

CITY OF HOLDFAST BAY

Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg, on Tuesday 14 July 2009 at 7:05 pm.

PRESENT

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

1. Opening

His Worship the Mayor declared the meeting open at 7:05 pm.

2. Kurna Acknowledgement

With the opening of the meeting His Worship the Mayor stated:

We acknowledge Kurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kurna People today.

3. Prayer

His Worship the Mayor requested all present to pray and read the following Prayer:

Heavenly Father, we pray for your presence and guidance at our Council Meeting.

Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.

4. Apologies

4.1 Apologies Received Councillor J D Huckstepp

4.2 Absent Nil

5. Items Presented to Council Nil

6. Declaration of Interest

Members were reminded to declare their interest before each item.

7. Confirmation of Minutes

C140709/379

Councillor Looker moved and Councillor Clancy seconded that the minutes of the Ordinary Meeting of Council held on 23 June 2009 and the Special Meeting of Council held on 26 June 2009 be taken as read and confirmed.

CARRIED

8. Questions by Members

8.1 Without Notice

8.1.1 New Tourism Plan

Councillor Crutchett asked a question regarding the release of the new tourism plan to Elected Members.

The Chief Executive Officer, Mr J Lynch provided a response.

8.1.2 Update on Issues Associated with Broadway Kiosk and Glenelg Football Club

Councillor Bouchée asked a question regarding when an update will be presented to Elected Members on issues associated with the Broadway Kiosk and Glenelg Football Club and the Development Plan Amendment.

The General Manager Corporate Services, Mr I Walker provided a response.

8.1.3 Parcel of Contaminated Land

Councillor Crutchett asked a question regarding a parcel of contaminated land.

The General Manager City Assets, Mr S Hodge provided a response.

8.2 With Notice

8.2.1 Patawalonga – Delisting as an Estuary

At the Council Meeting held 9 June 2009, Councillor Looker asked a question regarding the de-listing of the Patawalonga as an estuary, which was taken on notice by the Acting General Manager, City Services, Mr G Sanford. Presented below is the answer to this question.

The General Manager, City Services, Mr S Hodge's response.

The official Department of Environment and Heritage (DEH) definition of an Estuary is:

“A partially enclosed coastal body of water, including its ecosystem processes and associated biodiversity, which is either permanently, periodically, intermittently or occasionally open to the ocean within which there is a measurable variation in salinity due to the mixture of seawater with water derived from on or under the land.”

The DEH Draft Estuaries of South Australia: Our vision for the future 2005, appears to be the most relevant document relating to the 'official' listing of the Patawalonga as an estuary. This document, which is still being reviewed, has the Patawalonga listed as an estuary. Separate to this DEH are also currently reviewing all South Australian estuaries and have sought clarification on the listing of some which they believe to be debatable, given the true meaning of the above definition. It is believed that the Patawalonga may be one of these. This is still being debated and has not been released for public review as yet. Administration will continue to monitor and advise Council accordingly.

It is unknown what the implications of removing the estuary classification would have on possible funding from State or Federal Agencies.

9. Member's Activity Reports Nil

10. Public Presentations

10.1 Petitions Nil

10.2 Presentations

10.2.1 Connected Communities Presentation by Bendigo and Adelaide Bank

Ms J Penney, Manager Bendigo and Adelaide Bank Glenelg Branch and Mr M Clutterham, State Community Enterprise Manager SA/NT made a 15 minute presentation to Council regarding their Connected Communities Program.

10.3 Deputations Nil

11. Motions on Notice Nil

12. Adjournment for Permanent Committees to meet

C140709/380

Councillor Deakin moved and Councillor Beh seconded that Council stand adjourned to enable the following committees to meet:

- **Social and Organisation Committee; and**
- **Strategy and Development Committee**

CARRIED

13. Social and Organisation Committee Agenda**14. Strategy and Development Committee Agenda**

Councillor Lonie left the chamber at 8:36pm

15. Resumption**C140709/381**

Councillor Looker moved and Councillor Deakin seconded that Council resume at 8.39 pm.

