

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 11 August 2009 at 7:03pm.

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	J D Huckstepp
Councillor	S C Lonie
Councillor	T D Looker
Councillor	A C Norton
Chief Executive Officer	J P Lynch
General Manager City Assets	S G Hodge
General Manager City Services	R A Thomas
Acting General Manager Corporate Services	P E Aukett

1. Opening

His Worship the Mayor declared the meeting open at 7:03pm.

2. Kaurna Acknowledgement

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

We acknowledge Kaurna 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 Kaurna 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.

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3498

11.08.2009

4. Apologies

4.1 Apologies Received Councillor P D H Heysen and
L van Camp

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

C110809/432 Councillor Clancy moved and Councillor Looker seconded that the minutes of the Ordinary Meeting of Council held on 28 July 2009 be taken as read and confirmed.

CARRIED

8. Questions by Members

8.1 Without Notice

8.1.1 Proclamation Day - BBQ

Councillor Beh asked a question regarding the BBQ/Cold Collation to be served on Proclamation Day does not refer to the historical evidence in many of the books.

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

8.2 With Notice

8.2.1 Chief Executive Officer's Performance Appraisal and Appointment of Deputy Chief Executive Officer

In accordance with his notice, Councillor Deakin asked the following questions:

8.2.1.1 What is the agreed CEO performance appraisal process and is there any agreement on ongoing performance feedback?

The Chief Executive Officer, Mr J Lynch's response.

Details of the CEO's performance appraisal process are contained in his contract, and are summarised below:

- **The employer (Council) must review the CEO's performance and discuss it with him before the end of the six month qualifying period (17 November 2009)**
- **The CEO will undergo a performance review between 30 June and 30 September each year, commencing in 2010 within an evaluation system to be determined between the CEO and his employer.**
- **Council may choose to utilise an external 360° performance evaluation.**
- **A written report of the CEO's performance will be provided to the CEO. The CEO's performance will be measured against his duties outlined in his contract and position description.**

Please note that should Council wish to discuss any details of the CEO's contract, which may be of a detailed or personal nature, they should do so in confidence.

8.2.1.2 What are the issues surrounding Council appointing a Deputy CEO?

The Chief Executive Officer, Mr J Lynch's response.

Section 100 of the Local Government Act sets states the following:

100 – Council may have a deputy chief executive officer

(1) The chief executive officer must, in determining the organisational structure for the council, in consultation with the council, decide whether to have a deputy to the chief executive officer.

(2) The chief executive officer is responsible for appointing a person to an office created under subsection (1)

(3) However, the chief executive officer must obtain the concurrence of the council before the chief executive officer makes an appointment to, or removes a person from, the position of deputy.

(4) the title of the office under subsection(1) is at the discretion of the chief executive officer after consultation with the council.

The organisational structure of the City of Holdfast Bay is considered sufficient to meet the objectives of the organisation without requiring the appointment of a Deputy CEO. In the absence of the CEO, Council has resolved in April 2008, that the General Manager City Services, Rebecca Thomas, and the General Manager, Corporate Services, Ian Walker, are suitable persons to act as CEO.

8.2.2 Cost for Civic Reception

In accordance with his notice, Councillor Looker asked the following question:

What was the total cost to Council of the Civic Reception held on 5 August 2009.

The Chief Executive Officer, Mr J Lynch's response.

The Civic Reception held on 5 August 2009 is estimated to cost \$1,390 which covers catering, printing and postage of invitations, staff wages, security and caretaker costs.

Please note that there are no estimated cost for beverages (including alcohol) as no new stock as been purchased, and staff costs are estimates only, and are likely to be less than estimated.

9. Member's Activity Reports Nil

Councillor Lonie reported that she attended the annual dinner for Brighton Rugby Club.

Councillors Crutchett and Bouchée reported that they attended a Civic Reception for Neighbouring Councils and enjoyed the chance to meet other Councillors.

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Councillor Beh attended the Annual General Meeting of the Holdfast Bay Music Centre.

10. Public Presentations

10.1 Petitions Nil

10.2 Presentations

10.2.1 Presentation of Jetty Road Mainstreet Management Committee Strategic Plan

The Manager Jetty Road Mainstreet Management Committee, Ms Sue McKenzie made a short presentation to Council on the Jetty Road Mainstreet Management Committee's Strategic Plan.

