

## 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 24 June 2008 at 7:00pm.**

### PRESENT

His Worship the Mayor	A K Rollond
Deputy Mayor	R A Clancy
Councillors	R D Beh
	R M Bouchée
	P N Crutchett
	J L Deakin
	L R Fisk
	P D H Heysen
	J D Huckstepp
	S C Lonie - 7:07pm
	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 acknowledgement of Kaurna Traditional Owners at 7:00pm.

### 2. APOLOGIES

2.1 For Absence Nil

2.2 Leave of Absence Nil

3. PRESENTATION Nil

### 4. CONFIRMATION OF MINUTES

Councillor Deakin moved and Councillor Huckstepp seconded that the minutes of the Ordinary Meeting of Council held on 10 June 2008 and the Special Meeting of Council held on 17 June 2008 be taken as read and confirmed subject to Resolution No: C170608/228 (b) providing \$15,000 for Brighton Fireworks.

**CARRIED**

### 5. MAYORAL REPORT

From 1 May 2008 to 31 May 2008.

Councillor Clancy moved and Councillor Looker seconded that the report be received and noted.

**CARRIED**

**6. QUESTIONS BY MEMBERS****6.1 Without Notice****6.1.1 Old incandescent lights**

At the meeting of Council on 10 June 2008:

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.

**General Manager City Assets answer**

**The majority of Council buildings are currently fitted with florescent tube lighting which is already an energy efficient form of lighting. Field Staff are currently undertaking an audit of all Council buildings to identify those that still have incandescent lighting and where applicable these will be changed over through the Enviro Saver program, which is a free service. This is being conducted by a private company . Administration aims to inform residents of this offer through the Messenger column and other relevant publications such as the HACC Community Buzz.**

**6.2 With Notice** Nil

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

**8. PETITIONS AND DEPUTATIONS****8.1 The Former Uniting Church, 25 Moseley Street, Glenelg**

A petition has been received from Ms Julie Spry and Ms Joy Plane, on behalf of themselves and ninety two other citizens (92) of Glenelg regarding the purchase and future of the Uniting Church, 25 Moseley Street, Glenelg.

The petition states as follows:

*"The future of the Uniting Church, 25 Moseley Street, Glenelg.*

*Dear Residents, we invite you to support our proposal that the City of Holdfast Bay purchase the above mentioned property to be used as a Community Centre during normal business hours."*

Presented for the information of Elected Members was a full copy of the petition. Administration has verified that the number of signatures attached is 94, including that of Ms Julie Spry and Ms Joy Plane.

**C240608/234 Councillor Clancy moved and Councillor Beh seconded that the petition be received by Council.**

**CARRIED**

## 8.2 Petition to the House of Assembly regarding Hotel closing hours

A petition has been received from Mr Boris Mezhrinsky, on behalf of himself and three hundred and twenty six (326) other citizens of South Australia regarding the closure of Bay hotels no later than midnight.

The petition states as follows:

*“Petition*

*To the Honourable Members of the **House of Assembly** in Parliament assembled: The Petition of the undersigned residents of South Australia respectfully expresses their concern with respect to the operation of surrounding licensed premises in Glenelg during the night and early morning, in particular in relation to the following matters: high noise levels; no control of patrons when exiting the licensed premises at closing causing the patrons to linger around the surrounding residential area for hours after closing; no time limit parking facilities causing patrons to park in front of residential premises for an indefinite period of time and drink in their cars; consumption of alcohol outside the licensed premises during the operation of the licensed premises including urinating, graffiti, broken bottles thrown into residential premises and at pets; and lack of traffic control causing high speed and dangerous driving. The abovementioned problems are an embarrassment to SA and have the potential to damage local tourism industry as people are no longer wishing to stay in Glenelg accommodation.*

*Your petitioners therefore request: **that Bay hotels be made to close no later than midnight. We trust that our expressed concerns are addressed as a plan is enforced to extinguish the negative impact of operating commercial premises.**”*

Presented for the information of Elected Members was two pages of the petition (full version available to view upon request). Administration has verified that the number of signatures attached is 327, including that of Mr Boris Mezhrinsky.

