

**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 14 August 2007 at 7:00pm.**

**PRESENT**

His Worship the Mayor  
Deputy Mayor  
Councillors

A K Rollond  
R A Clancy  
R D Beh  
R M Bouchée  
P N Crutchett  
J L Deakin  
L R Fisk  
P D H Heysen  
S C Lonie  
T D Looker  
A C Norton  
L van Camp  
R T Donaldson  
S G Hodge  
C E Umapathysivam  
R A Thomas  
J B Newton

Chief Executive Officer  
Acting General Manager Environment and Engineering  
General Manager Social and Organisation  
General Manager Strategy and Development  
Manager Financial Services

**1. OPENING**

His Worship the Mayor, declared the meeting open with prayer and an acknowledgement of Kaurna Traditional Owners at 7:00pm.

**2. APOLOGIES****2.1 For Absence**

**2.2 Leave of Absence** Councillor J D Huckstepp

**3. PRESENTATION**

His Worship the Mayor presented to Council a framed Surf Life Saving shirt, in recognition of Council's continued support of Surf Life Saving SA.

**4. CONFIRMATION OF MINUTES**

**Councillor Clancy moved and Councillor Heysen seconded that the minutes of the Ordinary Meeting of Council held on 24 July 2007 be taken as read and confirmed.**

**CARRIED**

**5. QUESTIONS BY MEMBERS****5.1 Without Notice****5.1.1 Glenelg Jetty**

Councillor Bouchée asked a question regarding the re-opening date for the Glenelg Jetty.

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

**5.1.2 Traffic light cycle at the intersection of Jetty Road, Partridge Street and Gordon Street, Glenelg.**

Councillor Bouchée asked a question regarding the forthcoming report on the traffic light cycle at the intersection of Jetty Road, Partridge Street and Gordon Street, Glenelg.

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

**5.1.3 Number of Cats returned to owners in Turner Street, Somerton Park**

Councillor Bouchée asked a question regarding the number of cats retrieved by their owner/s in Turner Street, Somerton Park.

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

**5.1.4 Exercise Equipment**

Councillor Beh asked a question regarding a further report on the proposed location and installation of exercise equipment.

**Manager Community Development provided a response.**

**5.2 With Notice Nil**

**6. REPORTS BY DELEGATES OR REPRESENTATIVES Nil**

**7. PETITIONS AND DEPUTATIONS****7.1 Deputation from Brighton RSL and Brighton Bowling Club**

Mr Trevor Whitelaw addressed Members regarding the Brighton RSL and Brighton Bowling Club Collocation and Clubroom upgrade proposal.

**8. NOTICES OF MOTION Nil**

**Councillor Beh left the meeting at 7:14pm.**

**9. ADJOURNMENT (TO ENABLE PERMANENT COMMITTEES TO MEET) (7:15PM)**

**Councillor Bouchée moved and Councillor Looker seconded that Council stand adjourned to enable the permanent Social and Organisation and Strategy and Development Committees to meet.**

**CARRIED**

**10. RESUMPTION**

**Councillor Deakin moved and Councillor Crutchett seconded that Council resume at 8:39pm.**

**CARRIED****11. COMMITTEE RECOMMENDATIONS FOR CONSIDERATION****11.1 Social and Organisation Committee**

The Chairperson, Councillor Clancy reported that the Social and Organisation Committee had met this evening and had processed the business contained in the agenda documents.

**Councillor Clancy moved and Councillor Fisk seconded:**

- 1. That the report of the Chairman of the Social and Organisation Committee, and the Committee agenda documents together with Administration recommendations be received.**
- 2. That the recommendations of the Social and Organisation Committee be adopted.**

**CARRIED****11.2 Strategy and Development Committee**

The Chairperson, Councillor Crutchett reported that the Strategy and Development Committee had met this evening and had processed the business contained in the agenda documents.

