

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 25 August 2009 at 7:02pm.

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	J D Huckstepp
Councillor	S C Lonie
Councillor	T D Looker
Councillor	L van Camp
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
General Manager Alwyndor Aged Care	G J Potter

1. Opening

His Worship the Mayor declared the meeting open at 7:02pm.

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 A C Norton

4.2 Absent Nil

5. Items Presented to Council

5.1 SA Heritage Heroes 2009 Award – Holdfast Bay History Centre

The Holdfast Bay History Centre Volunteers received the SA Heritage Heroes 2009 Award in the Group category on 25 August 2009.

The Award recognises the work which the Holdfast Bay History Centre Volunteers have done since the group's inception in 2000, in looking after the City of Holdfast Bay's history, monitoring its built heritage, caring for the Council's collections of paintings, archival photographs and memorabilia.

This Award recognises the dedication, enthusiasm of more than 40 volunteers who share a passion for promoting, recording and conserving the history and heritage of the Holdfast Bay.

The Heritage Heroes award is public recognition for their devotion to the local history and heritage of the City of Holdfast Bay.

6. Declaration of Interest

Members were reminded to declare their interest before each item.

7. Confirmation of Minutes

C250809/456

Councillor Beh moved and Councillor Fisk seconded that the minutes of the Ordinary Meeting of Council held on 11 August 2009 be taken as read and confirmed.

CARRIED

8. Questions by Members

8.1 Without Notice

8.1.1 Beachouse Carpark – Safety Concern

Councillor Bouchée asked a question regarding a safety concern with water entering the structure via an electrical conduit.

The General Manager City Assets, Mr S Hodge took the question on notice.

8.1.2 Bin at Holdfast Shores Marina

Councillor Beh asked a question regarding the bin placed at Holdfast Shores without a surround.

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

8.1.3 Somerton Surf Lifesaving Club – Wind Turbine Project

Councillor Crutchett asked a question to see if the item held in confidence can be released due to advice of third parties by the SA Government

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

Councillor Crutchett asked a question regarding about how the wind turbines project is being handled.

His Worship the Mayor provided a response.**The Chief Executive Officer, Mr J Lynch provided a response.**

Councillor Bouchée asked a question regarding when did Administration know that the matter had been released and at what stage can we release the item from confidence.

The Chief Executive Officer, Mr J Lynch provided a response.**8.1.4 International Beach Volleyball**

Councillor Crutchett asked a question regarding the Mayor's attendance at a Political Luncheon on 20 April 2009 and asked if the issue of the International Beach Volleyball was discussed.

His Worship the Mayor provided a response.

Councillor Looker provided a further response.

8.1.5 Holdfast Bay History Centre Collection – Significance Assessment Report

Councillor Crutchett asked a question regarding the Holdfast Bay History Centre Collection – Significance Assessment Report which states that 40-50% of the collection is not kept to archival standards and what actions are being taken to remediate this issue.

His Worship the Mayor took the question on Notice.

8.2 With Notice Nil

9. Member's Activity Reports

9.1 Mayoral Report (Report No: 388/09)

10. Public Presentations

10.1 Petitions Nil

10.2 Presentations Nil

10.3 Deputations Nil

11. Motions on Notice

11.1 Norfolk Island Pine at 19 Cygnet Court, Glenelg North

In accordance with his notice:

C250809/457

Councillor Looker moved and Councillor Fisk seconded:**1. That the resolution of Council of 24 March 2009,***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 for future plantings in Cygnet Court, Glenelg North.*

be rescinded, and further move that

2. **That Council Administration take whatever steps are necessary to mitigate the risk posed by the Norfolk Island Pine planted adjacent to 19 Cygnet Court, Glenelg North, and that any costs incurred in mitigating the risks are borne by Council.**

LOST**Background**

While Council values every tree in the city residents expect us to act with common sense on all matters. This particular tree was planted too close to a block where there was a certainty that construction of a dwelling would occur on that boundary. It would be unreasonable for Council to insist on perpetuating a circumstance where it is highly likely future damage to the resident's property would occur and is easily avoided by action now. It should be noted that Section 245 of the Local Government Act indicates that should future damage occur then Council will be liable as the owner has written to Council asking for the risk to be averted.

