

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 12 August 2008 at 7:01pm.

PRESENT

His Worship the Mayor
Deputy Mayor
Councillors

A K Rollond
R A Clancy
R D Beh
R M Bouchée
J L Deakin
L R Fisk
P D H Heysen
J D Huckstepp
S C Lonie - 7:03pm
T D Looker
L van Camp
R T Donaldson
I S Walker
R A Thomas
S G Hodge

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

1. OPENING

His Worship the Mayor, declared the meeting open with prayer and an acknowledgement of Kaurna Traditional Owners at 7:01pm.

2. APOLOGIES

2.1 **For Absence** Councillor P N Crutchett

2.2 **Leave of Absence** Councillor A C Norton

3. **PRESENTATION** Nil

4. CONFIRMATION OF MINUTES

C120808/318 Councillor Deakin moved and Councillor Looker seconded that the minutes of the Ordinary Meeting of Council held on 22 July 2008 be taken as read and confirmed.
CARRIED

5. CHIEF EXECUTIVE OFFICER'S ACTIVITIES REPORT

From 1 July to 31 July 2008.

C120808/319 Councillor Huckstepp moved and Councillor Heysen seconded that the report be received and noted.

CARRIED

6. QUESTIONS BY MEMBERS**6.1 Without Notice**

Councillor Lonie joined the meeting at 7:03pm.

6.1.1 Traffic diversion over King Street Bridge

Councillor Fisk asked His Worship the Mayor if he was aware of the accident on Tapleys Hill Road, West Beach on 12 August 2008 causing traffic to be diverted over the King Street Bridge and whether it was appropriate that the Minister for Transport be alerted to this.

His Worship the Mayor advised that this matter would be considered as Urgent Business later in the meeting.

6.2 With Notice**6.2.1 Rate Revenue Questions**

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

1. Total Rate Revenue for each of the 4 separate Council Wards for the City of Holdfast Bay?
2. Total rate from Residential Properties for each of the 4 separate Council Wards for the City of Holdfast Bay?

General Manager Corporate Services answer

1. All Rates Levied by Ward

Ward	Rates Levied 2008/09
Glenelg	\$6,887,419.85
Somerton	\$5,185,634.05
Brighton	\$5,282,005.10
Seacliff	\$4,435,259.35

2. Residential Rates Levied by Ward

Ward	Rates Levied 2008/09
Glenelg	\$4,954,625.00
Somerton	\$4,717,189.80
Brighton	\$4,355,703.00
Seacliff	\$4,048,263.20

7. REPORTS BY DELEGATES OR REPRESENTATIVES

7.1 Waste Management Association (SA) Educational Tour of Southern Waste and Recycling Facilities – Wednesday 30 July 2008

Councillor Looker and Councillor Bouch e (who attended as a Board Member of Southern Region Waste Management) attended the Waste Management Association (SA) Educational Tour of Southern Waste and Recycling facilities on Wednesday 30 July 2008. Sites visited included the Solo Recycle depot, Onkaparinga Council Depot, Southern Region Waste Resource (Formerly Known as Pedlar Creek Dump) - Peats Garden soil composting facility and d'Ahrenburg Winery waste recycling site.

C120808/320 Councillor Looker moved and Councillor Fisk seconded that the Delegate's Report from Councillor Looker on the Waste Management Association (SA) Educational Tour of Southern Waste and Recycling Facilities be received and noted.

CARRIED

7.2 Delegate's Report – Visit of Councillor Tim Looker to the Town of Hayama, Japan, 4 – 14 July 2008 (Report No: 370/08)

Presented for Members' information is a Delegate's Report from Councillor Looker regarding his visit to Hayama as part of the Exchange Program.

C120808/321 Councillor Looker moved and Councillor Deakin seconded:

- 1. That the Delegate's Report from Councillor Looker on the 2008 Hayama Exchange be received and noted.**
- 2. That the Council continue to support the exchange with Hayama as an ongoing annual programme.**
- 3. That the "Sister Cities Liaison Advisory Committee" be renamed the "International Liaison Advisory Committee" and the purpose be expanded to "To assist Council in the management of the Sister City relationships and to respond to approaches from Council's and communities outside Australia".**