Mr Boris Mezhrinsky was heard as a deputation by Council and advised that he had collected a further 75 signatures to the petition.

**Councillor Lonie joined the meeting at 7:07pm.**

**C240608/235 Councillor Bouchée moved and Councillor Heysen seconded that the petition be received by Council.**

**CARRIED**

## 9. NOTICES OF MOTION

### 9.1 Salary packaging of fuel efficient vehicles

**Councillor Bouchée withdrew her motion and gave notice of her intent to move an alternative motion at a future time.**

#### **Background**

At a time with rapidly increasing petrol prices and concern about anthropogenic driven climate change which will impact Holdfast Bay.

Holdfast Bay is a fully developed suburban city with no unpaved roads and with traffic congestion problems. There is no reason to provide motor vehicles that add to the local traffic congestion, take up more than the minimum parking space, or can be used off-road.

**Chief Executive Officer's comment**

The Chief Executive Officer has serious concerns about practical details of this nature being determined by decision of Council, given the range of operational implications that may arise in the context of the day to day conduct of Council's business and the likely need for interpretation of the policy intent in its on-going application.

It would be more appropriate for Council to consider a broader policy position in relation to climate change, carbon emissions, fuel cost efficiencies and related matters, with detailed application to the conduct of Council's business to be resolved administratively.

The Chief Executive Officer suggests the following as an alternative motion:-

**“That the Chief Executive Officer reports to Council on practical short-term corporate initiatives through which the City of Holdfast Bay can both reduce its carbon footprint, including but not limited to the conversion of the Council's vehicle fleet to the lowest feasible fuel consumption and carbon emissions base, and demonstrate leadership to the community in these initiatives.”**

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

**Councillor Beh 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 Beh moved and Councillor Heysen seconded that Council resume at 7:36pm.**

**CARRIED****12. COMMITTEE RECOMMENDATIONS FOR CONSIDERATION****12.1 Economic and Corporate Committee**

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

**Councillor Beh moved and Councillor Fisk seconded:**

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

**CARRIED**

**12.2 Environment and Engineering Committee**

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

**Councillor Huckstepp moved and Councillor van Camp seconded:**

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

**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: 297/08)**

Report No: 297/08 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

**C240608/236 Councillor Clancy moved and Councillor Fisk seconded that the report be noted and items of interest be discussed.**

**CARRIED**

**15.2 Independent Review of Local Government Elections comments to the LGA (Report No: 269/08)**

The Independent Review of Local Government Elections was jointly commissioned by the Minister for State/Local Government Relations, the Hon Jennifer Rankine MP, and the then LGA President, Cr John Rich in the first half of 2007.

The Elections Review [Final Report](#) was jointly issued by the Minister and the LGA President Mayor Joy Baluch on 11 March 2008, based on submissions and feedback from the LGA, Local Government Authorities, community groups and interested individuals.

The Local Government Association is seeking comment from Council on the final recommendations of the report.

**C240608/237 Councillor Crutchett moved and Councillor Clancy seconded that the submission on the Independent Review of Local Government Elections – Local Government Association Final Report Survey contained at Attachment 1 to Report No: 269/08 be endorsed by Council.**

**CARRIED**

**15.3 Jetty Road Mainstreet Management Committee Annual Report and Proposed Budget (Report No: 298/08)**

The Jetty Road Mainstreet Management Committee (JRMMC) is a special purpose committee of the City of Holdfast Bay, constituted in accordance with Section 41 of the *Local Government Act 1999* and is responsible for overseeing the economic development of the Jetty Road Glenelg Precinct (the Precinct).

The activities of the JRMMC are funded by a separate rate levied on the properties designated as Commercial 2, 3 or 4 within the geographical boundaries of the Precinct.