CARRIED

Councillor Lonie rejoined the chamber at 8:39pm.

Councillor Bouchée left the chamber at 8:39pm.

16. Minutes - Social and Organisation Committee

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

Councillor Bouchée rejoined the chamber at 8:42pm.

C140709/382

Councillor Clancy moved and Councillor Heysen 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 as follows:**

Items in Brief (Report No: 313/09)

Report No: 313/09 was presented detailing items which were presented for the information of Members.

C140709/382.1

That the Committee recommends that the report be noted and items of interest be discussed.

Annual Report- Glenelg Community Centre Property Management Committee (Report No: 300/09)

Council provides funds within its recurrent budget to support the Glenelg Community Centre Property Management Committee with its management role of the Glenelg Community Centre for the benefit of members of the local community.

The purpose of this report is to review the 2008/2009 financial year operations of the Management Committee of the Glenelg Community Centre.

C140709/382.2

That the Committee recommends that the report for the 2008/2009 financial year operations of the Glenelg Community Centre Property Management Committee be received and the Committee be commended for its work and results over the last 12 months.

Seacliff Surf Lifesaving Club Redevelopment – Community Consultation Outcomes (Report No: 301/09)

Council Administration has completed a second community consultation with local residents with regards to the proposed redevelopment of the Seacliff Surf Lifesaving Club (Seacliff SLC).

The process of community consultation involved information packages being sent to local residents living within the proximity of the Seacliff Surf Lifesaving Club. The package included the latest concept designs recently presented to Council.

The purpose of this report is to bring the results of the community consultation to Council's attention and to seek endorsement of the following recommendation.

C140709/382.3**That:**

- 1. Administration develops an appropriate feedback method to inform respondents in the community consultation process.**
- 2. Council supports the proposed redevelopment of the Seacliff Surf Lifesaving Club as a result of the community consultation outcomes.**
- 3. That Administration notifies the Seacliff Surf Lifesaving Club Working Group of this outcome.**
- 4. That Administration produces a report that addresses parking and storm-water retention issues within the precinct.**

Glenelg Air Raid Shelter (Report No: 302/09)

Following a query at Council's 10 February 2009 meeting, Council resolved that Administration provide advice on the tenure of the Air Raid Shelter and any OHSW and public liability issues associated with the facility. This report provides information in response to these issues.

C140709/382.4**That the:**

- 1. Current arrangements for the day to day operation of the Glenelg Air Raid Shelter remain with the Holdfast Bay History Centre but that the Holdfast Bay History Centre and the Bay Discovery Centre become jointly responsible for developing better marketing, promotion and financial opportunities for the facility.**
- 2. Recommendations to improve public safety into the Glenelg Air Raid Shelter as outlined in Report No. 302/09 be immediately implemented.**
- 3. The Holdfast Bay History Centre and the Bay Discovery Centre, and Glenelg Oval Advisory Committee provide feedback and costs to the committee on any external work needed to culturally enrich the Glenelg Air Raid Shelter as a tourist attraction, and proceed with the involvement of the CEO – including repairs to the security fence, pruning the vegetation, improved external signage, painting of the exterior and repair the toilet facility.**

Elected Member's Training (Report No: 311/09)

Elected Members have expressed an interest in attending the following upcoming training and conferences:

- Council Members' Governance Residential Program, being held on 31 July 2009 and 1 August 2009 at the Mawson Lakes Resort and Function Centre;
- Media Skills for Council Members, being held on 12 September 2009 at Local Government House; and
- Murray Darling Association, 65th National Conference, Water Innovation – Challenging the Drought, hosted by the City of Playford, being held on 2, 3 and 4 September 2009.

