

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 10 June 2008 at 7:02pm.

PRESENT

His Worship the Mayor	A K Rollond
Deputy Mayor	R A Clancy
Councillors	R D Beh
	R M Bouchée
	P N Crutchett
	L R Fisk
	P D H Heysen
	J D Huckstepp
	S C Lonie
	T D Looker
	A C Norton
	L van Camp
Chief Executive Officer	R T Donaldson
General Manager City Assets	S G Hodge
General Manager City Services	R A Thomas
General Manager Corporate Services	I S Walker

1. OPENING

His Worship the Mayor, declared the meeting open with prayer and an acknowledgement of Kaurna Traditional Owners at 7:02pm.

2. APOLOGIES

- | | | |
|-----|-------------------------|-----------------------|
| 2.1 | For Absence | Nil |
| 2.2 | Leave of Absence | Councillor J L Deakin |

3. PRESENTATION Nil

4. CONFIRMATION OF MINUTES

Councillor Heysen moved and Councillor Beh seconded that the minutes of the Ordinary Meeting of Council held on 27 May 2008 and the Special Meeting of Council held on 3 June 2008 be taken as read and confirmed

CARRIED

5. CHIEF EXECUTIVE OFFICER'S ACTIVITIES REPORT

Councillor Huckstepp moved and Councillor Fisk seconded that the report be received and noted.

CARRIED

6. QUESTIONS BY MEMBERS

6.1 Without Notice

6.1.1 Community Coast Care 2008 Grant Applications

At the meeting of Council on 27 May 2008 Councillor Crutchett asked:

Councillor Crutchett asked a question regarding Council's pursuit of Community Coast Care 2008 Grant Applications.

General Manager City Assets answer

Council's Coast and Biodiversity Officer received notification of the grants prior to the release of the Community Coast Care 2008 Grant Applications and has submitted applications for two separate grants. One will focus on the continued weed eradication work in the Minda Dunes (Pyp grass, olive and feral pine) which is delivered in conjunction with Minda Incorporated. The other grant will target sand stabilisation and revegetation in the Brighton to Seacliff Dunes.

6.1.2 Glenelg Football Club – Mobile Phone Tower

Councillor Bouchée asked a question regarding Telstra's intentions to install a mobile phone tower on Telstra's site on the corner of Brighton Road and Jetty Road, Glenelg.

The Chief Executive Officer and General Manager City Services provided a response.

6.1.3 Old incandescent lights

Councillor Crutchett asked a question whether the City of Holdfast Bay has any "old incandescent lights" and whether Administration is aware of a government replacement subsidy scheme.

The Chief Executive Officer took the question on notice.

6.1.3 Coast Care Grants

Councillor Bouchée asked a question regarding the more aggressive pursuit of the \$250,000 grant potential of the Coast Care Grants fund.

General Manager City Assets provided a response.

6.2 With Notice

In accordance with her notice Councillor Bouchée asked the following questions:

- 6.2.1.1 Could the Chief Executive Officer please confirm the operating hours of the Council Administration Desk located in the Glenelg Library adjacent to the Library Desk for payment of Rates/queries/licenses etc ?

General Manager Corporate Services answer

The operating hours of the Customer Service desk at Glenelg are 9am to 5pm Monday to Friday, with backup provided by Library staff at lunch breaks if available. If Library staff unavailable to assist, the Customer Service function is closed for 45 minutes at lunch.

- 6.2.1.2 Could the Chief Executive Officer please confirm the actual hours that the Council Administration Desk has been manned in the last 4 weeks?

General Manager Corporate Services answer

The Glenelg Customer Service desk was closed for six days in the last four weeks as a result of severe staff shortages. Council has 4 Customer Service Officers, of which 1 is rostered at Glenelg and the others at Brighton (including one solely handling all incoming telephone calls). Arrangements are in place whereby other administrative staff will provide backup in the event that a Customer Service Officer is absent. In the event that more than one is absent, additional backup arrangements are sought however, depending on other workloads and Library capacity, backup is not always possible and a last resort decision is sometimes taken to close the Glenelg Customer Service desk to ensure that full service is continued at the much busier Brighton centre.

- 6.2.1.3 Could the Chief Executive Officer please confirm if there are any plans to change in any way the operation of this Council Administration Desk?

General Manager Corporate Services answer

Administration is continually examining opportunities to improve the efficiency and effectiveness of Council's overall Customer Service function, recognising changing community needs and expectations and the use of technology (including face-to-face at Brighton and Glenelg, incoming telephone calls, Council's website and third party payment options).

- 6.1.2.4 Have there been any discussions in relations to the future operation of this Council Administration Desk?

General Manager Corporate Services answer

As noted above, the efficiency and effectiveness of Council's Customer Service function is regularly discussed.

7. REPORTS BY DELEGATES OR REPRESENTATIVES Nil

8. PETITIONS AND DEPUTATIONS

8.1 Progress Report on Minda's Master Plan

The deputation by Mr Phil Martin, General Manager Strategy and Asset Management at Minda Inc, has been deferred at Mr Martin's request until the Council meeting to be held on 8 July 2008.

8.2 Petition regarding The Uniting Church, 25 Moseley Street, Glenelg

His Worship the Mayor informed Council that he had been presented a petition from residents regarding the former Uniting Church at 25 Moseley Street, Glenelg. The petition will be formally presented to Council in the next agenda.

9. NOTICES OF MOTION

9.1 King Street Bridge

In accordance with his notice:

Councillor Looker moved that any repairs or maintenance performed on the King Street Bridge that result from resolution EE270508/063 be undertaken at no increase to council deficit nor increased borrowings nor rates rises.

LAPSED FOR WANT OF A SECONDER

Background

The council resolution to consider \$250,000 in repairs to the King Street Bridge was passed with no clear idea or thought as to how it will be funded.

With Council already planning to run at a loss and with significant current borrowings, it is irresponsible to further erode Council financial sustainability or inflict a greater rate rise burden on our residents. If spending is directed towards one particular project it needs to be appreciated that it must be directed away from another. The alternative is a greater deficit or greater debt and neither is responsible or sustainable.

9.2 Proposed Razor Gang

In accordance with his notice:

Councillor Looker moved and Councillor Fisk seconded:

- 1. That the Mayor convenes a "Razor Gang" committee to examine in detail the council budget with a view to advising Council on reducing the operating deficit. Such a committee would seek to advise what programmes or services can be cut or reduced in a manner acceptable to the community.**
- 2. That Membership should include the Chair of Economic and Corporate Committee and the Chair of the Audit Committee.**
- 3. That the "Razor Gang" committee would initially meet with the Chief Executive Officer to develop a strategy that does not greatly increase the administrative workload or cause a run down in infrastructure.**
- 4. That the "Razor Gang" recommendations will be considered as part of the first and second budget reviews.**

LOST

Background

Council is planning for an operating deficit and therefore living beyond its means. With a significant current debt and possible unknowns in the form of faulty infrastructure (such as the King Street Bridge) it is vital that we work towards eliminating expenses that we are currently unable to fund. Rate rises are unpopular and rises need to be limited to fair and reasonable percentages. As any cuts will affect the community it is the elected members who should make the hard decisions regarding what should be reduced or cut. Committee recommendations should be completed and put before council by the first budget review.

9.3 Rescission Motion – C281106/317 - Appointments to the Executive Committee

In accordance with his notice:

C100608/195 Councillor Crutchett moved and Councillor Beh seconded that motion C281106/317 be rescinded:

“Councillor Crutchett moved and Councillor Beh seconded that the following Members be appointed to the Executive Committee:

- *Mayor Rollond*
- *Deputy Mayor, Councillor Clancy*
- *Councillor Bouchée*
- *Councillor Deakin*
- *Councillor Heysen*
- *Councillor Lonie”*

CARRIED

And if the rescission motion is successful, then Councillor Crutchett will move:

C100608/196 Councillor Crutchett moved and Councillor Bouchée seconded:

- 1. That the following Members be appointed to the Executive Committee:**
 - **Mayor Rollond**
 - **Councillor Huckstepp (Seacliff Ward)**
 - **Councillor Looker (Somerton Ward)**
 - **Councillor Fisk (Glenelg Ward)**
 - **Councillor Clancy (Brighton Ward)**
- 2. That the membership of the committee be reviewed after the 1 June 2009.**

CARRIED

Background

I think it is important that we all gain experience at this level of Local Government.

We overlooked the opportunity to rotate this committee when it was first established.

9.4 Audit Committee Review of the Glenelg Football Club Inc Lease

In accordance with his notice Councillor Crutchett will move:

C100608/197 Councillor Crutchett moved and Councillor Bouchée seconded:

- 1. That the Audit Committee be asked to review the Glenelg Football Club Inc lease for the Glenelg Oval Dated 7 November 2001 to ensure that all obligation under the lease are being complied with by both parties.**
- 2. That to ensure there is sufficient delineation of job tasks carried out by Council Staff and those tasks that are the responsibility of the Glenelg Football Club Inc under the lease.**
- 3. That the Audit Committee pay particular attention to be paid to the following clauses:**
 - **Special condition 12.5 indicates that:**
“...the Council will retain responsibility for the maintenance of all external areas on the Property including the oval surface, all other grassed surfaces, all asphalt and paved areas (except car parking areas).....”

- **Clause 12.4:**

The Lessee agrees to establish a "maintenance reserve fund" and contribute to it an amount of \$15,000.00 per annum (to be increased each year in proportion to the increase in the CPI for the 12 month period ending on the Rent Review Date stated in Item 7). The monies standing to the credit of the fund will be applied by the Lessee as and when necessary for major maintenance work on the clubrooms marked on the Plan annexed to this Lease.

4. That Repayment of the Glenelg Function Centre loan is still achievable within the remaining time given the increasing interest rates.
5. That the Audit Committee review be completed for presentation at the 16 December 2008 meeting of Council.

AMENDMENT

Councillor Looker moved

1. That the Economic and Corporate Committee be asked to review the Glenelg Football Club Inc lease for the Glenelg Oval Dated 7 November 2001 to ensure that all obligation under the lease are being complied with by both parties.
2. That to ensure there is sufficient delineation of job tasks carried out by Council Staff and those tasks that are the responsibility of the Glenelg Football Club Inc under the lease.
3. That the Economic and Corporate Committee pay particular attention to be paid to the following clauses:
 - **Special condition 12.5 indicates that:**
"...the Council will retain responsibility for the maintenance of all external areas on the Property including the oval surface, all other grassed surfaces, all asphalt and paved areas (except car parking areas)....."
 - **Clause 12.4:**
 The Lessee agrees to establish a "maintenance reserve fund" and contribute to it an amount of \$15,000.00 per annum (to be increased each year in proportion to the increase in the CPI for the 12 month period ending on the Rent Review Date stated in Item 7). The monies standing to the credit of the fund will be applied by the Lessee as and when necessary for major maintenance work on the clubrooms marked on the Plan annexed to this Lease.
4. That Repayment of the Glenelg Function Centre loan is still achievable within the remaining time given the increasing interest rates.
5. That the Economic and Corporate Committee review be completed for presentation at the 16 December 2008 meeting of Council.

THE AMENDMENT LAPSED FOR WANT OF A SECONDER

THE MOTION WAS PUT AND CARRIED

Background

The Audit Committee is tasked to review Council's financial position/commitments and the efficiency of councils operations.

The Council makes a contribution of (2007/2008) \$77,400 in wages and wages overheads', plus an allocation of \$27,400 in repairs and maintenance at the Glenelg Oval. There appear to be no details on where this money goes.

The current 2008/2009 budget proposes to add an additional \$50,000 for maintenance.

Glenelg Football Club Maintenance Reserve funds.

On a rough calculation about \$ 97, 511.53 should have been set aside in the Maintenance reserve fund of the Glenelg Football Club Inc and the Audit Committee needs to review that the money has been spent in accordance with the lease. i.e. *"...necessary for major maintenance work on the clubrooms marked on the Plan annexed to this Lease."*

Adelaide CPI from ABS

year	QTR CPI %	Ave Cpi	Dollars	Total
Sep-2002	3.7	3.125	\$ 15,000.00	
Sep-2003	3.6	3.975	\$ 15,468.75	
Sep-2004	2.5	2.725	\$ 16,083.63	
Sep-2005	3.0	2.5	\$ 16,521.91	
Sep-2006	3.8	3.35	\$ 16,934.96	
Sep-2007	1.4	1.975	\$ 17,502.28	\$ 97,511.53
Dec-2007	2.7			
Mar-2008	4.5			

Chief Executive Officer comment

The Audit Committee is established under Section 41 of the Local Government Act as a committee of Council. Clause 6.1 of the committee's terms of reference define its primary role ... "to provide suggestions and recommendations to Council about actions in relation to financial governance". Clauses 6.2 to 6.8 inclusive further define the committee's role in relation to specific issues, namely:

- Financial reporting
- Strategic management plans and annual business plan
- Internal controls and risk management systems
- Whistle blowing
- Internal audit
- External audit
- Economy and efficiency audits

While it could be argued that the proposed task is aligned to the committee's role in relation to economy and efficiency audits, the Administration suggests that the task proposed by Councillor Crutchett's notice of motion does not fall within the committee's primary role nor any of its specific roles.

Nevertheless, Council has the prerogative of defining and amending the powers of any of its committees and could conceivably include this task. In any event, the review proposed by Councillor Crutchett will require a report from Administration which could equally be tabled at an Economic and Corporate Committee or Council meeting.

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

Councillor Beh moved and Councillor Fisk seconded that Council stand adjourned to enable the permanent Social and Organisation and Strategy and Development Committees to meet.

CARRIED

Councillor Huckstepp left the meeting at 8:53pm.

11. RESUMPTION

Councillor Clancy moved and Councillor van Camp seconded that Council resume at 8:55pm.

CARRIED

Councillor Huckstepp rejoined the meeting at 8:55pm.

12. COMMITTEE RECOMMENDATIONS FOR CONSIDERATION**12.1 Social and Organisation Committee**

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

Councillor Heysen moved and Councillor Beh 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

12.2 Strategy and Development Committee

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

Councillor van Camp moved and Councillor Beh 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

Councillor Clancy left the meeting at 8:56pm.

Councillor van Camp left the meeting at 8:56pm.

Councillor Clancy rejoined the meeting at 8:57pm.

Councillor van Camp rejoined the meeting at 8:57pm.

13. DEVELOPMENT ASSESSMENT PANEL

Councillor Clancy moved and Councillor van Camp seconded that the minutes of the Development Assessment Panel meeting held on Wednesday, 28 May 2008 be received.

CARRIED

14. REPORTS OF ADVISORY COMMITTEES AND/OR SUB-COMMITTEES**14.1 Rating Review Committee Meeting held 2 June 2008**

C100608/199 Councillor Beh moved and Councillor Fisk seconded that the minutes of the Rating Review Committee meeting held 2 June 2008 be received and the recommendations endorsed.

CARRIED

14.2 Glenelg Community Centre Property Management Board Meeting held 2 June 2008

C100608/200 Councillor Heysen moved and Councillor Beh seconded that the minutes of this committee be received.

CARRIED

14.3 Residential Coastal and Foreshore Zone Development Plan Amendment Committee Meetings held 6 February 2008 and 29 May 2008.

C100608/201 Councillor Norton moved and Councillor Lonie seconded that the minutes of this committee be received.

CARRIED

15. REPORTS OF REGIONAL SUBSIDIARIES

Western Region Waste Management Authority Meeting held 22 May 2008.

C100608/202 Councillor Bouchée moved and Councillor Beh seconded that the minutes of this subsidiary be received.

CARRIED

16. REPORTS BY OFFICERS**16.1 Items in Brief (Report No: 268/08)**

Report No: 268/08 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

C100608/203 Councillor Clancy moved and Councillor Fisk seconded that the report be noted and items of interest be discussed.

CARRIED

**16.2 Southern Region Waste Resource Authority Business Plan 2006- 2009
(Report No: 222/08)**

The Southern Region Waste Resource Authority (SRWRA), a Regional Subsidiary under the Local Government Act, in which the City of Holdfast Bay has a 15% interest, has sought comment from the constituent councils in relation to the review and amendment of its Business Plan for the period 2006-2009.