**Councillor Crutchett moved and Councillor Fisk seconded:**

- 1. That the report of the Chairman of the Strategy and Development Committee, and the Committee agenda documents together with Administration recommendations be received.**
- 2. That the recommendations of the Strategy and Development Committee be adopted.**

**CARRIED****12. DEVELOPMENT ASSESSMENT PANEL**

**Councillor Crutchett moved and Councillor Heysen seconded that the minutes of the Development Assessment Panel meeting held on Wednesday 25 July 2007 be received.**

**CARRIED****13. REPORTS OF ADVISORY COMMITTEES AND/OR SUB-COMMITTEES Nil****14. REPORTS OF REGIONAL SUBSIDIARIES Nil**

**15. REPORTS BY OFFICERS****15.1 Items in Brief (Report No: 362/07)**

Report No: 362/07 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

**C140807/247 Councillor Clancy moved and Councillor Bouchée seconded that the report be noted and items of interest be discussed.**

**CARRIED**

**15.2 Alwyndor Aged Care Management Committee Appointments (Report No: 363/07)**

The General Manager Alwyndor Aged Care, Mr. G. Potter, has advised that the Alwyndor Aged Care Management Committee has completed the annual Board Member Selection process. As a result, the Board now recommends that Council appoints Mr. Ian Pratt, Mr. Darryl Royans, Mr. Nick Hakof and Ms. Lyndley Cooper to fill the four vacancies on the Board of Management for the two year term to expire on 30 June 2009.

**C140807/248 Councillor Bouchée moved and Councillor Fisk seconded that Mr. Ian Pratt, Mr. Darryl Royans, Mr. Nick Hakof and Ms. Lyndley Cooper be appointed to fill the four vacancies on the Board of Management for a two year term to expire on 30 June 2009.**

**CARRIED**

**15.3 Cat Management Options for Turner Street, Somerton Park (Report No: 367/07)**

This report is presented in response to the following resolutions of Council on 24 July 2007.

*EE240707/077*

- *That Administration arranges a further letter drop to residents in Rymill Road, Turner Street, Bungey Avenue Somerton Park, offering the opportunity to be a part of Council's "trial cat trapping program".*
- *That Administration prepares to develop a by-law for Cat Management in line with the City of Playford's by-law.*

*EE240707/080*

*That Administration reports back to the next Council meeting on more immediate proactive options methods to deal with the cat issue at Turner Street, Somerton Park which include:*

- *The funding of a professional cat trapping program;*
- *Civil action support;*
- *A negotiated solution.*

The report covers the issues listed above with particular emphasis on immediate action to deal with the cat management issue in Turner Street, Somerton Park. The review highlights five options for Council's consideration to deal with this specific issue. The option for Council Inspectors to trap and remove feral cats is considered the most appropriate course of action to take for the residents of the City of Holdfast Bay who require the removal of feral cats from their premises.

**C140807/249 Councillor Looker moved and Councillor Crutchett seconded:**

1. That the report be noted and that the option for Council staff to assist residents to trap and remove feral cats be endorsed as the most appropriate option at this stage to deal with the issue of roaming feral cats.
2. That Administration reports back to Council once a draft cat by-law has been prepared.

**CARRIED**

#### **15.4 Release of Confidential Reports (Report No: 368/07)**

It has been Council's practice to review the documents held in confidence every six months and this practice will continue with the next formal review occurring in December 2007.

However, in light of a number of recent government announcements, it seems appropriate to conduct an interim review of the reports held in confidence.

A more comprehensive review of older confidentiality orders has also been undertaken with recommendations presented for Council's consideration.

**C140807/250 Councillor Crutchett moved and Councillor Bouchée seconded that Council recommends:**

1. That the confidential reports marked "Recommend for Release" shown at Attachment 1 to Report No. 368/07 be released from confidentiality.
2. That the remaining reports be reviewed on 31 December 2007 and presented to Council at its January 2008 meeting.

**CARRIED**

#### **16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS**

A listing of resolutions subject to formal resolutions to adjourn or lay on the table items of Council business, for the current term of Council were presented in the Agenda.