C140709/382.5**That the Committee recommends that:**

1. **Council approves the attendance of Councillors Deakin and Lonie at the Council Members' Governance Residential Program being held in 31 July 2009 and 1 August 2009 at the Mawson Lakes Resort and Function Centre.**
2. **Council approves the attendance of Councillor Lonie at the Media Skills for Council Members training being held on 12 September 2009 at Local Government House.**
3. **Council approves the attendance of Councillor Crutchett at the Murray Darling Association, 65th National Conference, being held on 2, 3 and 4 September 2009.**
4. **Council approves the attendance of Councillor Bouchée at the Women in Local Government Conference to be held later in the year.**

CARRIED**17. Minutes – Strategy and Development Committee**

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

C140709/383**Councillor Deakin moved and Councillor Bouchée 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 as follows:**

Items in Brief (Report No: 284/09)

Report No: 284/09 was presented detailing items which were presented for the information of Members.

C140709/383.1**That the Committee recommends that the report be noted and items of interest be discussed.****Major Projects – Response to Draft Parliamentary Bill (Report No: 285/09)**

Mark Parnell, Greens State Parliamentary Member in the Legislative Council, has written to all councils seeking support in amending the Development Act, 1993 to require the relevant Minister to consult with councils prior to declaring Major Projects. Under the current legislation, the Minister for Urban Development and Planning may declare a development a 'Major Project' pursuant to Section 46 of the Development Act, 1993. Such a 'project' is an activity or circumstance that does not require approval because it is not within the ambit of the definition of *development* under the Development Act, 1993.

Some developments recently declared Major Projects include:

- Desalination Plant, Lonsdale
- Shopping Centre, Victor Harbor
- Marina, Stansbury
- LeCornu Site, North Adelaide,
- Goodwood Road Project, Wayville

It is in the interest of the City of Holdfast Bay to support the Bill and recommend an expansion to its scope to allow councils to have meaningful participation in the assessment of Major Projects.

C140709/383.2

That:

1. **The City of Holdfast Bay, through the Chief Executive Officer, advise Mark Parnell, Greens State Parliamentary Member in the Legislative Council, that Council supports the content of the *Development (Major Development) Amendment Bill*, and that Council sees merit in expanding the Bill to provide councils with formal rights of representation with respect to Major Projects.**
2. **The City of Holdfast Bay, through the Chief Executive Officer, writes to the Minister for Urban Development and Planning, Hon Paul Holloway MLC, the Liberal Shadow Minister, Hon David Ridgeway MLC, Family First, Australian Democrats, and Independent Members of the State Legislative Council asking that they support the *Development (Major Development) Amendment Bill*, and that the Bill be expanded to include formal rights of representation for councils with respect to Major Projects.**

Jetty Road Mainstreet Management Committee Annual Report (Report No: 294/09)

The Jetty Road Mainstreet Management Committee (JRMMC) produces an Annual Report for owners and operators of commercial properties located within the Jetty Road Glenelg precinct (the precinct). In addition to more regular reporting processes required by Council, the Annual Report serves as an important document through which information is able to be provided to Council about the activities of the Committee. It also clarifies a proposed budget to support the performance of the activities and functions of the JRMMC, the amount of which has previously been adopted by Council to be raised via a separate rate and incorporated into Council's draft budget for 2009-10.

C140709/383.3

That the Committee recommends that the Committee recommends that Council receive and note the 2009 Jetty Road Mainstreet Board Annual Report.

Preliminary Draft Adelaide Airport Masterplan for Consultation (Report No: 303/09)

Adelaide Airport Limited (AAL) recently released the Adelaide Airport Preliminary Draft Master Plan for public consultation on 6 May 2009. The Master Plan is the primary planning document for the airport that sets out a legislative framework for its future planning and development. Administration has prepared a draft submission to AAL on the Master Plan for Council's consideration.