One of the functions of the JRMMC is to annually recommend, to the Council, a budget to support the performance of its activities and functions.

This report requests an amount to be raised via a separate rate, to be incorporated into Council's draft budget for 2008/2009 and in addition, presents the Annual Report of the Jetty Road Mainstreet Board (name by which the JRMMC is generally known) which contains the proposed budget information.

**C240608/238 Councillor Crutchett moved and Councillor Fisk seconded:**

1. That the Jetty Road Mainstreet Board Annual Report June 2008 be received.
2. That an amount of \$519,550 is raised, via a separate rate to be imposed on the properties designated as commercial 2, 3 or 4 within the geographical boundaries of the Jetty Road Glenelg Precinct, for 2008/2009.

**CARRIED**

**15.4 2008/09 Annual Business Plan (Report No: 288/08)**

The Annual Business Plan for 2008/09 is presented for adoption by Council.

**C240608/239 Councillor Huckstepp moved and Councillor Deakin seconded that the 2008/09 Annual Business Plan included at Attachment 1 to Report No: 288/08 be adopted subject to an amendment to include Council's agreed \$40,000 contribution to the replacement of toilets at Glenelg Oval (at an estimated total project cost of \$130,000) within the Capital Renewal Program, to be funded by a reduction of \$20,000 in the draft Capital Renewal Program allocation for Glenelg Oval maintenance works and the transfer of \$20,000 from the Infrastructure Reserve Fund.**

A division was called.

Voted For	Voted Against
R D Beh	R M Bouchée
R A Clancy	P N Crutchett
J L Deakin	L R Fisk
P D H Heysen	T D Looker
J D Huckstepp	
S C Lonie	
A C Norton	
L van Camp	

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

**15.5 2008/09 Budget and Rate Declaration (Report No: 289/08)**

The 2008/09 Budget is presented for adoption following the special meeting of Council held on 17 June 2008. Further, general, differential and separate rates have been identified to fund Council's activities together with other levies as contained within the budget document. Council is now in a position to formally adopt the Budget and declare the rates for the 2008/09 financial year.

**Councillor Huckstepp moved and Councillor Clancy seconded that in respect of the financial year ended 30 June 2009:**

1. That the fees and charges incorporated in the Annual Business Plan and contained as Attachment 1 be adopted and that the relevant policies be updated accordingly.

2. **Adoption of the 2008/09 Budget**

The Budget for the year as laid before the Council at the meeting held on 24 June 2008, which consists of:

- a) the Budgeted Income Statement; and
- b) the Budgeted Balance Sheet; and
- c) the Budgeted Statement of Changes in Equity; and
- d) the Budgeted Statement of Cash Flow; and
- e) the Budgeted Uniform Presentation of Finances

be adopted, such Budget involving;

- (1) a total estimated operating expenditure (including depreciation) of \$41,224,956.
- (2) a total estimated operating income from sources other than rates of \$17,694,388.
- (3) a total estimated capital income of \$550,000.
- (4) a total amount required to be raised from the differential general rate of \$21,586,500.
- (5) a total amount required to be raised from separate rates of \$519,550.
- (6) a total net amount required to be raised for the NRM Levy of \$550,625.
- (7) a total estimated operating deficit before capital income of \$840,393,

and subject to the necessary amendments to reflect the inclusion in the Annual Business Plan of Council's agreed \$40,000 contribution to the replacement of toilets at Glenelg Oval within the Capital Renewal Program, to be funded by a reduction of \$20,000 in the draft Capital Renewal Program allocation for Glenelg Oval maintenance works and the transfer of \$20,000 from the Infrastructure Reserve Fund.