10.3 Deputations Nil

11. Motions on Notice

11.1 Consideration of Items Relating to the Development of the Coast Park being dealt with in Confidence

In accordance with his notice:

C110809/433

Councillor Deakin moved and Councillor Norton seconded that all matters concerned with the development of the Coast Park, but excluding matters of a personal or commercial nature, be dealt with in open Council.

CARRIED

Background

At the last meeting of Council, under the cloak of confidentiality necessary to the discussion of tenders, members for their own reasons debated a motion 'without notice', that would have had the effect of altering a legitimate budget decision that had been endorsed by the community via our business plan, fortunately this matter was adjourned in pursuit of a compromise.

Until this motion is passed public debate on a matter of concern to the residents of Seacliff Ward is severely restricted. The patient residents of Seacliff would be concerned to hear, that works in their area were delayed because, as some elected members argued, it was too difficult, that works should flow north to south, it would get more use elsewhere, or simply because there were few projects in another area. If Council were to accept these arguments, it would only serve to reinforce the perception that all the money was spent in the north.

COUNCIL

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11.08.2009

11.2 Naming of the Former Trinity Church, 25 Moseley Street, Glenelg

In accordance with his notice:

Councillor Looker moved and Councillor Bouchée seconded:

1. That Council discuss a suitable process to determine an appropriate name for the Moseley Street church property.

C110809/434

Councillor Crutchett moved and Councillor Norton seconded that the matter be adjourned until the use of the building is determined.

CARRIED

Councillor Looker moved and Councillor Fisk seconded:

2. That until a suitable name is confirmed the property be temporarily referred to as "the Trinity Centre"

C110809/435

Councillor Crutchett moved and Councillor Lonie seconded that the matter be adjourned until the use of the building is determined.

CARRIED

Background

Since the purchase of this property it has been referred to by a number of names and descriptions so it is time for Council to find a proper name for the place. In the interim it is best to settle on a common title to enable clear identification and show that it is no longer a church but a venue with wider uses.

Councillor Lonie left the Chamber at 7:37pm.

12. Adjournment for Permanent Committees to meet

C110809/436

Councillor Beh moved and Councillor Clancy 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

14. Strategy and Development Committee

15. Resumption

C110809/437

Councillor Clancy moved and Councillor Fisk seconded that Council resume at 8.25pm.

CARRIED

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.

C110809/438

Councillor Beh moved and Councillor Clancy 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:**

Adjourned Item – [280/09] Review of Meeting Procedures Code of Practice (Report No: 348/09)

Council at its meeting held on 23 June 2009 resolved to adjourn consideration of R 280/09 until all members of Council are present, and to include clarification on the presiding member to speak 'with the leave of the meeting'.

The matter is now presented for further consideration.

C110809/438.1

That the Committee recommends that the report be received and the adjourned item Report No: 280/09 - Review of Meeting Procedures Code of Practice be reconsidered, together with the following amended recommendations:

1. **That Council determines the level of participation of the presiding members of council and committees in relation to Regulation 14 – Amendments to Motions, so that the presiding member may speak to an amendment after all other speakers but before the mover in reply.**
2. **That Council adopts, by at least two-thirds majority of the members, the draft Code of Practice – Meeting Procedures, attached to Report No 280/09 subject to the amendment being made to reflect Council's determination in paragraph 1 above.**

Items in Brief (Heading (Report No: 349/09)

Report No: 349/09 was presented detailing items which were presented for the information of Members.

C110809/438.2

That the Committee recommends that the report be noted and items of interest be discussed.**175th Anniversary of the Proclamation of SA – Book Productions by the Holdfast Bay History Centre (Report No: 355/09)**

To celebrate the 175th anniversary of the State, the Holdfast Bay History Centre proposed the publication of two books, that being a new publication 'Then and Now' (working title) as part of the 2011 celebrations and a revised, updated version of 'Vanishing Sands' book to complete the story of the Glenelg and Brighton union into Holdfast Bay.