CARRIED

8. PETITIONS AND DEPUTATIONS

8.1 Deputation by Kingston House Development Committee

A report was presented to Council at its meeting (within the Strategy and Development Committee) on Tuesday 8 April 2008 regarding the ownership of Kingston House (Report No. 145/08). Council resolved at this meeting to confirm its intentions to continue negotiations with the Department for Environment and Heritage towards the possible acquisition of Kingston House, at Kingston Park (Resolution No. SD080408/114). In addition to this resolution, Council also resolved:

"that the Committee recommends that Council invites Mr Moriarty, President of the Kingston House Development Committee to make a presentation to Council on the future of Kingston House." (Resolution No: SD080408/115)

Following this resolution, Mr Moriarty, President of the Kingston House Development Committee made a deputation to Council, to present his views on behalf of the Kingston House Development Committee on the future of Kingston House.

8.2 Bay Discovery Centre – maintaining the current location

A petition has been received from 149 citizens of South Australia regarding the location of the Bay Discovery Centre.

The petition states as follows:

“We the undersigned request that the City of Holdfast Bay Council keeps the Bay Discovery Centre in the Glenelg Town Hall, Moseley Square, Glenelg. We feel that the Bay Discovery Centre is a major cultural asset in the community and needs to be kept in the iconic State Heritage listed building, the Glenelg Town Hall, so that the community and visitors to the area can experience the history and heritage value of both. They complement each other.”

Presented for the information of Elected Members is the first two pages of the petition. Administration has verified that the number of signatures attached is 149.

C120808/322 Councillor Clancy moved and Councillor Beh seconded that the petition be received by Council and that the issues raised in the petitions be referred to the newly formed 'Bay Discovery Centre Review Advisory Committee' for consideration.

CARRIED

8.2 Bay Discovery Centre – Glenelg Town Hall and Bay Discovery Centre

A petition has been received from 126 dedicated volunteers and supporters of the Bay Discovery Centre regarding the location of the Bay Discovery Centre.

The petition states as follows:

“PETITION TO THE CITY OF HOLDFAST BAY

GLENELG TOWN HALL AND BAY DISCOVERY CENTRE

We the undersigned dedicated volunteers and supporters of the Bay Discovery Centre urge the City of Holdfast Bay Council to abandon plans to commercialise the State Heritage Listed Glenelg Town Hall (GTH).

We ask the council to consider making the GTH a focal point for South Australian, Glenelg and Brighton History because of its founding location for the first mainland settlement.

Recognise the importance is displaying European interaction and the history of the Kurna peoples.

We accept the recommendation of a gold coin donation to assist with the running costs and would ask council to explore commercial sponsorship.

We would ask that you consider moving the History Centre in to the area vacated by the Rodney Fox Museum and provide additional storage and display capacity for this historic collection of State History.

We would ask that you consider using the balcony as a reading room for the Library and possible display of tourism information, paid internet access and a coffee, café facility.

Allow access to the Council Chamber, The Mayor Parlour and Kitchen for tour groups, school children, public functions etc.

Appoint a senior council officer to liaise with interested stakeholders on achieving these objectives for the benefit of the City of Holdfast Bay.

We understand council needs to manage resources efficiently however council should recognise the contribution our volunteer hours contribute to the social experience residents and visitors enjoy when visiting the Bay Discovery Centre."

Presented for the information of Elected Members were the first two pages of the petition. Administration has verified that the number of signatures attached is 126.

- C120808/323 Councillor Bouchée moved and Councillor Heysen seconded that the petition be received by Council and that the issues raised in the petitions be referred to the newly formed 'Bay Discovery Centre Review Advisory Committee' for consideration.**

CARRIED

8.3 Glenelg Oval Lighting Upgrade

A petition has been received from Mr Paul Rayner, on behalf of himself and one hundred and ninety three other citizens (193) of Glenelg regarding Glenelg Oval Lighting Upgrade.

The petition states as follows:

"PETITION

We the undersigned are opposed to additional lighting at Glenelg Oval suitable for night football and other functions on the oval."

Presented for the information of Elected Members were the first two pages petition. Administration has verified that the number of signatures attached is 193.

