

## 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 26 September 2006 at 7:00pm.**

### PRESENT

His Worship the Mayor  
Deputy Mayor  
Councillors

A K Rollond  
R D C Edwards  
R M Bouchée  
J L Deakin  
P W Dixon – 7:03pm  
P L Holt  
J Donaldson  
C J Lush  
P L Macaskill  
A C Norton  
S K Tilley – 7:03pm  
R T Donaldson  
C A Sheffield  
C E Umapathysivam  
R A Thomas  
I S Walker

Chief Executive Officer  
General Manager Environment and Engineering  
General Manager Social and Organisation  
Acting General Manager Strategy and Development  
Executive Manager Finance and Corporate

### 1. OPENING

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

### 2. PRESENTATION

#### Natural Resource Management Board

A 30 minute presentation to Members was made by Mr Peter Koukourou, Chair of the Central Group and Mr Stephen Smith, from the Natural Resource Management Board on the Adelaide and Mount Lofty Natural Resource Management Plan.

### 3. APOLOGIES

#### 3.1 For Absence

#### 3.2 Leave of Absence

Councillor P N Crutchett  
Councillor D J Swiderczuk

### 4. CONFIRMATION OF MINUTES

**Councillor Deakin moved and Councillor Bouchée seconded that the minutes of the Ordinary Meeting of Council held on 12 September 2006, and resumed on 13 September 2006, be taken as read and confirmed, subject to being amended to incorporate the Contents of the Internal Memorandum from the Chief Executive Officer that is referred to in item 16.3 of the minutes.**

**CARRIED**

**5. MAYORAL REPORT**

From 12 August 2006 to 18 September 2006.

Councillor Dixon moved and Councillor Tilley seconded that the report be received and noted.

**CARRIED**

**6. QUESTIONS BY MEMBERS****6.1 Without Notice****6.1.1 Official Opening of Brian Nadilo Reserve - Ngutinilla**

Councillor Bouchée asked if the final costs associated with the official opening of Brian Nadilo Reserve – Ngutinilla were available.

**The Acting General Manager Strategy and Development provided a response.**

Councillor Tilley asked how the cancellation of outdoor activities (due to the inclement weather) associated with the opening of the Brian Nadilo Reserve – Ngutinilla was communicated to the community.

**The Acting General Manager Strategy and Development provided a response.**

**6.2 With Notice**

Nil

**7. REPORTS BY DELEGATES OR REPRESENTATIVES****Bay Discovery Centre**

Councillor Lush advised that the Bay Discovery Centre has won the South Australian Award in the Tourism, Sport and Recreation Category, for the 2006 National Australia Bank Volunteer Awards. The \$7,000 cash prize will be allocated towards improving the Volunteer program.

**Councillor Lush moved and Councillor Macaskill seconded that His Worship the Mayor formally write on behalf of Council to congratulate Marianne Norman, Sue Moss and volunteers at the Bay Discovery Centre on the receipt of the 2006 NAB Volunteer Award.**

**CARRIED**

**8. PETITIONS AND DEPUTATIONS**

Nil

**9. NOTICES OF MOTION**

Nil

**10. ADJOURNMENT (TO ENABLE PERMANENT COMMITTEES TO MEET)  
(7:40PM)**

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

**CARRIED**

**Councillor Bouch e left the meeting at 9:29pm.**

**11. RESUMPTION**

**Councillor Macaskill moved and Councillor Lush seconded that Council resume at 9:29pm.**

**CARRIED**

**12. COMMITTEE RECOMMENDATIONS FOR CONSIDERATION**

**12.1 Economic and Corporate Committee**

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

**Councillor Deakin moved and Councillor Holt 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 Dixon moved and Councillor Macaskill 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.**

**CARRIED**

**13. DEVELOPMENT ASSESSMENT PANEL**

**C260906/244 Councillor Deakin moved and Councillor Lush seconded that the minutes of the Development Assessment Panel meeting held on Wednesday 13 September 2006 be received.**

**CARRIED**

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

Minutes of the Special Meeting held Wednesday 12 July 2006.

**Jetty Road Mainstreet Board**

Minutes of the Meeting held Wednesday 9 August 2006.

**Alwyndor Aged Care Board of Management**

Minutes of the Meeting held Monday 21 August 2006.

**Alwyndor Aged Care Board of Management Finance Sub Committee**

Minutes of the Meeting held Monday 21 August 2006.

**Alwyndor Aged Care Board of Management**

Minutes of the Special Meeting held Wednesday 6 September 2006.

**C260906/245 Councillor Lush moved and Councillor Donaldson seconded that the minutes of these committees be received.**

**CARRIED**

**Councillor Bouchèe rejoined the meeting at 9:30pm.**

**15. REPORTS OF REGIONAL SUBSIDIARIES**

Nil

**16. REPORTS BY OFFICERS****16.1 Items in Brief (Report No: 464/06)**

Report No: 464/06 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

**C260906/246 Councillor Lush moved and Councillor Donaldson seconded that the report be noted and items of interest be discussed.**

**CARRIED**

**16.2 Jetty Road Mainstreet Board Constitution (Report No: 472/06)**

The current Constitution of Jetty Road Mainstreet Board, a committee of Council established pursuant to 41 (2) of the Local Government Act 1999, was adopted in March 2000 and amended in August 2002. There has been considerable change since then: Council has a new Strategic Plan; it recently adopted new precinct boundaries in recognition of the shopping and activity precinct having expanded beyond the traditional district centre zone; the term of office for the Board is about to change in line with the Council term; and the precinct faces increasing competition from other centres in the region.