3. **Adoption of Valuations**

The most recent valuations of the State Valuation Office available to the Council of the capital value of land within Council's area, be adopted for rating purposes, totalling \$9,173,829,980;

4. **Attribution of Land Uses**

- 1) The numbers indicated against the various categories of land use prescribed by Regulation 10 of the *Local Government (General) Regulations, 1999 (the "Regulations")* be used to designate land uses in the Assessment Record;
- 2) The use indicated by those numbers in respect of each separate assessment of land described in the Assessment Record on this date (as laid before the Council) be attributed to each such assessment respectively; and

- 3) Reference in this resolution to land being of a certain category use means the use indicated by that category number in the Regulations;

5. Declaration of Differential General Rates

In order to raise the amount specified in paragraph 2(4) above:

- 1) In respect of rateable land which is used for Commercial-Shop, Commercial-Office, Commercial-Other, Industrial-Light, Industrial-Other, and Vacant Land uses and classified as such in the Assessment Record of the Council at the date of this declaration, a Differential General Rate of 0.323572 cents in the dollar for the assessed capital value of such property;
- 2) In respect of rateable land which is used for Residential and Other Land uses and classified as such in the Assessment Record of the Council at the date of this declaration, a Differential General Rate of 0.21863 cents in the dollar for the assessed capital value of such property;
- 3) Pursuant to Section 158 of the *Local Government Act 1999* a minimum amount payable by way of the General Rate be fixed at \$696;
- 4) Pursuant to Section 153(3) and (4) of the *Local Government Act 1999* the Council has determined that it will fix a maximum increase of 11.5% in the general rate charged on rateable land that is used for Residential uses and constitutes the principal place of residence of a principal ratepayer; and
- 5) In exercise of the powers in Section 166(1)(i) of the *Local Government Act 1999* and to provide relief against what would otherwise amount to a substantial change in rates payable due to a redistribution of the rates burden by a change to the structure of the Council's rates through the imposition of general rates on the owners of marina berths with the Patawalonga, the Council will provide to the principal ratepayer, a transitional rebate of the general rates for the 2008/09 financial year of 60% of the total General Rates payable.

6. Declaration of Separate Rates

Differential Separate Rate – Jetty Road Mainstreet

- 1) In exercise of the powers contained in *Section 154 of the Local Government Act 1999* and in order to support and improve the activity of promoting and enhancing business viability, profitability and trade, commerce and industry in Jetty Road Glenelg, the Council declares a Differential Separate Rate of 0.156023 cents in the dollar on the capital value of all rateable land:
  - with a frontage to Jetty Road or Moseley Square; and
  - within the side streets that intersect with Jetty Road between High Street and Augusta street; and
  - the entire site referred to as the Holdfast Shores 2B Entertainment Centre; and
  - with a land use of Category 2 (Commercial – Shop), 3 (Commercial – Office) and 4 (Commercial –Other)



**Patawalonga Marina**

- 2) (a) In exercise of the powers contained in *Section 154 of the Local Government Act 1999* and in order to carry out the activity of the maintenance and upkeep of the Boat Lock in the Patawalonga basin, a Separate Rate of 0.495 cents in the dollar of the capital value of land, be declared on all rateable land within the Patawalonga basin bounded by the high water mark;
  - (b) In exercise of the powers contained in Section 158(1)(b) of the *Local Government Act 1999* the amount that would otherwise be payable by way of rates in respect of this separate rate is altered by fixing the maximum amount of the separate rate payable for assessments within the area to which this separate rate applies where the capital values of which exceed \$90,890 at \$450.00;
7. **Imposition of Regional NRM Levy**
- In exercise of the powers contained in Section 95 of the *Natural Resources Management Act 2004* and *Section 154 of the Local Government Act 1999*, in order to reimburse the Council for the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board, being \$550,625, a separate rate of 0.00625 cents in the dollar of the capital value of all rateable land in the Council's area;
8. **Payment**
- 1) That in accordance with Section 181(1) of the *Local Government Act 1999*, all rates are payable in four equal (or approximately equal) instalments, the due dates being:  
3 September 2008;  
3 December 2008;  
3 March 2009; and  
3 June 2009;  
Provided that in cases where the initial account requiring payment of rates is not sent by the time set by the *Local Government Act 1999* (the "Act"), or an amended account is required to be sent, authority to fix the date by which rates must be paid in respect of those assessments affected is hereby delegated, pursuant to Section 44 of the Act, to the Manager Financial Services;
  - 2) Pursuant to Sections 44 and 181 (5) of the *Local Government Act 1999*, the Manager Financial Services is delegated power to enter into agreements with ratepayers relating to the payment of rates in any case of hardship or financial difficulty, or where it is considered in the best interests of Council so to do.
9. That the 2008/2009 detailed Rating Policy be updated to include applicable rating details.