C140709/383.4

That

1. **Council endorse the draft submission to Adelaide Airport Limited located at Attachment 1 to Report Number 303/09 in response to the Preliminary Draft Adelaide Airport Master Plan dated May 2009.**

2. **Copies of Council's submission also be forwarded to the Federal Minister for Transport and Regional Services, Federal Member for Hindmarsh, Department of Planning and Local Government, the Cities of West Torrens and Charles Sturt and Jetty Road Mainstreet Management Committee to reinforce Council's position and ensure continuing dialogue on airport planning matters.**

Seacliff to Kingston Park Coast Park – Elected Member Nominations for Key Stakeholder Focus Group (Report No: 304/09)

The tender process for the consult and design phase of the Seacliff to Kingston Park Coast Park project closed on 22 May 2009. An evaluation of the tenders has now been completed and is presented to Council as part of a separate report within these agenda papers to agree to the preferred consultant.

A key component of the Project will involve consultation with a Key Stakeholder Focus Group, comprising Elected Members and representatives from the Department of Planning and Local Government (formerly known as Planning SA), Heritage Branch (Department for Environment and Heritage) and Adelaide's Living Beaches (Department for Environment and Heritage). The purpose of this report is to seek nominations and endorsement from Council on the preferred candidates for appointment to the Stakeholder Focus Group.

C140709/383.5

That the Committee recommends that Council nominates the following Elected Members, consisting of one (1) Elected Member from the Seacliff Ward and two (2) additional Elected Members in Holdfast Bay, for appointment to the Key Stakeholder Focus Group to provide input into the Coast Park Consult and Design Project for the section of foreshore between Seacliff to Kingston Park:

- **Councillor Clancy**
- **Councillor Lonie**
- **Councillor Deakin**

Application for a Variation of Extended Trading Authorisation – Brighton Metro Hotel (Report No: 305/09)

An application has been made to the Liquor and Gambling Commissioner for a variation of approved extended trading authorisation by Brighton Metro Hotel, 466 Brighton Road, Brighton.

The purpose of this report is to seek Council's comments to the Office of the Liquor and Gambling Commissioner before a decision is made on the application.

C140709/383.6

That the tabled memorandum be received.

C140709/383.7

That the Committee recommends that Council advise the Office of the Liquor and Gambling Commissioner that it does not support the application by Brighton Metro Hotel to amend the extended trading hours at 466 Brighton Road, Brighton.

C140709/383.8

That Council defend its decision not to support the application at a hearing of the Liquor and Gambling Commission with the assistance of Council's legal advisors.

Community Bus Access to the Bay Junction Shopping Centre

C140709/383.9

That Administration negotiate with the developer of the Bay Junction Shopping Centre in regard to:

1. **providing the bus with access to a card key ticket-less entry through**

- the boom gates;**
- 2. the manoeuvrability of the long bus entering via Augusta Street; and**
 - 3. a bus park adjacent to the entry of the Shopping Centre.**

CARRIED

18. Reports of Committees, Subsidiaries and Development Assessment Panel

18.1 Southern Region Waste Resource Authority Information Reports for April, May and June Meetings (Report No: 306/09)

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the "constituent councils"), pursuant to Section 43 of the Local Government Act, 1999.

SRWRA was established in December 1998 and is managed by a seven member Board comprising two representatives from each of the constituent councils and an independent chairperson.

Under its charter, SRWRA is responsible for providing and operating waste management services on behalf of the constituent councils and ensuring that a long term waste management strategy exists in the southern region of Adelaide.

SRWRA's core business activity is the management of its wholly owned landfill operation at McLaren Vale, South Australia. This is one of the state's major landfill operations receiving in excess of 200,000 tonnes of waste annually.

Pursuant to its charter all agendas, reports and minutes remain confidential, unless the Board resolves that the document is to be available to the public. Presented for the information of Elected Members' is the information which the SRWRA Board has released from its meetings held 6 April 2009, 4 May 2009 and 1 June 2009.

C140709/384

Councillor Clancy moved and Councillor Heysen seconded that information reports of the Southern Region Waste Resource Authority for its meetings held 6 April 2009, 4 May 2009 and 1 June 2009 be received and noted.

CARRIED

18.2 Minutes – Development Assessment Panel, 24 June 2009 (Report No: 307/09)

Council's Development Assessment Panel is established under the Development Act 1993.