C100608/204 Councillor Bouchée moved and Councillor Clancy seconded that Council advises the Southern Region Waste Management Authority that it supports the content of the draft revised Business Plan 2006-2009 provided by the Authority and requests that the Board give consideration to the inclusion of the following two additional matters:-

- 1. identification of and response to likely future directions in policy and practice for metropolitan Adelaide waste management, arising from the recent "Cossey report" and subsequent policy responses of the Local Government Association;**
- 2. establishment within the Long Term Financial Plan of a targeted operating budget surplus by the end of the next Business Plan cycle.**

CARRIED

**16.3 Community Consultation on 2008/2009 Annual Business Plan
(Report No: 274/08)**

The Draft 2008/09 Annual Business Plan endorsed by Council was released for community consultation. This report summarises submissions received. The impacts on the Annual Business Plan and Budget are addressed in a separate report included in this agenda.

C100608/205 Councillor Clancy moved and Councillor van Camp seconded that the submissions from community members included in Attachment 1 be received and noted.

CARRIED

16.4 2008/2009 Annual Business Plan Directions (Report No: 275/08)

At an informal workshop on 3 June 2008, Elected Members discussed the community feedback on the 2008/09 Draft Annual Business Plan and requested Administration to provide a report to Council at its meeting on 10 June 2008 for further consideration of the various issues raised.

C100608/206 Councillor Norton moved and Councillor Heysen seconded that the report be received.

CARRIED

C100608/207 Councillor Bouchée moved and Councillor Crutchett seconded:

1. That the Draft 2008/09 Annual Business Plan be amended to include and reflect the following:
 - a. Stage 2 of the Somerton Park Coast Park Project at a cost of \$1.2 million (including a grant of \$550,000 from Planning SA);
 - b. A reduction in the allocation for New Year's Eve celebrations to \$85,000 consistent with Council's most recent resolution(\$15,000 specifically for Brighton fireworks);
 - c. An allocation of \$250,000 to undertake repairs to the King Street Bridge to be funded by \$100,000 arising from a deferral to a portion of he footpath renewal program and \$150,000 from the Infrastructure Reserve Fund;
 - d. A provision of \$38,000 to recruit a new Chief Executive Officer;
 - e. An increase of \$18,000 in the provision to \$200,000 for rate concessions for pensioners and self-funded retirees;
 - f. A reduction of \$18,000 in the provision for discretionary rate rebates; and
 - g. An increase of \$88,625 in the NRM Levy.

Councillor Crutchett and Councillor Bouchée advised that pursuant to Regulation 19 of the *Local Government (Procedures at Meetings) Regulations 2000* they required the tabling of a detailed "activities-based" budget document prior to discussion and voting on the motion.

**MOTION NOT PUT, PURSUANT TO REGULATION 19 OF
THE LOCAL GOVERNMENT (PROCEDURES AT MEETINGS) REGULATIONS 2000**

Councillor Fisk left the meeting at 9:10pm.

Councillor Fisk rejoined the meeting at 9:13pm.

C100608/208 Councillor Crutchett moved and Councillor Bouchée seconded that a Special Meeting of Council be scheduled for 17 June 2008 for further budget consideration, including provision of the activities-based budget for 2008/2009.

CARRIED

17. 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.

18. URGENT BUSINESS**18.1 Local Government Emergency Management Symposium – 26 June 2008**

Councillor Bouchée indicated that she would attend the Local Government Emergency Management Symposium to be held at the Stamford Grand Adelaide, Moseley Square, Glenelg.

18.2 Football Half time refreshments

- C100608/209 Councillor Looker moved and Councillor Bouchée seconded that free alcohol and bar service no longer is part of Council's hospitality at Glenelg Oval home games.**
CARRIED

Councillor Crutchett left the meeting at 9:41pm.

Councillor Crutchett rejoined the meeting at 9:43pm.

18.3 Discount for early payment of Rates

His Worship the Mayor reported back to Council on the proposal for Council to offer discount for early payment of rates, pursuant to a resolution of Council.

- C100608/210 Councillor Crutchett moved and Councillor Norton seconded that Administration endeavour to model the Mayor's proposal for a 2% discount for rates paid up front (except by credit card) based on the last 3 years' pattern of up front payments.**
CARRIED

18.4 Property Acquisition Matter

His Worship the Mayor informed Members that this issue would be raised under confidential items.

Councillor Looker left the meeting at 9:46pm.

Councillor Looker rejoined the meeting at 9:49pm.

Councillor Lonie left the meeting at 9:52pm.

Councillor Lonie rejoined the meeting at 9:55pm.

19. ITEMS IN CONFIDENCE**19.1 Alwyndor Aged Care – Strategic Plan and Membership Appointments
(Report No: 273/08)**

Council officers remaining: Mr Donaldson, Mr Hodge, Mr Walker and Ms Thomas

C100608/212 Councillor Heysen moved and Councillor Beh 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

**Alwyndor Aged Care – Strategic Plan and Membership Appointments
(Report No: 273/08)**

Councillor van Camp left the meeting at 9:57pm.

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C100608/214 Councillor Crutchett moved and Councillor Heysen 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 relating to Alwyndor Management Committee membership appointments 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. This resolution will be reviewed on or before 30 June 2009 by the Council.

CARRIED

Councillor van Camp rejoined the meeting at 9:59pm.

Councillor Huckstepp left the meeting at 10:01pm.

Councillor Huckstepp rejoined the meeting at 10:03pm.

19.2 Ombudsman's Correspondence (Report No: 258/08)

Council officers remaining: Mr Donaldson, Mr Hodge, Mr Walker and Ms Thomas

C100608/215 Councillor Lonie moved and Councillor Looker seconded that, pursuant to Section 90(2) and 90(3)(j) 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
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and
 - (ii) would, on balance, be contrary to the public interest.

CARRIED

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C100608/218 Councillor Heysen moved and Councillor Looker seconded that pursuant to Section 90(2), 90(3)(j) and 91(7) of the Local Government Act 1999:

1. The Council orders that the documents and minutes relating to Report No: 258/08 with the exception of Resolution No: C100608/215 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) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and
 - (ii) would, on balance, be contrary to the public interest under Section 90 (2) and 90(3)(j) of the Act.
2. This resolution will be reviewed on or before 30 June 2009 by the Council. **CARRIED**

19.3 College Street, Glenelg - Development Assessment Commission Decision (Report No: 276/08)

Council officers remaining: Mr Donaldson, Mr Hodge, Mr Walker and Ms Thomas

C100608/219 Councillor Looker moved and Councillor Heysen seconded that, pursuant to Section 90(2) and 90(3)(i) 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 relating to actual litigation, or litigation that the Council or Council Committee believes on reasonable grounds will take place, involving the Council or an employee of the Council.

CARRIED

College Street, Glenelg - Development Assessment Commission Decision (Report No: 276/08)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C100608/222 Councillor Heysen moved and Councillor Beh seconded that pursuant to Section 90(2), 90(3)(i) and 91(7) of the Local Government Act 1999:

1. The Council orders that the documents and minutes relating to Report No: 276/08 with the exception of Resolution No: C100608/219 for going into confidence be kept confidential and not available for public inspection on the basis that they deal with information relating to actual litigation, or litigation that the Council or Council Committee believes on reasonable grounds will take place, involving the Council or an employee of the Council, under Section 90 (2) and 90(3)(i) of the Act.
2. This resolution will be reviewed on or before 30 June 2009 by the Council. **CARRIED**

19.4 Property Acquisition

Council officers remaining: Mr Donaldson, Mr Hodge, Mr Walker and Ms Thomas

C100608/223 Councillor Beh 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

Property Acquisition**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

C100608/225 Councillor Heysen moved and Councillor Beh 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 Property Acquisition with the exception of Resolution No: C100608/223 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 2009 by the Council.

CARRIED

20. RESUMPTION

Councillor Heysen moved and Councillor Beh seconded that Council resume as an open meeting of Council at 10:41pm.

CARRIED

21. CLOSURE

The Meeting closed at 10:41pm.

CONFIRMED

Tuesday 24 June 2008

MAYOR