



Special Council Meeting

Minutes

Wednesday 30 October 2024

MINUTES

Minutes of a meeting of the Busselton City Council held in the Council Chambers, Administration Building, Southern Drive, Busselton, on Wednesday 30 October 2024 at 4.00pm.

CITY OF BUSSELTON

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1. OFFICIAL OPENING

The City of Busselton welcomed elected members, staff, guests and members of the public to the Special Council Meeting of 30 October 2024.

The Presiding Member acknowledged the Wadandi and Bibbulmun people as the traditional custodians of this region and pay respects to Elders past and present.

This meeting was audio recorded for minute taking purposes and was live streamed on the City of Busselton YouTube channel.

2. PURPOSE OF MEETING

The purpose of this meeting is for consideration of a budget amendment and communications plan in relation to Saltwater Busselton.

3. ATTENDANCE

PRESIDING MEMBER	MEMBERS
Mayor Phill Cronin	Cr Anne Ryan (Deputy Mayor)
	Cr Val Kaigg
	Cr Jodie Lee
	Cr Kate Cox
	Cr Mikayla Love
	Cr Richard Beecroft
	Cr Andrew Macnish
	Cr Jarrod Kennedy

OFFICERS
Chief Executive Officer
Director Infrastructure and Environment
Director Community Planning
Director Economic and Business Development
Director Corporate Strategy and Performance
Manager Legal, Governance and Risk
Governance Officer

APOLOGIES
Nil

4. DISCLOSURES OF INTEREST

DISCLOSURES OF FINANCIAL INTEREST

Nil

DISCLOSURES OF IMPARTIALITY INTEREST

The Presiding Member noted that a disclosure of impartiality interest had been received from Cr Val Kaigg in relation to Item 7.1 Saltwater Budget Amendment and Communications Plan.

5. PUBLIC QUESTION TIME

Mr Keith Sims

Question

Why isn't the City being transparent by informing the public about the request from Broad Construction requiring additional funds above the \$38m fixed price contract?

Response

(Mr Tony Nottle, Chief Executive Officer)

The item being considered at this meeting is confidential because it contains information relating to a contract entered into and legal advice obtained by the local government. Unfortunately, due to this, at this point in time I am unable to provide further comment."

Question

If the project budget needs to increase, will the City be transparent and add the additional expenditure to the current \$44.5m project budget, plus the \$8.9m interest, legal fees and any other expenditure, so that total Saltwater cost is known to the public?

Response

(Mr Tony Nottle, Chief Executive Officer)

Any decision made by the Council will be made public.

Mr Don Evill

Question

What are the costings for the hire of various Saltwater venues?

Response

(Mr Tony Nottle, Chief Executive Officer)

The question was taken on notice.

Ms Jill Walsh

Question

Would the Council prefer to voluntarily bring the public up to date on the financial details of Saltwater or have ratepayers petition for an electors meeting?

Response

(Mayor Phill Cronin)

I am unable to answer that question.

Ms Michelle Shackleton

Question

At which Council meeting will the Council be transparent to the community about the Saltwater project costs and timeframes?

Response

(Mr Tony Nottle, Chief Executive Officer)

The decision to be made by the Council on the confidential item on the agenda for this meeting is required before we can respond to that question. Due to the confidentiality of that item, we are unable to answer further at this stage.

Question

Can the City provide information about how many local jobs were created during construction?

Response

(Mr Tony Nottle, Chief Executive Officer)

We can get some information on that, subject to the decision of the Council.

Dr Andrew Dickie

Question

From whom did you receive your legal advice resulting in all of these meetings about Saltwater being confidential?

Response

(Mr Tony Nottle, Chief Executive Officer)

The City has received legal advice both internally and from external law firms.

6. PRESENTATIONS BY PARTIES WITH AN INTEREST

Nil

7. CONFIDENTIAL MATTERS

The presiding member called on a Councillor to move a motion to close the meeting to the public.
The motion was moved and carried.

COUNCIL DECISION

C2410/313 Moved Cr Kate Cox, seconded Cr Andrew Macnish

That the meeting be closed to the members of the public to consider Item 7.1.

CARRIED 9 / 0

**FOR: Mayor Phill Cronin, Cr Anne Ryan, Cr Jodie Lee, Cr Val Kaigg, Cr Andrew Macnish,
Cr Mikayla Love, Cr Kate Cox, Cr Jarrod Kennedy and Cr Richard Beecroft**

AGAINST: Nil

4.14pm: At this time, the meeting was closed to the public and the livestream of the meeting was ceased.

7.1. Saltwater Budget Amendment and Communications Plan

Strategic Theme:	Key Theme 2: Lifestyle 2.4 Establish a performing arts facility for the District.
Directorate:	Office of the CEO
Reporting Officer:	Chief Executive Officer – Tony Nottle
Authorised By:	Chief Executive Officer – Tony Nottle
Nature of Decision:	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
Voting Requirements:	Absolute Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	1. CONFIDENTIAL ATTACHMENT 1 [7.1.1 - 1 page] 2. CONFIDENTIAL ATTACHMENT 2 [7.1.2 - 7 pages] 3. CONFIDENTIAL ATTACHMENT 3 [7.1.3 - 8 pages] 4. CONFIDENTIAL ATTACHMENT 4 [7.1.4 - 4 pages]

DISCLOSURE OF INTEREST	
Date	30 October 2024
Meeting	Special Council meeting
Name/ Position	Cr Val Kaigg
Item No./ Subject	7.1 Saltwater Budget Amendment and Communications Plan
Type of Interest	Impartiality Interest
Nature of Interest	I am a member of the Busselton Repertory Club who lease Weld Theatre, also my niece owns and is director of Jazz Attack Dance Academy Busselton who will ultimately be one of the users of Saltwater.

4.15pm: Cr Andrew Macnish moved the following procedural motion. The motion was moved and carried.

<p><u>COUNCIL DECISION</u></p> <p>C2410/315 Moved Cr Andrew Macnish, seconded Cr Anne Ryan</p> <p>That the Council refer Item 7.1 to the Ordinary Council meeting on 20 November 2024 at 5.30pm.</p> <p style="text-align: right;">CARRIED 6 / 3</p> <p>FOR: Cr Anne Ryan, Cr Jodie Lee, Cr Andrew Macnish, Cr Mikayla Love, Cr Jarrod Kennedy and Cr Richard Beecroft</p> <p style="text-align: right;">AGAINST: Mayor Phill Cronin, Cr Val Kaigg and Cr Kate Cox</p>
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The presiding member called on a Councillor to move a motion to open the meeting to the public. The motion was moved and carried.

COUNCIL DECISION

C2410/314 Moved Cr Andrew Macnish, seconded Cr Val Kaigg

That the meeting be re-opened to members of the public.

CARRIED 9 / 0

**FOR: Mayor Phill Cronin, Cr Anne Ryan, Cr Jodie Lee, Cr Val Kaigg, Cr Andrew Macnish,
Cr Mikayla Love, Cr Kate Cox, Cr Jarrod Kennedy and Cr Richard Beecroft**

AGAINST: Nil

4.18pm: At this time, the meeting was reopened to the public and the livestream recommenced. The presiding member read out the decision to the gallery.

8. CLOSURE

The meeting closed at 4.19pm.

These minutes for the Special Council Meeting were confirmed as a true and correct record on:

Date:

Presiding Member: