

## CITY OF HOLDFAST BAY

**Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton, on Tuesday 28 February 2006 at 7:00pm.**

### PRESENT

His Worship the Mayor	A K Rollond
Deputy Mayor	R D C Edwards
Councillors	R M Bouchée (from 7:04pm)
	P N Crutchett
	J L Deakin
	P W Dixon
	J Donaldson
	P L Holt
	C J Lush
	P L Macaskill
	A C Norton
	D J Swiderczuk
	S K Tilley (from 7:02pm)
Chief Executive Officer	R T Donaldson
General Manager Economic and Corporate	D G Chamberlain
General Manager Environment and Engineering	C A Sheffield
General Manager Social and Organisation	C E Umapathysivam
Executive Manager Strategy and Development	S L Ditter

### 1. OPENING

His Worship the Mayor, declared the meeting open with prayer at 7:00pm.

2. PRESENTATION Nil

### 3. APOLOGIES

3.1 For Absence Nil

3.2 Leave of Absence Nil

### 4. CONFIRMATION OF MINUTES

Councillor Tilley entered the meeting at 7:02pm

Councillor Holt moved and Councillor Macaskill seconded that the minutes of the Ordinary Meeting of Council held on Tuesday 14 February 2006 be taken as read and confirmed.

**CARRIED**

**5. MAYORAL REPORT**

From 18 January 2006 to 21 February 2006

Councillor Edwards moved and Councillor Lush seconded that the report be received and noted.

**CARRIED**

**6. QUESTIONS BY MEMBERS****6.1 Without Notice****6.1.1 Cars on Vacant Land**

At the meeting of Council held on Tuesday 14 February 2006, Councillor Bouchée asked whether Council has any capacity through its by-laws to control cars being offered for sale on vacant land.

**The Executive Manager Strategy and Development took the question on notice.**

**Councillor Bouchée entered the meeting at 7:04pm.**

**6.1.2 Somerton Coast Park Community Reference Group - status**

Councillor Crutchett asked for confirmation of the status of the Somerton Coast Park Community Reference Group.

**The General Manager Social and Organisation provided a response.**

**6.1.3 Somerton Coast Park Community Reference Group – Committee question**

Councillor Crutchett asked why the Group was referred to as a committee in Council reports and why it was using a Yahoo website.

**The General Manager Social and Organisation and the General Manager Environment and Engineering provided a response regarding the Group's status.**

**6.1.4 Somerton Coast Park Community Reference Group – meeting in confidence**

Councillor Crutchett asked how a reference group could meet in confidence.

**The General Manager Social and Organisation provided a response.**

**6.1.5 Somerton Coast Park Community Reference Group – Elected Member representation**

Councillor Bouchée asked whether there were any Elected Members on the reference group.

**The General Manager Environment and Engineering provided a response.**

**6. QUESTIONS BY MEMBERS (Cont'd)****6.1.6 Somerton Coast Park Community Reference Group – comments from community**

Councillor Bouchée asked whether Council Members would receive all comments from the community about the project.

**The General Manager Environment and Engineering provided a response.**

**6.1.7 Somerton Coast Park Community Reference Group – public meeting**

The Mayor asked whether a public meeting and/or consultation process would be held as a part of the Community Reference Group's deliberation.

**The General Manager Environment and Engineering provided a response.**

**6.1.8 Somerton Coast Park Community Reference Group – letters and recommendations**

Councillor Bouchée asked whether full letters and recommendations submitted from the community to the Somerton Coast Park Community Reference Group will be received by Council

**The General Manager Environment and Engineering provided a response.**

**6.1.9 Somerton Coast Park Community Reference Group – Minute distribution**

Councillor Tilley asked whether Community Reference Group Meeting Minutes were distributed to all Elected Members as she had not received these.

**The General Manager Environment and Engineering provided a response.**

**6.1.10 Somerton Coast Park Community Reference Group – report to Council**

Councillor Lush asked whether the Environment and Engineering Department will put a report to Council with all information and the Department's recommendations for Council to consider further.

**The General Manager Environment and Engineering provided a response.**

**6.1.11 Somerton Coast Park Community Reference Group – Minute Distribution List**

Councillor Macaskill asked for a distribution list of the minutes of the Reference Group Meetings.