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 finalised Annual Business Plan 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 Bouchée left the meeting at 8:00pm.

Councillor Bouchée rejoined the meeting at 8:01pm.

**His Worship the Mayor advised that he intended to call a Special Meeting of Council for Thursday 26 June 2008.**

**15.6 Summary Annual Business Plan (Report No: 300/08)**

On adoption of the 2008/09 Annual Business Plan and Budget a summary document is prepared to accompany the first rates notice. This document gives an overview of the key points of interest in the Annual Business Plan.

**C240608/240 Councillor Crutchett moved and Councillor Bouchée seconded that this question be adjourned until the outcome of Report No: 289/08 is resolved.**

**CARRIED**

**15.7 Bay Discovery Centre and Glenelg Town Hall Review (Report No: 294/08)**

This report presents Stage 1 of a recent review of the Bay Discovery Centre (BDC) and the Glenelg Town Hall (GTH) in response to a resolution of Council which sought initiatives that could be implemented to reduce the financial cost to Council in operating the BDC and enhance the income generated from the GTH and BDC overall.

Due to the complex range of issues identified in the Council resolution, many of which could comprise discrete projects in themselves, the review was divided into two (2) stages. Stage 1 of the review, with which this report deals, comprises an initial Discussion Paper which canvases the current uses, key issues and possible options for the GTH, including the BDC, in terms of optimizing Council's asset and improving the financial viability of the building as a whole.

Subject to Council's determination on the findings of the Stage 1 Discussion Paper, it is suggested that Stage 2 comprise a Key Issues Paper and Recommendations specifically addressing issues and options critical to the BDC and the GTH operating at lower nett cost.

**Councillor Crutchett moved and Councillor Bouchée seconded:**

- 1. That Council receives Report No. 294/08 and associated Attachments 1 to 3;**
- 2. That Council authorises Administration to commence Stage 2 - Key Issues Paper and Recommendations of the Bay Discovery Centre and Glenelg Town Hall Review project;**
- 3. That in conjunction with the Stage 2 Review, Administration also engage the services of a Commercial Property Consultant to provide specialist advice on the potential adaptation and use of the Glenelg Town Hall with the aim of improving the income generated from the building;**
- 4. That Administration arrange the necessary budget adjustment of \$20,000 to accommodate the cost of the Stage 2 Review and the advice of a Commercial Property Consultant; and**
- 5. The Manager Bay Discovery Centre introduce a \$5.00 entry fee and discuss with the Advisory Committee the introduction of a discount entry coupon (similar to below) and report back to Council on the logistical issues, marketing/promotional requirements and volunteer training requirements by the August 2008 meeting of the Strategy and Development Committee.**
- 6. The Mayor's Parlour and the Council Meeting Chamber in the Glenelg Town Hall be maintained for the continued use by Council, once the existing damage is repaired.**



- C240608/241 Councillor Beh moved and Councillor Clancy seconded that this question be adjourned for a month to allow Elected Members time to consider other financial aspects of the Bay Discovery Centre operation.**

**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 Looker**

- C240608/242 Councillor Bouchée moved and Councillor van Camp seconded that Councillor Looker be granted Leave of Absence from 4 July to 14 July 2008, during which time he will be participating in the Sister City Student Exchange program.**