The purpose of the panel is to:

- act as a delegate of Council and make decisions on development applications in accordance with the requirements of the Development Act;
- provide advice to Council on trends, issues and other matters relating to planning or development that have become apparent during the assessment of development applications;

- perform other roles, except policy formulation, as assigned by Council;
- consider and report on matters before the Environment, Resources and Development Court as a means to resolving judicial appeals.

The minutes of the Development Assessment Panel meeting held 24 June 2009, is presented to Council for information.

C140709/385

Councillor Looker moved and Councillor van Camp seconded that the minutes of the Development Assessment Panel meeting held on Wednesday, 24 June 2009 be received.

CARRIED

18.3 Minutes – Jetty Road Mainstreet Management Committee, 10 June 2009 (Report No: 308/09)

The Jetty Road Mainstreet Management Committee (JRMMC) has been established to undertake work to benefit the traders on Jetty Road, Glenelg, using the levy raised for this purpose. The Council has endorsed the committees Terms of Reference and given the committee delegated authority to manage the business of the committee.

The Minutes of the Jetty Road Mainstreet Management Committee of its meeting held 10 June 2009, are attached and presented for Councils' information.

C140709/386

Councillor Clancy moved and Councillor Heysen seconded that the following resolutions of the Jetty Road Mainstreet Management Committee numbered 1 - 5 be noted:

Discussions Regarding Christmas Pageant Tenderers

1. **That the JRMMC shortlist the preferred tenderers for the Glenelg Christmas Pageant and invite them to give a five (5) minute presentation on creative ideas and confirmation of costs to a Selection Committee made up of The Chairman, Mr J Casburn, Mrs G Higgins, Mrs S Jones and Mrs S La Pira. The JRMMC delegates the responsibility to make a decision on who is awarded the tender to this Committee.**

Annual Report

2. **That the Jetty Road Mainstreet Management Committee Annual Report May 2009 be ratified.**

Strategic Plan

3. **That the Draft Strategic Plan be received and noted for future consideration.**
4. **That the Finance report be received and noted.**
5. **That the JRMMC sponsors the City Bay Fun Run as per their proposal and that the funds be provided in vouchers.**

CARRIED

18.4 Minutes – Bay Discovery Centre Advisory Committee, 18 June 2009
(Report No: 309/09)

The Bay Discovery Centre Advisory Committee was established to advise Council on matters relating to the operation of the Bay Discovery Centre

The Minutes of the Bay Discovery Centre Advisory Committee meeting held 19 March 2009, are presented and submitted to Council for information and endorsement, noting in particular the Committee's recommendations presented below for endorsement.

Members should note recommendation 3 which proposes to retain approximately \$65,000 of unspent funds to transfer into the Bay Discovery Centre reserve fund for upgrades.

C140709/387

Councillor Norton moved and Councillor Norton seconded that the minutes of the Bay Discovery Centre Advisory Committee be received and the recommendations numbered 1 - 2 & 4 - 7 endorsed by Council:

Chairman's Report

1. That Council endorse the facilitation of access to the Council Chamber in order for Bay Discovery Centre volunteers to guide visitors around the Chamber on request in conjunction with the development of appropriate security protocols and procedures.

Finance Report

2. That the Committee receive and note the Finance Report.
3. *To be discussed separately*

Manager's Report

4. That the Committee receive and note the Manager's Report.

Bay Discovery Centre Upgrades Plan

5. That:
 1. The History Centre administration and volunteers prepare a list of the large objects being held in storage in consideration for display in the Bay Discovery Centre and;
 2. The Bay Discovery Centre administration and volunteers identify sections of the Centre's displays which could be removed or remodelled

in order for the Committee to consider these issues when addressing the upgrades plan at the next meeting.

Lighting and Energy Consumption

6. That the Bay Discovery Centre Advisory Committee is mindful of the need to address energy and will review this issue as part of the Bay Discovery Centre Upgrades Plan.

