: City of South Perth
Applicant: Council
Date: 27 June 2014
Author: Phil McQue, Manager Governance & Administration
Reporting Officer: Cliff Frewing, Chief Executive Officer

Michael Kent, Director Financial and Information Services

“I wish to declare a financial interest in Agenda Item Agenda Item 8.1 (Civic Triangle – Stage 2: Private Tender) on the Special Council Agenda for the meeting to be held 30 June 2014.

I disclose that I hold shares with one of the interested parties. Given the immaterial nature of my investment with this party, I do not consider it to be necessary for me to leave the Council Chamber during the discussion and debate on this item.

I declare that any advice that I provide to Council on this matter will be impartial and in the best financial interests of the City of South Perth.”

The Mayor stated that this report is **confidential** in accordance with Section 5.23(2)(c)(e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government.

Mayor Sue Doherty MOVED that the meeting be closed to the public.

COUNCIL DECISION

Mover Cr Trent
Seconder Cr Reid

That Council Close the meeting to the public for the purposes of confidential discussion and voting on the Item.

CARRIED 7/0

The Mayor declared the meeting closed at 5.38 pm and asked the members of the Gallery to vacate the Chambers until discussion and voting was complete.

Note: Cr Hawkins-Zeeb arrived at 5.53 pm during discussion and prior to voting on Item 8.1.

Note: At 5.58 pm Mayor Doherty vacated the Chambers at which time Cr Cridland assumed the Chair. At 6.04 pm Mayor Doherty returned and resumed the Chair.

Mayor Sue Doherty MOVED to adopt the Officer Recommendation.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Mover Cr Reid
Second Cr Huston

That the Council:

1. Note the outcome of Civic Triangle Stage 2 Private Tender process;
2. Endorse the Preferred Tenderer recommended by the City Administration and JLL;
3. Authorise JLL to finalise Contract of Sale negotiations with the Preferred Tenderer to a satisfactory outcome;
4. Authorise the Chief Executive Officer to undertake statutory public advertising of the proposed disposition following successful Contract of Sale negotiations;
5. Note that a further report will be submitted to Council in the event that submissions objecting to the proposed disposition are received;
6. Authorise the Mayor and Chief Executive Officer to finalise the sale process by executing the Contract of Sale and other relevant documentation in the event that no submissions objecting to the proposal are received; and
7. Commend JLL and Jackson McDonald for their outstanding contribution to date on this project.

CARRIED 8/0

Mayor Sue Doherty MOVED to re-open the meeting.

COUNCIL DECISION

Mover Cr Trent
Second Cr Hawkins-Zeeb

That Council re-open the meeting to the public.

CARRIED 8/0

At 6.23 pm the Mayor invited the member of the Gallery to return at which time the Minute Secretary read aloud the Council Decision for *Item 8.1 (Civic Triangle – Stage 2: Private Tender)*.

8. CLOSURE

The Mayor closed the meeting at 6.24 pm.

DISCLAIMER

The City advises that comments recorded represent the views of the person making them and should not in any way be interpreted as representing the views of Council. The minutes are a confirmation as to the nature of comments made and provide no endorsement of such comments. Most importantly, the comments included as dot points are not purported to be a complete record of all comments made during the course of debate. Persons relying on the minutes are expressly advised that the summary of comments provided in those minutes do not reflect and should not be taken to reflect the view of the Council. The City makes no warranty as to the veracity or accuracy of the individual opinions expressed and recorded therein.

These unconfirmed Minutes will be confirmed at the Ordinary Council Meeting of 22 July 2014.

Signed _____
Chairperson at the meeting at which the Minutes were confirmed.

9. RECORD OF VOTING

30/06/2014 5:38:05 PM

Motion Passed 7/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Glenn Cridland, Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance

30/06/2014 6:17:33 PM

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Glenn Cridland, Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Veronica Lawrance

30/06/2014 6:22:47 PM

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Glenn Cridland, Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Veronica Lawrance