At its meeting held on 10 February 2009 Council sought advice on the most appropriate means of recognizing the 175th anniversary of the Proclamation of South Australia through the publication of a suitable book, together with relevant cost estimates.

This report provides information on the proposed book publications and recommends that Council commit to the publication of a photographic 'Then and

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Now' style book (allocating funds in the 2010/110 financial year) and further consider the publication of the revised 'Vanishing Sands' book at a future date, possibly during 2011.

C110809/438.3

That the Committee recommends:

- 1. That Council commit to the production and subsequent publication of a photographic 'Then and Now' (working title) book in celebration of the 175th anniversary of the Proclamation of the State, with production of the photographic images and text to occur during 2009 and 2010 and publication to occur in mid 2011 to enable promotion and distribution of the book prior to Christmas 2011.**

C110809/438.4

That Council moves to the next item of business.

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.

C110809/439

Councillor Deakin moved and Councillor Beh seconded:

- 1. That the report of the Chairman of the Strategy and Development Committee, and the Committee agenda documents together with Administration recommendations be received.**
- 2. That the recommendations of the Strategy and Development Committee be adopted as follows:**

Items in Brief (Report No: 350/09)

Report No: 350/09 was presented detailing items which were presented for the information of Members.

C110809/439.1

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

Brighton and Hove District Centre Development Plan Amendment – Statement of Intent (Report No: 351/09)

The process to prepare a 'developer funded' Development Plan Amendment (DPA) to formally review the policies of the District Centre A and B Zones in Brighton and Hove and facilitate the future expansion of the Brighton Shopping Centre has commenced with the preparation of a draft Statement of Intent (SOI). The draft SOI has been prepared by planning consultants Conner Holmes and vetted by Administration. The draft document complies with the terms of the confidential Memorandum of Understanding (MOU) between Council and the collective owners of the Brighton Shopping Centre that was endorsed by Council on 14 July 2009.

The draft SOI outlines that the intent of the DPA will be to broadly review the policies of the District Centre A and B Zones and investigate the feasibility of expanding the boundary of the District Centre Zone to facilitate the future expansion and redevelopment of the Brighton Shopping Centre. The draft SOI is now presented to Council for endorsement prior to submitting to the Minister for Urban Development and Planning for approval to prepare the DPA.

C110809/439.2

That the Committee recommends that:

- 1. The draft Statement of Intent for preparation of investigations into a**

Brighton and Hove District Centre Development Plan Amendment, as detailed in Attachment 1 to Report 351/09, be endorsed by Council, signed by the Chief Executive Officer and forwarded to the Minister for Urban Development and Planning for approval.

2. **Administration prepare a consultancy project brief, based on the project scope outlined in the draft Statement of Intent, and carry out a tender selection process to engage a suitable consultant to prepare a draft Brighton and Hove District Centre Development Plan Amendment.**

Street Renaming – Vinall Street Brighton (Report No: 352/09)

This report recommends the change in the name of a section of Vinall Street, Brighton to 'West Vinall Street' as a means to resolve the current numerical disorder and create a safer environment for residents. The recommendation is informed by extensive community consultation and input from the State's emergency service providers. The Cities of Holdfast Bay and Marion are undertaking the renaming process concurrently and cooperatively with Vinall Street straddling the boundary of Dover Gardens and Brighton either side of the Cities of Holdfast Bay and Marion.

C110809/439.3

That the Committee recommends:

1. **That pursuant to Section 219(1) of the Local Government Act 1999 Council endorse the renaming of Vinall Street, Brighton between Laurence Street and Bennett Street within its jurisdiction to 'Vinall Street West'.**
2. **That Council consult all affected residents of the decision to rename a section of Vinall Street, Brighton to 'Vinall Street West' and offer the opportunity to seek information and apply for assistance to facilitate the changeover process.**
3. **That Council advise the local State and Federal Members of Parliament of the decision to rename a section of Vinall Street, Brighton to 'Vinall Street West' and advise of the opportunity given to affected residents to apply for assistance to facilitate the changeover process.**
4. **That pursuant to Section 219(3)(a)&(b) of the Local Government Act 1999 Council notify the Registrar General, the Surveyor-General and the Valuer General of the change in the name of a section of Vinall Street, Brighton to 'Vinall Street West'.**
5. **That pursuant to Section 219(4) of the Local Government Act 1999 Council publish a public notice of the resolution to change the name of a section of Vinall Street, Brighton to 'Vinall Street West' in the Guardian Messenger.**
6. **In consultation and cooperation with the City of Marion, Council plan and install the appropriate infrastructure and street identifiers (including street signs and kerb painting) to reflect the renaming of a section of Vinall Street, Brighton to 'Vinall Street West'.**
7. **That Council notify the various State emergency service providers, Australia Post, and the street directory publishers of the decision to rename a section of Vinall Street, Brighton to 'Vinall Street West'.**

