

## 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 8 July 2008 at 7:06pm.**

### PRESENT

His Worship the Mayor  
Deputy Mayor  
Councillors

A K Rollond  
R A Clancy  
R M Bouchée  
P N Crutchett  
J L Deakin  
L R Fisk  
S C Lonie  
A C Norton  
L van Camp - 7:08pm  
R T Donaldson  
S G Hodge  
R A Thomas  
I S Walker

Chief Executive Officer  
General Manager City Assets  
General Manager City Services  
General Manager Corporate Services

### 1. OPENING

His Worship the Mayor, declared the meeting open with prayer and an acknowledgement of Kaurna Traditional Owners at 7:06pm.

### 2. APOLOGIES

- 2.1 For Absence** Councillor R D Beh
- 2.2 Leave of Absence** Councillors P D H Heysen, J L Huckstepp and T D Looker

### 3. PRESENTATION Nil

### 4. CONFIRMATION OF MINUTES

**Councillor Clancy moved and Councillor Fisk seconded that the minutes of the Ordinary Meeting of Council held on 24 June 2008 and the Special Meeting of Council held on 26 June 2008 be taken as read and confirmed.**

**CARRIED**

### 5. CHIEF EXECUTIVE OFFICER'S ACTIVITIES REPORT

From 1 June 2008 to 30 June 2008.

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

**CARRIED**

**6. QUESTIONS BY MEMBERS**

**6.1 Without Notice** Nil

**6.2 With Notice** Nil

**7. REPORTS BY DELEGATES OR REPRESENTATIVES****7.1 2008 Beyond Carbon – Local Government Climate Change Summit**

Attached for the information of Members is a delegate's report by Councillor Looker regarding his attendance at Day 2 of the 2008 Beyond Carbon – Local Government Climate Change Summit on 5 June 2008.

**7.2 Emergency Management Symposium**

Attached for the information of Members is a delegate's report by Councillor Looker regarding his attendance at the Emergency Management Symposium on 26 June 2008.

**C080708/260 Councillor Fisk moved and Councillor Bouchée seconded that the delegate reports from Councillor Looker be received and noted.**

**CARRIED**

**8. PETITIONS AND DEPUTATIONS** Nil

**9. NOTICES OF MOTION**

**Councillor van Camp joined the meeting at 7:08pm.**

**9.1 Reduction in the Carbon Footprint of the City of Holdfast Bay**

In accordance with her motion:

**C080708/261 Councillor Bouchée moved and Councillor Fisk seconded that the Chief Executive Officer reports to Council on practical short and long 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.**

**CARRIED****Background**

As a Council it is our Corporate and Community responsibility to initiate not only short term BUT long term measures to address energy /environmental costs and environmental impacts of our daily operation. In comparison with other adjacent Councils I believe our report card is not an overwhelming success in relation to these issues.

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

**Councillor Clancy 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 van Camp left the meeting at 7:23pm.

**11. RESUMPTION**

Councillor Clancy moved and Councillor Fisk seconded that Council resume at 7:23pm.

**CARRIED**

**12. COMMITTEE RECOMMENDATIONS FOR CONSIDERATION**

**12.1 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.

**C080708/262 Councillor Clancy moved and Councillor Bouchée 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.

**C080708/263 Councillor Clancy 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**

**13. DEVELOPMENT ASSESSMENT PANEL**

**C080708/264 Councillor Clancy moved and Councillor Bouchée seconded that the minutes of the Development Assessment Panel meeting held on Wednesday, 23 June 2008 be received.**

**CARRIED**

**14. REPORTS OF ADVISORY COMMITTEES AND/OR SUB-COMMITTEES**

**Bay Discovery Centre Advisory Committee Meeting held 19 June 2008.**

**Jetty Road Mainstreet Management Committee Meetings held 11 June 2008 and 25 June 2008.**

**Councillor van Camp rejoined the meeting at 7:25pm.**

**C080708/265 Councillor Clancy moved and Councillor Norton seconded that the minutes of these committees be received.**

**CARRIED**

**15. REPORTS OF REGIONAL SUBSIDIARIES**

Nil

**16. REPORTS BY OFFICERS****16.1 Items in Brief (Report No: 308/08)**

Report No: 308/08 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

**C080708/266 Councillor Norton moved and Councillor Clancy seconded that the report be noted and items of interest be discussed.**

**CARRIED**

**16.2 Elected Member Training Request to attend (Report No: 312/08)**

An Elected Member has expressed interest in attending the Technical Tour (South) of "A climate for change – WMAA SA Branch Conference and Expo 2008" being held on 30 July 2008 until 1 August 2008.

**C080708/267 Councillor Bouchée moved and Councillor Fisk seconded that Council approves the attendance of any interested Elected Members for the Technical Tour (South) of "A climate for change – WMAA SA Branch Conference and Expo 2008" being held on 30 July 2008.**

**CARRIED**

**16.3 25 Moseley Street Glenelg Funding (Report No: 310/08)**

Council recently entered into a contract for the purchase of a property at 25 Moseley Street, Glenelg. The purchase price is \$1.675 million plus GST and stamp duty. This report identifies the most appropriate form of short term funding to meet this financial obligation.