Future Meeting Times

7. **That the Manager, Bay Discovery Centre consult with the Manager, Governance and Policy regarding the official ruling on meeting times for Section 41 Committees.**

CARRIED

- C140709/388** **Councillor Crutchett moved and Councillor Norton seconded that the Council approves any unspent funds from the Bay Discovery Centre 2008/09 budget to be transferred or carried forward for the purpose of Bay Discovery Centre upgrades.**

CARRIED

- C140709/389** **Councillor Beh moved and Councillor Heysen seconded that the motion be adjourned until the next meeting when Administration is able to provide a comprehensive report on monies carried forward for 2009/10.**

CARRIED

18.5 Minutes – Glenelg Town Hall and Community Services Advisory Committee (Report No: 310/09)

The Glenelg Town Hall and Community Services Advisory Committee was established:

- To review and report to Council on the operation of the Glenelg Town Hall building, including the Bay Discovery Centre.
- The committee is to seek and consider submissions from interested stakeholders together with the Consultants Report.
- That the deliberations not exclude other Council properties in the vicinity of the Glenelg Town Hall.

The Minutes of the Glenelg Town Hall and Community Services Advisory Committee of its meeting held 29 June 2009, are attached and submitted to Council for information and endorsement, noting in particular the Committee's recommendations presented below for endorsement.

- C140709/390** **Councillor Deakin moved and Councillor Heysen seconded that the minutes of the Glenelg Town Hall and Community Services Advisory Committee be received and the recommendation numbered 1 be endorsed by Council:**

Glenelg Tram Memorabilia Project

1. **That prior to further consideration of the Consultants Tram Memorabilia Project Brief, Administration provide information, including advice from DETI, regarding the possibility of locating Tram No. 361 at the northern end of St Johns Row, Glenelg, or alternatively parallel to and north of the existing tram track within Moseley Square.**

CARRIED

18.6 Minutes – Brighton Civic Precinct Advisory Committee, 30 June 2009 (Report No: 327/09)

The Brighton Precinct Advisory Committee is established to assist Administration with:

- The planning and development of the Brighton Precinct (including Brighton Oval);

- Cemetery development (Brighton and St Judes);
- Landscaping on Brighton Road;
- The planning and development of the Jetty Road Festival;
- Oversight of the Mawson Oval Lease.

The Minutes of the Brighton Precinct Advisory Committee meeting held 30 June 2009, are attached and submitted to Council for information and endorsement.

C140709/391

Councillor Deakin moved and Councillor Norton seconded that the minutes of the Brighton Precinct Advisory Committee be received and the following recommendations numbered 1 - 9 be endorsed:

Brighton Oval Maintenance Issues

1. That the Committee note and discuss the issues raised in relation to the Brighton Oval complex.
2. That an email received at 4:26pm Tuesday 30 June 2009 from the Brighton Football Club containing additional items for the "wish list" for future development on Brighton Oval be included in the discussion and deliberation of this Committee, when considering a new Brighton Oval Master Plan.
3. That Administration prepare a report based on the Brighton Oval users "wish list" for future redevelopment with the complex providing an evaluation of each item, comment on possible cost and inclusion in a future Brighton Oval Master Plan development.
4. That a verbal request recently received by Administration from Brighton Lacrosse Club for Council to consider the removal of the remaining Athel Pine (*Tamarix Aphylla*) trees along the southern boundary of Brighton Oval, as they have become a danger to users of the complex, be included in the "wish list" report to be prepared by the Administration.

Brighton Football Club Fund Raising

5. That the status quo remain and the Brighton Football Club be informed that voluntary donation entry into Australian Rules Football matches could only be requested of patrons attending their major home matches.

Future Car Parking on Keelara Street, Brighton

6. That the Committee recommend to Council that on receipt of the Keelara Street, Brighton car parking report, the matter be referred to this Committee for review and provide recommendations for future action.