Jetty Road Mainstreet Management Committee Strategic Plan 2009-2014 (Report No: 353/09)

In accordance with its Terms of Reference, the Jetty Road Mainstreet Management Committee (JRMMC) has produced a Strategic Plan for the Jetty

Road Glenelg precinct. The key purpose of the Plan will be to determine strategies and actions for the Committee to implement over the next four (4) to five (5) years in accordance with its Terms of Reference.

The document "Leading the Way Forward" combines immediate action with objectives to be achieved in the medium term as well as a vision for the future. Importantly, the Plan links to the City of Holdfast Bay's Strategic Plan 2009-14 and acknowledges the importance of remaining 'Adelaide's premier seaside destination' and a 'great place to do business'.

The Plan was formally endorsed by the JRMMC at its meeting held on 8 July 2009 and is now presented to Council for its consideration and adoption.

C110809/439.4 That the Committee recommends that the Jetty Road Mainstreet Strategic Plan 2009-14 "Leading The Way Forward" be adopted as the Jetty Road Mainstreet Management Committee's and precinct's primary forward planning document for the next five (5) years.

Tour of Council Properties

The Members discussed the recent bus tour of council properties held on Saturday 8 August 2009.

C110809/439.5 That administration make necessary preparations to hold an initial 3 hour workshop on the property review to be held before the end of October 2009.

18. Reports of Committees, Subsidiaries and Development Assessment Panel

18.1 Minutes - Development Assessment Panel, 22 July 2009 (Report No: 356/09)

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.

C110809/440 Councillor Clancy moved and Councillor Fisk seconded that the minutes of the Development Assessment Panel meeting held on Wednesday, 22 July 2009 be received.

CARRIED

18.2 Minutes – Jetty Road Mainstreet Management Committee, 8 July 2009 (Report No: 357/09)

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 8 July 2009, are attached and presented for Councils' information.

C110809/441

Councillor Clancy moved and Councillor Bouchée seconded that the following resolutions of the Jetty Road Mainstreet Management Committee numbered 1 - 3 be noted:

Draft Strategic Plan

1. That the draft Strategic Plan be endorsed and presented to Council.

New Marketing Campaign - Rights to Sea and Be Scene

2. That a tender process as per the City of Holdfast Bay Contracts and Tenders Procedures be undertaken by the Jetty Road Mainstreet Management Committee to appoint an experienced marketing firm to develop and implement a marketing and communication strategy featuring a new marketing campaign that aligns with the vision, focus and objectives of the JRMMC Strategic Plan 2009-14. The campaign should be a vibrant attention grabbing call to action to re discover the joys of a day at the Bay.

Section 41 Training

3. That the proposed Section 41 training for the Committee be held after the next two (2) scheduled JRMMC meetings on Wednesday 12 August and Wednesday 9 September between 7:15pm and 8:15pm and that catering be provided.

CARRIED

- 18.3 Minutes – Glenelg Community Centre Property Management Committee, 3 August 2009 (Report No: 363/09)

The Glenelg Community Centre Property Management Committee was established to manage the Glenelg Community Centre.

The minutes of the Glenelg Community Centre Property Management Committee meeting held 3 August 2009 are attached and submitted to Council for information and endorsement.

C110809/442

Councillor Clancy moved and Councillor Beh seconded that the minutes of the Glenelg Community Centre Property Management Committee meeting held 3 August 2009 be received and the recommendation numbered 1 endorsed by Council:

Rotary Club of Glenelg (SA) Inc – Nomination of new Community Representative on the GCPMC

1. That the Committee recommends to Council that Mr Wayne Sachs be appointed as the Community Representative of the Rotary Club of Glenelg (SA) Inc on the Glenelg Community Centre Property Management Committee for the remainder of the current Council term.