**C080708/268 Councillor Fisk moved and Councillor van Camp seconded:**

- 1. That the acquisition of the property at 25 Moseley Street, Glenelg be funded in the short-term (pending resolution of the use of the property and associated longer-term funding strategies), by an "internal loan" from the Glenelg Access Strategy Reserve Fund with interest foregone to be capitalised to that fund, to be repaid on the earlier of:
 
  - a. 30 June 2009;**
  - b. implementation of longer-term funding strategies for the property acquisition; and**
  - c. when a call is made on the Glenelg Access Strategy Reserve pursuant to a Council resolution.****
- 2. That the necessary budget adjustments brought to account as part of the first budget review in 2008/09.**

A division was called.

Voted For  
R M Bouchée  
R A Clancy  
J L Deakin  
L R Fisk  
S C Lonie  
A C Norton  
L van Camp

Voted Against  
P N Crutchett

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

**16.4 Glenelg Town Hall Stage 2 Repairs (Report No: 314/08)**

Significant damage was caused to the northern section of the Glenelg Town Hall building in May 2005. Baulderstone Hornibrook Pty Ltd, having previously accepted responsibility for the damage, proposed a two (2) stage repair and reinstatement process to rectify the damage. Stage 1 repairs, comprising a footing injection technique to stabilise the building, were completed in February 2007. This report presents the scope of works proposed for Stage 2 repairs, namely internal and external cracking repairs together with associated carpentry, rendering, painting and floor coverings. Negotiations to reach a satisfactory scope of works have been protracted, however the full suite of works now proposed and agreed to by the negotiation parties is recommended to Council for approval.

- C080708/269 Councillor Crutchett moved and Councillor Deakin seconded that Baulderstone Hornibrook be advised that Council agrees to the Stage 2 repair and re-instatement works to the Glenelg Town Hall proceeding, subject to the issue of all statutory approvals and on the basis of the written undertakings provided and set out in Attachments to Report No. 314/08, subject to the Council Chamber being painted in appropriate neutral colours.**

**CARRIED**

- C080708/270 Councillor Crutchett moved and Councillor Bouchée seconded that Administration obtain three (3) quotes for any additional repair works required to Glenelg Town Hall, and also seek a "concurrent work" quote from Baulderstone Hornibrook, to determine whether Baulderstone Hornibrook should be asked to undertake other repairs for Council while undertaking the agreed repair/reinstatement works.**

**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 Leave of Absence**

**C080708/271 Councillor Clancy moved and Councillor van Camp seconded that Councillor Beh be granted leave of absence to close of business on 31 July 2008.**

A division was called.

Voted For  
R M Bouchée  
R A Clancy  
P N Crutchett  
J L Deakin  
L R Fisk  
S C Lonie  
A C Norton  
L van Camp

Voted Against

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

**19. ITEMS IN CONFIDENCE****19.1 Minutes of the Southern Region Waste Resource Authority  
(Report No: 309/08)**

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

**C080708/272 Councillor Clancy moved and Councillor van Camp 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: 309/08)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C080708/274** Councillor Clancy moved and Councillor Bouchée 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: C080708/272 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

2. This resolution will be reviewed on or before 30 June 2009 by the Council.  
**CARRIED**

**19.2** College Street, Glenelg - Development Assessment Commission Decision and Council's Legal Options (Report No: 316/08)

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

**C080708/275** Councillor Clancy moved and Councillor Fisk 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**

College Street, Glenelg - Development Assessment Commission Decision and Council's Legal Options (Report No: 316/08)

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C080708/278** Councillor Fisk moved and Councillor Bouchée 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: 316/08 with the exception of Resolution No: C080708/275 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 2009 by the Council.  
**CARRIED**

**19.3 Buckle Street Site, Glenelg North (Report No: 315/08)**

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

**C080708/279 Councillor Deakin moved and Councillor van Camp 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**

**Buckle Street Site, Glenelg North (Report No: 315/08)**

**Councillor Lonie left the meeting at 8:23pm.**

**Councillor Lonie rejoined the meeting at 8:24pm.**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C080708/282 Councillor Deakin moved and Councillor Lonie 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: 315/08 with the exception of Resolution No: C080708/279 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**



**19.4 Notice of Motion – Glenelg Football Club Naming Rights (Report No: 318/08)**

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

**C080708/283 Councillor Lonie moved and Councillor Clancy 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**

**Notice of Motion – Glenelg Football Club Naming Rights (Report No: 318/08)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C080708/284 Councillor Clancy moved and Councillor Lonie 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: 318/08 with the exception of Resolution No: C080708/283 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.**

A division was called.

Voted For  
R A Clancy  
J L Deakin  
L R Fisk  
S C Lonie  
A C Norton  
L van Camp

Voted Against  
R M Bouchée  
P N Crutchett

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

**20. RESUMPTION**

**Councillor Clancy moved and Councillor Lonie seconded that Council resume as an open meeting of Council at 8:37pm.**

**CARRIED**

**21. CLOSURE**

**The Meeting closed at 8:37pm.**

**CONFIRMED**

**Tuesday 22 July 2008**

**MAYOR**