**CARRIED**

### **17.2 Leave of Absence – Councillor Heysen**

- C240608/243 Councillor Fisk moved and Councillor Beh seconded that Councillor Heysen be granted Leave of Absence from 3 July 2008 to 31 July 2008.**

**CARRIED**

### **17.3 Telstra Mobile Phone Tower**

His Worship the Mayor informed Members that the Environment and Resources Development Court had recently approved a mobile phone tower for the corner of Jetty Road and Brighton Road, Glenelg. A possible alternate location for the tower would be at the Glenelg Oval, in conjunction with on future light towers which may be erected at the oval. He sought Council's views on the Glenelg Oval Advisory Committee approaching Telstra to consider an alternative location.

The matter was discussed.

**18. ITEMS IN CONFIDENCE****18.1 Notice of Insanitary Condition – Hoarding (Report No: 283/08)**

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

**C240608/244 Councillor Fisk 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**

**Councillor Crutchett left the meeting at 8:28pm.**

**Councillor Crutchett rejoined the meeting at 8:30pm.**

**Notice of Insanitary Condition – Hoarding (Report No: 283/08)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C240608/246 Councillor Heysen moved and Councillor Clancy 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: 283 /08 with the exception of Resolution No: C240608/244 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. This resolution will be reviewed on or before 30 June 2009 by the Council.**

**CARRIED**

**18.2 Minutes of the Southern Region Waste Resource Authority Meeting  
(Report No: 291/08)**

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

**C240608/247 Councillor Lonie moved and Councillor Fisk seconded that, pursuant to Section 90(2) and 90(3)(d) of the Local Government Act 1999 the Council order that the public with the exception of Council officers and any other visitors permitted to remain, be excluded from attendance at the meeting, after taking into account the relevant considerations under Section 90(3), on the basis that it will receive, discuss or consider the following:**

- **commercial information of a confidential nature (not being a trade secret) the disclosure of which:**
  - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and**
  - (ii) would, on balance, be contrary to the public interest.**

**CARRIED**

**Minutes of the Southern Region Waste Resource Authority Meeting  
(Report No: 291/08)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C240608/249 Councillor Lonie moved and Councillor Clancy seconded that pursuant to Section 90(2), 90(3)(d) and 91(7) of the Local Government Act 1999:**

- 1. The Council orders that the documents and minutes relating to Report No: 291/08 with the exception of Resolution No: C240608/247 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 prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and**
  - (ii) would, on balance, be contrary to the public interest****under Section 90(2) and 90(3)(d) of the Act.**
- 2. This resolution will be reviewed on or before 30 June 2009 by the Council.**

**CARRIED**

**Councillor Bouchée left the meeting at 8:32pm.**

**18.3 Vacant Tenancy Glenelg Town Hall (Report No: 271/08)**

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

**C240608/250 Councillor Clancy moved and Councillor Lonie 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**

**Councillor Bouchée rejoined the meeting at 8:37pm.**

**Vacant Tenancy Glenelg Town Hall (Report No: 271/08)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C240608/252 Councillor Clancy moved and Councillor Fisk 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: 271/08 with the exception of Resolution No: C240608/250 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**

**18.4 Update on Patawalonga Boat Lock, Glenelg (Report No: 304/08)**

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

**C240608/253** Councillor Clancy moved and Councillor Lonie 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**

Update on Patawalonga Boat Lock, Glenelg (Report No: 304/08)

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C240608/255** Councillor Clancy moved and Councillor Heysen 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: 304/08 with the exception of Resolution No: C240608/253 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. RESUMPTION**

Councillor Clancy moved and Councillor Heysen seconded that Council resume as an open meeting of Council at 8:41pm.

**CARRIED**

**20. CLOSURE**

The Meeting closed at 8:42pm.

**CONFIRMED**

**Tuesday 8 July 2008**

**MAYOR**