CARRIED

19. Reports by Officers

COUNCIL

3507

11.08.2009

19.1 Delegates to the Murray Darling Association (Report No: 358/09)

The Murray Darling Association has written to the Mayor and Chief Executive Officer providing an update on their activities in 2008/09 and requesting that Council nominate two delegates to the association to be listed as contacts and attend region, state and national meetings, forums and conferences.

C110809/443

Councillor Lonie moved and Councillor Bouchée seconded that Council appoints Councillors Crutchett and Huckstepp as the delegate(s) to the Murray Darling Association.

CARRIED

19.2 Elected Member Training Request – Good Decision Making: What you Need to Know (Report No: 359/09)

Elected Members have expressed an interest in attending the Six of the Best Conference – Good Decision Making: What you need to know which is being held by the Local Government Managers Australia (LGMA) and Wallmans Lawyers over two days on 12 and 13 November 2009 at The Pavillion, Veale Gardens.

C110809/444

Councillor Looker moved and Councillor Beh seconded that Council approves the attendance of Councillor Looker at the Six of the Best Conference – Good Decision Making: What you need to know which is being held by the Local Government Managers Australia and Wallmans Lawyers over two days on 12 and 13 November 2009 at The Pavillion, Veale Gardens.

CARRIED

Councillor Crutchett moved that Administration report on the ability of a condensed version of the Six of the Best program be provided to all members at a Workshop.

LAPSED FOR WANT OF A SECONDER

19.3 Brighton Performing Arts Centre – Funding Agreement with the Commonwealth (Report No: 323/09)

In November 2008, Council confirmed its support for the shared, community use Brighton Performing Arts Centre to be constructed on the Brighton Secondary School site and committed to facilitating a Better Regions Program grant submission to the Federal Government. In January 2009, Administration submitted a Better Regions application, seeking \$2 million for the project and in May 2009 Council received correspondence from Honourable Gary Gray AO MP, Parliamentary Secretary for Regional Development advising that the submission had been successful and \$2,200,000 (GST inclusive) would be offered to Council to enable construction of the Brighton Performing Arts Centre.

Since this time, Administration has been in negotiations with the Department of Education and Children's Services, and more recently, the Office of the Coordinator-General, in relation to the construction arrangements for the project and the terms of the Joint Use Agreement.

Separately to these agreements with the State, Council must enter into a Funding Agreement with the Commonwealth Government by no later than mid August in order to secure the funding.

This report seeks Council's acceptance of the Funding Agreement with the Commonwealth, provides correspondence from the Office of the Coordinator-General confirming that the State will contract and oversee all building work associated with the development, and presents a draft Joint Use Agreement between Council and the Minister for Education.

C110809/445

Councillor Lonie moved and Councillor Deakin seconded:

1. **That the Chief Executive Officer, on behalf of Council, be authorised to sign the 'Better Regions Funding Agreement between the Commonwealth of Australia and the City of Holdfast Bay', located at Attachment 2, to facilitate construction of the Brighton Performing Arts Centre.**
2. **That Council notes and endorses the arrangements as outlined in Attachment 3 whereby the Office of the Coordinator-General will project manage, tender and deliver the Brighton Performing Arts Centre project.**
3. **That, subject to satisfactory arrangements with the Commonwealth Government and State Government agencies, Council commits \$300,000 (including GST) in 2009/10 as its contribution towards construction of the Brighton Performing Arts Centre, such funding to be sourced from general cash reserves.**
4. **That Council provides feedback to Administration on the draft Joint Use Agreement between Council and the Minister for Education and Children's Services, located at Attachment 4 and authorises Administration to continue negotiations with the Minister's representatives in order to finalise the Joint Use Agreement and present the Agreement to Council for authorisation at a future meeting.**

CARRIED

A division was called

Voted For

R D Beh
R M Bouchée
R A Clancy
P N Crutchett
J L Deakin
L R Fisk
J D Huckstepp
S C Lonie
T D Looker
A C Norton

Voted Against

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HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

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19.4 Section 270 Review of Council Decision, Mrs Karen Elder (Report No: 360/09)

Mrs Karen Elder has written to the Chief Executive Officer requesting a formal review of a Council decision. This decision, made by Council at its meeting of 24 March 2009, agreed to the removal of a Norfolk Island Pine adjacent to Mrs Elder's property at 19 Cygnet Court, Glenelg North, and required that the cost of the removal, replacement and maintenance of the replacement tree be borne by Mrs Elder.