#### **17. URGENT BUSINESS**

##### **17.1 Leave of Absence**

Councillor Huckstepp has applied for a leave of absence for the period 9 August 2007 until 21 August 2007

**C140807/251 Councillor Clancy moved and Councillor Fisk seconded that Councillor Huckstepp be granted leave of absence for the period 9 August 2007 until 21 August 2007.**

**CARRIED**

##### **17.2 Leave of Absence**

**C140807/252 Councillor Beh moved and Councillor Fisk seconded that Councillor Heysen be granted leave of absence for the period 25 August 2007 until 14 September 2007.**

**CARRIED**

##### **17.3 Request for Support to attend Murray Darling Association Meeting**

Council considered a request from Mr Peter Smith OAM seeking Council's assistance to attend the Murray Darling Association Conference and Annual General Meeting.

Council provided feedback to the Chief Executive Officer regarding this request.

**18. ITEMS IN CONFIDENCE****18.1 Land Acquisition (Report No: 348/07)**

**Council officers remaining: Mr Donaldson, Mrs Umapathysivam, Mr Hodge, Mr Sheffield, Mr Newton, Ms Thomas, Mr Watson and Mr Millar**

**C140807/253** Councillor Clancy moved and Councillor Heysen 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**

**Land Acquisition (Report No: 348/07)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C140807/255** Councillor Crutchett moved and Councillor Clancy 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: 348/07 with the exception of Resolution No:C140807/253 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 interest
 under Section 90(2) and 90(3)(b) of the Act
2. This resolution will be reviewed on or before 30 June 2008 by the Council.

**CARRIED**

**18.2 Keelara Reserve Clubrooms – Strategic Community Asset  
(Report No: 358/07)**

**Council officers remaining: Mr Donaldson, Mrs Umapathysivam, Mr Hodge,  
Mr Sheffield, Mr Newton, Ms Thomas, Mr Watson  
and Mr Millar**

**C140807/256 Councillor Crutchett moved and Councillor Heysen 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**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C140807/258 Councillor Crutchett moved and Councillor Clancy 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: 358/07 with the exception of Resolution No:C140807/256 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 interest

**under Section 90(2) and 90(3)(b) of the Act**
2. **This resolution will be reviewed on or before 30 June 2008 by the Council.**

**CARRIED**

**18.3 Major Council Sites Scenario (Report No: 365/07) [Adjourned]**

**Council officers remaining: Mr Donaldson, Mrs Umapathysivam, Mr Hodge, Mr Sheffield, Mr Newton, Ms Thomas, Mr Watson and Mr Millar**

**C140807/259 Councillor Clancy moved and Councillor Heysen 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****Major Council Sites Scenario (Report No: 365/07) [Adjourned]****ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C140807/262 Councillor Crutchett moved and Councillor Heysen 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: 365/07 with the exception of Resolution No: C140807/259 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 interest

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

2. **This resolution will be reviewed on or before 30 June 2008 by the Council.**

**CARRIED****18.4 Annual Performance Review for the Chief Executive Officer (Report No:369/07)**

**Council officers remaining: Mrs Umapathysivam**

**Chief Executive Officer Mr Donaldson, declared an interest in this matter and left the meeting at 9:55pm.**

**C140807/263 Councillor Crutchett moved and Councillor Heysen seconded that, pursuant to Section 90(2) and 90(3)(a) 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:**

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead).

**CARRIED**



**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C140807/265** Councillor Heysen moved and Councillor Crutchett seconded that pursuant to Section 90(2), 90(3)(a) and 91(7) of the Local Government Act 1999:

1. The Council orders that the documents and minutes relating to Report No: 369/07 with the exception of Resolution No: C140807/263 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead) under Section 90 (2) and 90(3)(a) of the Act.
2. That this matter be kept in confidence until the Chief Executive Officer has been advised.

**CARRIED**

**18. RESUMPTION**

Councillor Beh moved and Councillor Fisk seconded that Council resume as an open meeting of Council at 10:03pm.

**CARRIED**

**19. CLOSURE**

The Meeting closed at 10:04pm

**CONFIRMED**

**Tuesday 28 August 2007**

**MAYOR**