- C120808/324 Councillor Looker moved and Councillor Bouchée seconded that the petition be received by Council and that the issue regarding lighting at Glenelg Oval be referred to the Glenelg Oval Advisory Committee for consideration.**

CARRIED

9. NOTICES OF MOTION

9.1 Norfolk Island Pine, Corner of Brighton Road and Augusta Street, Glenelg

In accordance with his notice:

- C120808/325 Councillor Deakin moved and Councillor Heysen seconded that the decision of 27 May 2008 (EE270508/057) -**

"That the Committee recommends that adjourned item [189/08] Street Tree Removal – Brighton Road, Bay Junction Shopping Centre be reconsidered, and that the developer of the Bay Junction Shopping Centre be advised of the following:

That the Committee does not support the removal of the trees at the corner of Brighton Road and Augusta Street to allow the construction of a slip lane."

be rescinded.

CARRIED

- C120808/326** Councillor Deakin moved and Councillor Heysen seconded that the Norfolk Island Pine on the south west corner of Brighton Road and Augusta Street, Glenelg, which is leaning into the Brighton Road carriage way clearance zone, be removed in order to comply with Department Transport, Energy and Infrastructure request under section 26A of the *Highways Act 1926*, and to reduce Councils own risk exposure.

A division was called.

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

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

9.2 Amalgamation of Brighton and Glenelg

In accordance with her motion:

- C120808/327** Councillor Bouchée moved and Councillor Beh seconded that the Council of the City of Holdfast Bay considers that the agreement between the former Councils of the Cities of Glenelg and Brighton to be a matter of paramount principle and honour, and that both the word and the intent of the agreement be confirmed, fulfilled and maintained to the maximum extent possible under the provisions of the Local Government Act 1999.

Background

The amalgamation of the former Cities of Glenelg and Brighton to form the city of Holdfast Bay was based on an agreed distribution of services, effectively a contract between the former neighbours, so that it was clear that neither was being taken over by the other. It was a marriage of equals to form a genuine partnership and the agreement a form of prenuptial contract.

I can definitely state that as one of the Glenelg Councillors at the time of the amalgamation, if I had any inkling that the Council of the City of Brighton was not acting in good faith and that members who were a party to the negotiations and the contract would later seek to repudiate their word and act unethically and unprofessionally, I would not have supported the amalgamation. I believe that the position I assert would be supported by all members of the Council of the City of Glenelg who were members at the time of the negotiations and voted to support the amalgamation. I suspect that all then members of the Council of the City of Brighton had a similar view of the moral and legal force of the contract and would believe now that it should continue to be honoured.

Chief Executive Officer's comment

Presented for Members' information is a copy of the Amalgamation MOU.

A division was called.

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

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

9.3 Commitment to maintaining the Iconic Avenue of Norfolk Island Pines

In accordance with his notice:

Councillor Looker moved and Councillor Bouchée seconded that Council confirms its commitment to keeping intact and maintaining the iconic avenue of Norfolk Island Pine trees that line Brighton Road from Anzac Highway to the Tram line and that removal of any tree for age, health or safety reasons is followed by replacement in the same location by a Norfolk Island pine to maintain the avenue intact.

Background

The avenue of trees has historical and aesthetic value is the much regarded entry to Glenelg. These trees do age and at times cause safety issues and as such need to be removed and replaced with a younger specimen. As custodians, the Council is obliged protect its integrity and to maintain this heritage avenue for future generations. To remove a tree and not replace it in the same place is to diminish the whole avenue and any attempt to do so for any reason should be strongly resisted.

A division was called.

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

HIS WORSHIP THE MAYOR DECLARED THE MOTION LOST

9.4 Confirmation of Intention not to construct slip lane at Brighton Road / Augusta Street, Glenelg

In accordance with his notice:

Councillor Looker moved and Councillor Bouchée seconded that Council confirm its intention not to construct a left turn slip lane at Brighton Road/Augusta Street, Glenelg.

Background

The left turn to Augusta Street will cause the permanent removal of an iconic Norfolk Island Pine and thus damage the integrity of the avenue of pines which are the entry to Glenelg. A slip lane will also create further traffic issues off the main road as motorist try to avoid Brighton Road Anzac Highway corner.

No evidence has been provided that the slip lane will increase safety as there are many other high traffic areas of Brighton Road where left turns are possible. For instance the left turns into the Broadway or Bath Street are areas where speeds are greater but there is no evidence of a high rear end accident rate. Most accidents occur with motorists doing right turns into Augusta Street from Brighton Road. That is because the traffic heading north at busy times is banked up and cars attempt to cross two lanes of oncoming cars.

A Messenger Newspaper report (July 30th) indicates that proposed slip lane is to allow entry to a private development with no mention of safety as a reason.