Future Use of Historic Brighton Town Hall

7. That this matter be noted.

Internal Road Use Behind Brighton Library

8. **That Administration prepare a report for the next meeting of this Committee on the feasibility of a “one way” road between Torr Avenue and Jetty Road, Brighton due to safety concerns.**
9. **That Administration report on appropriate Asset Management Strategies for off-street car parking in the area.**

CARRIED

19. Reports by Officers

19.1 Review of Confidential Status of Items (Report No: 314/09)

Council's practice is to review documents held in confidence every six months and this practice has continued with a formal review occurring in June 2009.

C140709/392

Councillor Beh moved, and Councillor Heysen seconded that this item to be adjourned subject to more information being made available.

CARRIED

19.2 2009/10 Summary Annual Business Plan Document (Report No: 298/09)

On adoption of the 2009/10 Annual Business Plan and Budget a summary document is prepared to accompany the first rates notice. This gives an overview of the key points of interest in the Annual Business Plan.

C140709/393

Councillor Beh moved and Councillor Heysen seconded that the Summary of the 2009/10 Annual Business Plan included as Attachment 2 to Report No: 298/09 be endorsed for inclusion in Council's first rates notice for 2009/10 subject to changes approved by the Elected Members via email.

CARRIED

20. Resolutions subject to formal motions

Presented for the information of Members is 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.

C140709/394

Councillor Bouchée moved and Councillor Deakin seconded that the listing dated 14 July 2009 be received and noted.

CARRIED

21. Urgent Business – Subject to the Leave of the Meeting

Nil

22. Items in Confidence

22.1 Items in Brief (Report No: 312/09)

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Mr I Walker and Ms P Aukett

C140709/395

Councillor Clancy moved and Councillor Heysen seconded that, pursuant to Section 90(2) and 90(3)(m) 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 a proposed amendment to a Development Plan under the *Development Act 1993* before a Plan Amendment Report relating to the amendment is released for public consultation under that Act.

CARRIED

Items in Brief (Report No: 312/09)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C140709/398

Councillor Heysen moved and Councillor Bouchée seconded that pursuant to Section 90(2), 90(3)(m) and 91(7) of the Local Government Act 1999:

1. The Council orders that the documents and minutes relating to Report No:312/09 with the exception of Resolution No: C140709/395 for going into confidence be kept confidential and not available for public inspection on the basis that they deal with information relating to a proposed amendment to a Development Plan under the *Development Act 1993* before a Plan Amendment Report relating to the amendment is released for public consultation under that Act, under Section 90 (2) and 90(3)(m) of the Act.
2. This resolution will be reviewed on or before 30 June 2010 by the Council.

CARRIED

22.2 Brighton and Hove District Centre Development Plan Amendment - Memorandum of Understanding (Report No: 286/09)

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Mr I Walker and Ms P Aukett

C140709/399

Councillor Heysen moved and Councillor Beh seconded that, pursuant to Section 90(2) and 90(3)(m) 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 a proposed amendment to a Development Plan under the *Development Act 1993* before a Plan Amendment Report relating to the amendment is released for public consultation under that Act.

CARRIED

Brighton and Hove District Centre Development Plan Amendment - Memorandum of Understanding (Report No: 286/09)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C140709/401

Councillor Looker moved and Councillor Beh seconded that pursuant to Section 90(2), 90(3)(m) and 91(7) of the Local Government Act 1999:

1. The Council orders that the documents and minutes relating to Report No: 286/09 with the exception of Resolution No: C140709/399 for going into confidence be kept confidential and not available for

public inspection on the basis that they deal with information relating to a proposed amendment to a Development Plan under the *Development Act 1993* before a Plan Amendment Report relating to the amendment is released for public consultation under that Act, under Section 90 (2) and 90(3)(m) of the Act.

2. This resolution will be reviewed on or before 30 June 2010 by the Council.

CARRIED

23. Resumption

C140709/402

Councillor Clancy moved and Councillor Heysen seconded that Council resume as an open meeting of Council at 9.34 pm.

CARRIED

24. Closure

The Meeting closed at 9:35 pm.

CONFIRMED Tuesday 28 July 2009

MAYOR