Mrs Elder disputes the attribution of costs, maintaining that Council should pay for the removal and replacement of the tree. She believes that Council has acknowledged that the tree has the potential to damage her property and that the responsibility lies with Council to take appropriate action.

This report recommends that Council rescinds its earlier decision and requests staff to investigate and take any such action necessary, at its cost, in order to mitigate any future risk to Mrs Elder's property.

C110809/446

Councillor Clancy moved and Councillor Fisk seconded that Council:

1. **Accedes to Mrs Karen Elders request to revoke its decision of 24 March 2009, C240309/160.3, and**
2. **Places a Notice of Motion on the Agenda for its meeting on 25 August 2009, that rescinds the following resolution:**

C240309/160.3

1. ***Due to its location with risk potential for structural damage to the nearby wall, the Norfolk Island Pine at 19 Cygnet Court, Glenelg North, be removed.***
2. ***Cost of removal and cost of replacement tree be funded by the resident, plus maintenance for 2 years at a predetermined cost.***
3. ***the Street Tree Strategy Review identifies a suitable street tree specials for future plantings in Cygnet Court, Glenelg North.***

And if successful

3. **That staff investigate and take such action as is deemed necessary to mitigate the risk posed by the Norfolk Island Pine located adjacent to the property at 19 Cygnet Court, Glenelg North. The cost of any such**

action to be borne by Council.

4. Mrs Elder be advised in writing of this decision and of any subsequent action to be taken in relation to the Norfolk Island Pine.

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.

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

22. Items in Confidence

- 22.1 Proposed Wind Turbine Trial, Somerton Surf Life Saving Club (Report No: 361/09)

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Ms P Aukett, Mr R Gregory and Ms W Matthews

Mr Tim O'Loughlin, Mr Richard Day and Mr Rodney Mitchell remained to make their presentation to Council.

C110809/447

Councillor Clancy moved and Councillor Beh 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

Councillor Beh left the chamber at 9:21pm.

Councillor Beh rejoined the chamber at 9:24pm.

Mr O'Loughlin, Mr Day and Mr Mitchell left the meeting at 10:20pm following their presentation.

Proposed Wind Turbine Trial, Somerton Surf Life Saving Club (Report No: 361/09)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C110809/449

Councillor Clancy moved and Councillor Huckstepp 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: 361/09 with the exception of Resolution No: C110809/447

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 retained in confidence until the Minister's announcement.

CARRIED

Councillor Crutchett left the chamber at 10:37pm.

Councillor Crutchett rejoined the chamber 10:40pm.

Councillor Huckstepp left the chamber at 10:40pm.

22.2 Whyte Street, Somerton Park

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Ms P Aukett, Mr R Gregory and Ms W Matthews

C110809/450

Councillor Clancy 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

Whyte Street, Somerton Park

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C110809/452

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 Whyte Street, Somerton Park with the exception of Resolution No: C110809/450 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 2010 by the Council.

Councillor Huckstepp rejoined the chamber at 10:42pm.

22.3 Question without Notice – Glenelg Football Club

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Ms P Aukett, Mr R Gregory and Ms W Matthews

C110809/453

Councillor Bouchée 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:
 - (ii) 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

Question without Notice – Glenelg Football Club

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C110809/454

Councillor Bouchée 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 Question without Notice – Glenelg Football Club with the exception of Resolution No: C110809/453 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 2010 by the Council.

23. Resumption

C110809/455

Councillor Beh moved and Councillor Lonie seconded that Council resume as an open meeting of Council at 10:46pm.

COUNCIL

3513

11.08.2009

CARRIED

24. Closure

The Meeting closed at 10:46pm.

CONFIRMED Tuesday 25 August 2009

MAYOR