**The Chief Executive Officer provided a response.**

**6.1.12 Somerton Coast Park Community Reference Group – Minutes**

Councillor Crutchett asked that Minutes of the reference group meetings be distributed to the Council Members and members of the public who have asked to be kept informed.

**The Chief Executive Officer advised that Administration would consider the question further and respond.**

**6.2 With Notice Nil**

7. **REPORTS BY DELEGATES OR REPRESENTATIVES** Nil
8. **PETITIONS AND DEPUTATIONS** Nil
9. **NOTICES OF MOTION** Nil
10. **ADJOURNMENT (TO ENABLE PERMANENT COMMITTEES TO MEET)  
(7:18 PM)**

**Councillor Macaskill moved and Councillor Deakin seconded that Council stand adjourned to enable the permanent Economic and Corporate and Environment and Engineering Committees to meet.**

**CARRIED**

11. **RESUMPTION**

**Councillor Lush moved and Councillor Holt seconded that Council resume at 9:26 pm.**

**CARRIED**

12. **COMMITTEE RECOMMENDATIONS FOR CONSIDERATION**

12.1 **Economic and Corporate Committee**

The Chairperson, Councillor Holt reported that the Economic and Corporate Committee had met this evening and had processed the business contained in the agenda documents.

**Councillor Holt moved and Councillor Swiderczuk seconded that the report of the Economic and Corporate Committee, the agenda documents and approved recommendations, together with the additional recommendations from the meeting be adopted.**

**CARRIED**

12.2 **Environment and Engineering Committee**

The Chairperson, Councillor Dixon reported that the Environment and Engineering Committee had met this evening and had processed the business contained in the agenda documents.

**Councillor Holt moved and Councillor Swiderczuk seconded that the report of the Environment and Engineering Committee, the agenda documents and approved recommendations, together with the additional recommendations from the meeting be adopted, except item 8.8.**

**CARRIED**

**Councillor Edwards declared a conflict of interest in item 8.8 of the Environment and Engineering Committee Agenda papers, due to the location of the subject land adjacent to his business and left the meeting at 9:27pm.**

- C280206/049 Councillor Holt moved and Councillor Dixon seconded: that item 8.8 of the Environment and Engineering Committee meeting held 28 February 2006, Resolution No: EE280206/016 be adopted.**

**CARRIED**

**Councillor Edwards returned to the meeting at 9:28pm**

**13. DEVELOPMENT ASSESSMENT PANEL**

**Councillor Deakin moved and Councillor Lush seconded that the minutes of the Development Assessment Panel meeting held on Wednesday 15 February 2006 be received.**

**CARRIED**

**Councillor Macaskill left the meeting at 9:28pm.**

**Councillor Macaskill returned to the meeting at 9:29pm.**

**14. REPORTS OF ADVISORY COMMITTEES AND/OR SUB-COMMITTEES****14.1 Jetty Road Mainstreet Board**

Minutes of the Jetty Road Mainstreet Board Meeting held on Wednesday 8 February 2006.

**Councillor Deakin moved and Councillor Swiderczuk seconded that the minutes of the Jetty Road Mainstreet Board held on Wednesday 8 February 2006 be received.**

**CARRIED****15. REPORTS OF REGIONAL SUBSIDIARIES**

Minutes of the Southern Region Waste Resource Authority meetings held on Monday 6 February 2006 and Thursday 16 February 2006

**Councillor Deakin moved and Councillor Bouchée seconded that the minutes of the Southern Region Waste Resource Authority Committee held on 6 February 2006 and 16 February 2006 be received.**

**CARRIED****16. REPORTS BY OFFICERS****16.1 Items in Brief (Report No: 92/06)**

Report No: 92/06 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

**C280206/050 Councillor Swiderczuk moved and Councillor Macaskill seconded that the report be noted and items of interest be discussed.**

**CARRIED**

**16.2 Southern Region Waste Resource Authority – Charter  
(Report No: 106/06)**

Report No: 106/06 was presented Council, together with the Cities of Marion and Onkaparinga and has created the Southern Region Waste Resource Authority (SRWRA) as a regional subsidiary pursuant to the Local Government Act 1999.

SRWRA has sought the agreement of the constituent Councils to a revised Charter. The Board of the Authority has carefully considered the need for and appropriate content of a charter that addresses the future needs and responsibilities of the Authority, and had regard to relevant external advice in the course of developing a proposed new Charter document.