Should Council decide to construct the Brighton Road / Augusta Street slip lane then it will become essential to construct the left turn slip lane at the corner of Jetty Road and Brighton Road to manage traffic in the area.

A division was called.

Voted For
R M Bouchée
L R Fisk
T D Looker

Voted Against
R D Beh
R A Clancy
J L Deakin
P D H Heysen
J D Huckstepp
S C Lonie
L van Camp

HIS WORSHIP THE MAYOR DECLARED THE MOTION LOST

Councillor Clancy left the meeting at 8:08pm.

Councillor Clancy rejoined the meeting at 8:10pm.

9.5 Request to the City of Marion to continue to operate the Marion Pool

In accordance with his notice, Councillor Looker will move:

C120808/328 Councillor Looker moved and Councillor Bouchée seconded that the Mayor write to the Mayor of Marion asking the City of Marion continue to operate the Marion Pool as a community facility to 2016 and beyond.

CARRIED

Councillor Looker moved that administration report on the desirability, means and budget implications for the introduction of a small subsidy to assist Holdfast Bay residents to take out family membership at the Marion Pool.

LAPSED FOR WANT OF A SECONDER

Background

The Marion Community pool is a popular and well used facility that is under the threat of closure. Whilst out of the Holdfast Bay Council area, many of our residents make good use of this pool on a regular basis and our council should make an official comment in support of keeping it running. Although it could be argued that Holdfast Bay maintains beaches which are heavily used by Marion residents it is still not unreasonable to look at a small financial subsidy to families in our area to encourage membership and help support the threatened pool. It goes without saying that health benefits flow from regular exercise and a convenient local community pool is a great asset.

**10. ADJOURNMENT (TO ENABLE PERMANENT COMMITTEES TO MEET)
(8:12PM)**

C120808/329 Councillor Clancy moved and Councillor Heysen seconded that Council stand adjourned to enable the permanent Social and Organisation and Strategy and Development Committees to meet.

CARRIED

11. RESUMPTION

C120818/330 Councillor Clancy moved and Councillor Heysen seconded that Council resume at 8:22pm.

CARRIED

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.

C120818/331 Councillor Beh moved and Councillor Huckstepp 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.

C120808/332 Councillor van Camp moved and Councillor Clancy 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

C120808/333 Councillor Clancy moved and Councillor Heysen seconded that the minutes of the Development Assessment Panel meeting held on Wednesday, 23 July 2008 be received.

CARRIED

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

Glenelg Community Centre Property Management Committee Meeting held 4 August 2008.

C120808/334 Councillor Heysen moved and Councillor Bouchée 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: 369/08)**

Report No: 369/08 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

Councillor van Camp left the meeting at 8:34pm.

Councillor van Camp rejoined the meeting at 8:36pm.

C120808/335 Councillor Clancy moved and Councillor Fisk seconded that the report be noted and items of interest be discussed.

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 Slip Lane, Brighton Road and Augusta Street, Glenelg**

Councillor Deakin moved and Councillor Clancy seconded that Council supports the creation of a slip lane on Brighton Road into Augusta Street as detailed in drawing attached to Report No: 365/08, and subject to a corner cut off that enables Council to maintain practical footpath width.

A division was called.

Voted For
R A Clancy
J L Deakin
J D Huckstepp
S C Lonie
L van Camp

Voted Against
R D Beh
R M Bouchée
L R Fisk
P D H Heysen
T D Looker

**HIS WORSHIP THE MAYOR USED HIS CASTING VOTE
AND DECLARED THE MOTION LOST**

18.2 King Street Bridge - Traffic diversion after accident on Tapleys Hill Road, Glenelg.

C120808/336 Councillor Beh moved and Councillor Bouchée seconded that His Worship the Mayor write to the Minister for Transport, Energy and Infrastructure to highlight the circumstances of 12 August 2008 when a major incident on Tapleys Hill Road, West Beach, caused significant traffic diversion through Glenelg North and over the King Street Bridge in particular, reaffirming the important role of the King Street Bridge in metropolitan region traffic management especially in emergency situations.

CARRIED

19. ITEMS IN CONFIDENCE

19.1 Council Properties at 3, 5 and 7 Partridge Street, Glenelg (Report No: 361/08)

This matter was not considered in confidence.