The purpose of this report is to recommend changes to Jetty Road Mainstreet Board's Constitution, to ensure that the fundamental rules and principles by which the Board is governed are more clearly defined and in keeping with the changing landscape, the Board is more able to continue to promote, enhance and encourage the development and function of the Jetty Road Glenelg precinct.

**C260906/247 Councillor Lush moved and Councillor Macaskill seconded**

- 1. That Council resolves that the Constitution of the Jetty Road Mainstreet Board Adopted March 2000 (amended 27/08/02) be further amended based on the recommendations of the Special Board Meeting held 12 July 2006.**
- 2. That Council resolves that the Constitution of the Jetty Road Mainstreet Board containing the changes proposed by the Board, included as Attachment 1 to Report Number 472/06, be adopted.**

A division was called.

Voted For	Voted Against
Councillor Dixon	Councillor Tilley
Councillor Norton	Councillor Bouchère
Councillor Macaskill	
Councillor Deakin	
Councillor Donaldson	
Councillor Lush	
Councillor Holt	
Councillor Edwards	

**HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED**

**17. URGENT BUSINESS**

**Councillor Dixon left the meeting at 9:46pm.**

**Councillor Norton left the meeting at 9:47pm.**

**17.1 Leave of Absence**

Councillor Donaldson has sought leave of absence for the meeting scheduled for 10 October 2006.

**Councillor Lush moved and Councillor Deakin seconded that Council grants Councillor Donaldson leave of absence for the meeting to be held on 10 October 2006.**

**CARRIED**

**Councillor Dixon returned to the meeting at 9:50pm.**

**Councillor Norton returned to the meeting at 9:50pm.**

**17.2 Norfolk Island Pines – Colley Reserve South**

Councillor Tilley asked if the Norfolk Island Pines were being planted as soon as possible and was it possible to retain the boxes if possible.

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

**18. ITEMS IN CONFIDENCE****18.1 Holdfast Shores Stage 2B – Update (Report No: 465/06)**

**Council officers remaining: Mr Donaldson, Mrs Umaphysivam, Mr Sheffield, Ms Thomas and Mr Walker**

**C260906/248 Councillor Lush moved and Councillor Macaskill seconded that, pursuant to Section 90(2) and 90(3)(h) 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), on the basis that it will receive, discuss or consider the following:**

- legal advice.

**CARRIED**

**Councillor Dixon left the meeting at 9:53pm.**

**Councillor Dixon returned to the meeting at 9:55pm.**

**Holdfast Shores Stage 2B – Update (Report No: 465/06)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C260906/250 Councillor Lush moved and Councillor Macaskill seconded that pursuant to Section 90(2), 90(3)(h) and 91(7) of the Local Government Act 1999:**

- 1. The Council orders that the documents and minutes relating to Report No: 465/06 with the exception of Resolution No: C260906/249 for going into confidence be kept confidential and not available for public inspection on the basis that they deal with legal advice, under Section 90 (2) and 90(3)(h) of the Act.**
- 2. This resolution will be reviewed on or before 30 June 2007 by the Council.**

**CARRIED**

**18.2 Question on Notice**

**Council officers remaining: Mr Donaldson, Mrs Umaphysivam, Mr Sheffield, Ms Thomas and Mr Walker**

**C260906/251 Councillor Lush moved and Councillor Donaldson 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.

A division was called.

Voted For  
Councillor Dixon  
Councillor Norton  
Councillor Macaskill  
Councillor Deakin  
Councillor Donaldson  
Councillor Lush  
Councillor Holt  
Councillor Edwards

Voted Against  
Councillor Tilley  
Councillor Bouch e

**HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED**

**Question on Notice**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C260906/253 Councillor Macaskill moved and Councillor Dixon 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 Question on Notice with the exception of Resolution No:C260906/252 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 30 June 2007 by the Council.

**CARRIED**

**18.3 Kingston (Caravan) Park Kiosk (Report No: 462/06)**

**Council officers remaining: Mr Donaldson, Mrs Umapathysivam, Mr Sheffield, Ms Thomas and Mr Walker**

**C260906/254 Councillor Lush moved and Councillor Macaskill 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**

**Kingston (Caravan) Park Kiosk (Report No: 462/06)****ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C260906/256** Councillor Lush moved and Councillor Edwards 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: 462/06 with the exception of Resolution No: C260906/254 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 30 June 2007 by the Council.

**CARRIED**

**19. RESUMPTION**

Councillor Lush moved and Councillor Macaskill seconded that Council resume as an open meeting of Council at 10:13pm.

**20. CLOSURE**

The Meeting closed at 10:14pm.

**CONFIRMED**

**Tuesday 10 October 2006**

**MAYOR**