Subject to matters of drafting detail and/or clarification, the proposed new Charter is considered appropriate, and worthy of Council's further consideration.

**C280206/051 Councillor Holt moved and Councillor Lush seconded**

1. **That Council informs the Board of the Southern Region Waste Resource Authority that it endorses the content of the proposed new Charter for the Authority, in accordance with the “final version” dated September 2005, and as set out in Attachment 1 to Council Report Number 106/06.**
2. **That His Worship the Mayor and/or the Chief Executive Officer be authorised to sign and/or seal any necessary documentation associated with the implementation of the new Charter referred to in (1) above.**
3. **That Council advises the Southern Region Waste Authority that it awaits advice as to appropriate matters to be the subject of delegation of powers from Council to the Authority and an appropriate process for consistent delegation of powers to occur.**

**CARRIED****17. URGENT BUSINESS****17.1 Leave of Absence – Elected Members****C280206/052 Councillor Donaldson moved and Councillor Lush seconded that Leave of Absence be granted as follows:**

**Councillor Edwards - Friday 10 March 2006 – Friday 17 March 2006, inclusive  
Councillor Tilley – Tuesday 14 March 2006 (Council Meeting)  
Councillor Holt – Wednesday 15 March 2006 (DAP Meeting)**

**CARRIED**

**18. ITEMS IN CONFIDENCE****18.1 WASTE MANAGEMENT – COLLECTION SERVICE (REPORT NO: 89/06)**

**C280206/053** Councillor Tilley moved and Councillor Swiderczuk seconded that, pursuant to Section 90(2) and 90(3)(b) of the Local Government Act 1999 the Council order that the public be excluded from attendance at the meeting, with the exception of Council officers and any other visitors permitted to remain, after taking into account the relevant considerations under Section 90(3)(b), on the basis that it will receive, discuss or consider the following:

- information or matter 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.

**CARRIED**

Council officers remaining: Mr Donaldson, Mrs Umapathysivam,  
Mr Sheffield, Mrs Ditter and Mr Chamberlain,  
Mr Hodge

**Waste Management – Collection Service (Report No: 89/06)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C280206/054** Councillor Lush moved and Councillor Holt seconded that pursuant to Section 90(2), 90(3)(b) and 91(7) of the Local Government Act 1999:

1. The Council orders that the documents and minutes relating to Report No: 89/06 with the exception of Resolution No: C280206/053 for going into confidence be kept confidential and not available for public inspection on the basis that they deal with 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 interestunder Section 90(2) and 90(3)(b) of the Act
2. This resolution will be reviewed on or before 31 December 2006 by the Council.

**CARRIED**

**18. ITEMS IN CONFIDENCE****18.2 SOUTHERN REGION WASTE RESOURCE AUTHORITY – VERBAL REPORT**

**C280206/055** Councillor Lush moved and Councillor Holt seconded that, pursuant to Section 90(2) and 90(3)(b) of the Local Government Act 1999 the Council order that the public be excluded from attendance at the meeting, with the exception of Council officers and any other visitors permitted to remain, after taking into account the relevant considerations under Section 90(3)(b), on the basis that it will receive, discuss or consider the following:

- information or matter 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.

**CARRIED**

Council officers remaining: Mr Donaldson, Mrs Umapathysivam,  
Mr Sheffield, Mrs Ditter and Mr Chamberlain,  
Mr Hodge

**Southern Regional Waste Resource Authority – Verbal Report**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C280206/056** Councillor Lush moved and Councillor Holt seconded that pursuant to Section 90(2), 90(3)(b) and 91(7) of the Local Government Act 1999:

1. The Council orders that the minutes relating to verbal report with the exception of Resolution No: C280206/055 be kept confidential on the basis that they deal with 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

under Section 90(2) and 90(3)(b) of the Act

2. This resolution will be reviewed on or before 31 December 2006 by the Council.

**CARRIED**

**19. RESUMPTION**

**Councillor Tilley moved and Councillor Lush seconded that Council resume as an open meeting of Council at 9:49 pm.**

**CARRIED**

**20. CLOSURE**

**The meeting closed at 9:49pm.**

**CONFIRMED**

**Tuesday 14 March 2006**

**MAYOR**