Council Properties at 3, 5 and 7 Partridge Street, Glenelg (Report No: 361/08)

On 17 June 2008, Council re-considered the potential purchase of the former Trinity Church at 25 Moseley Street based on a counter offer from the vendor and resolved to proceed with the offer. At the same meeting, Council also resolved that Administration prepare a confidential report detailing the feasibility of the sale of the Partridge Street properties to assist in the property purchase.

C120808/337 Councillor Deakin moved and Councillor Looker seconded that the report be noted and items of interest discussed.

CARRIED

Councillor Lonie left the meeting at 8:57pm.

Councillor Lonie rejoined the meeting at 9:01pm.

Councillors Huckstepp and Bouchée declared an interest in the following matter due to their membership of the Southern Region Waste Resource Authority and left the meeting at 9:10pm.

19.2 Minutes of the Southern Region Waste Resource Authority (Report No: 367/08)

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

C120808/338 Councillor Beh 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

Minutes of the Southern Region Waste Resource Authority (Report No: 367/08)**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

C120808/340 Councillor Clancy moved and Councillor van Camp 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: 367/08 with the exception of Resolution No: C120808/338 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

Councillors Huckstepp and Bouchée rejoined the meeting at 9:12pm.

Councillor Beh left the meeting at 9:12pm.

19.3 College Street, Glenelg - Development Assessment Commission Decision (Report No: 363/08)

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

C120808/341 Councillor Fisk 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) and (i), 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.

and

- 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: 363/08)**

At its meeting held on 8 July 2008, Council considered written advice from a barrister on the merits and risks of pursuing a Judicial Review to challenge the Development Assessment Commission's decision to approve a twelve (12) storey apartment building on College Street, Glenelg (Report No. 316/08). The barrister's advice suggested that Council had a "better than even" chance of overturning the Commission's decision via Judicial Review, but that it would require substantial funds to pursue. As a result, Council resolved to approach other affected parties to ascertain their willingness to join with Council in a challenge and contribute to the cost of pursuing the matter through the Supreme Court. The response received to Councils approach is presented for the information of Members.

In addition, Council resolved to obtain costs for developing a building design plan for the Council owned Elizabeth Street car park located immediately to the north of the College Street site. Four (4) firms were approached and their cost estimates are presented for the consideration of Members.

- C120808/342 Councillor Fisk moved and Councillor Heysen seconded that Council note and discuss content of Report No. 363/08 and Attachment 1.**

CARRIED

Councillor Beh rejoined the meeting at 9:15pm.

- C120808/343 Councillor Deakin moved and Councillor Huckstepp seconded that no further action be taken on this matter.**

CARRIED

THIS MATTER WAS NOT RETAINED IN CONFIDENCE

19.4 Brighton Precinct Committee Recommendations (Report No: 368/08)

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

- C120808/344 Councillor Clancy moved and Councillor Huckstepp 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

Brighton Precinct Committee Recommendations (Report No: 368/08)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C120808/346 Councillor Clancy 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: 368/08 with the exception of Resolution No: C120808/344 for going into confidence and Attachment 1 Minutes of the Brighton Precinct Committee Meeting held 26 June 2008 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

19.5 Recruitment of Chief Executive Officer (Report No: 371/08)

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

C120808/347 Councillor Clancy moved and Councillor Looker seconded that, pursuant to Section 90(2) and 90(3)(k) 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 tenders for the supply of goods, the provision of services or the carrying out of works.

CARRIED

Recruitment of Chief Executive Officer (Report No: 371/08)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C120808/350 Councillor Clancy moved and Councillor Heysen seconded that pursuant to Section 90(2), 90(3)(k) and 91(7) of the Local Government Act 1999:

1. The Council orders that the documents and minutes relating to Report No: 371/08 with the exception of Resolution No: C120808/347 for going into confidence be kept confidential and not available for public inspection on the basis that they deal with information relating to tenders for the supply of goods, the provision of services or the carrying out of works, under Section 90 (2) and 90(3)(k) of the Act.
2. This resolution will be reviewed on or before 30 June 2009 by the Council.

CARRIED

20. RESUMPTION

C120808/351 Councillor Clancy moved and Councillor Heysen seconded that Council resume as an open meeting of Council at 9:55 pm.

CARRIED

21. CLOSURE

The Meeting closed at 9:55 pm.

CONFIRMED

Tuesday 26 August 2008

MAYOR