12. Adjournment for Permanent Committees to meet

C250809/458

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

- **Economic and Corporate Committee; and**
- **Environment and Engineering Committee**

CARRIED**13. Economic and Corporate Committee****14. Environment and Engineering Committee****15. Resumption**

C250809/459

Councillor Deakin moved and Councillor Clancy seconded that Council resume at 8:29pm.**CARRIED****16. Minutes - Economic and Corporate Committee**

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

C250809/460

Councillor Fisk moved and Councillor Beh seconded:

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

Item in Brief (Report No: 371/09)

These items are presented for the information of Members and do not require a decision.

C250809/460.1

That the Committee recommends that Report No 371/09 be noted and items of interest discussed.

Monthly Financial Reports – July 2009 (Report No: 372/09)

This report provides Elected Members with monthly financial reports. It comprises a Funds Statement and a Capital Expenditure Statement for the year-to-date compared with the 2008/09 budget.

C250809/460.2

That the Committee recommends that Report No: 372/09 be received and noted**CARRIED****17. Minutes – Environment and Engineering Committee**

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

C250809/461

Councillor Huckstepp moved and Councillor Looker seconded:

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

Adjourned Item - Green Power Purchase and Solar Photovoltaic Installation (Report No: 393/09)

Environment and Engineering Committee at its meeting held on 26 May 2009 resolved to adjourn consideration of Report No: 227/09 to enable further information to be provided for Member's consideration.

The matter is now presented for further consideration.

C250809/461.1

That the Committee recommends:

1. **That Council notes data and figures provided on Power Purchase Agreements and the information be provided to the Environmental Advisory Committee for consideration in the 2010/11 HEAT Fund Program.**
2. **That following passing of the Federal Government Renewable Energy Target legislation (and subsequent Solar Credits Scheme), Administration enter into discussions with the City of Victor Harbour and Zen Solar, with a view to joining the Community Purchase of Renewable Energy Program Mark II.**

Items in Brief (Report No: 394/09)

Report No: 394/09 was presented detailing items which were presented for the information of Members.

C250809/461.2

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

Proposed Amendment of Regional Open Space Community Land Management Plan (Colley Reserve) to include the Beachouse Ferris Wheel Lease Area (Report No: 395/09)

Colley Reserve Regional Open Space on the Glenelg Foreshore is registered as Community Land. Council prepared a Community Land Management Plan in respect of Colley Reserve in December 2007. In October 2005 Council resolved to grant a lease over a small portion of Colley Reserve to the operators of the Beachouse for the purposes of establishing a single arm ferris wheel in association with the Beachouse entertainment precinct business.

Prior to October 2005, Council undertook consultation with the community to gauge support or otherwise for the potential lease arrangements as required by the *Local Government Act*.

Subsequent to resolving to grant the lease over a portion of Colley Reserve, the ferris wheel has now been developed, however, Council has not amended the Community Land Management Plan that relates to Colley Reserve to reflect the lease arrangements.

The purpose of this report is to report on community feedback regarding a proposed amendment to the Community Land Management Plan for Colley Reserve to accurately reflect the lease arrangements that exist for the ferris wheel.

No feedback was received and the Council may now seek endorsement from the Minister for Local Government to have the portion of land alienated by lease on Community Land.

C250809/461.3

That the Committee recommends that Council publish a public notice in accordance with section 198 of the Local Government Act to have the land occupied by the Ferris Wheel at Colley Reserve, Glenelg, leased as per the attached diagram (fig 1) and this be noted on the Community Land Management Plan Schedule.

Acacia Street, Seacliff – Slow Points Update (Report No: 396/09)

Council within the 2008/2009 capital works program budget agreed to implement three traffic calming devices in Acacia Street between Wheatland Street and Maitland Terrace, Seacliff. These angled slow points would help reduce speeding vehicles and discourage motorists from using this section of road as a short cut.

A budget of \$30,000 was allocated to the project and investigation has been completed and a concept design was submitted to Council's Assets Management Team. Since this time the scope of works has been altered to include a further three angled slow points along Acacia Street between Maitland Terrace and Pine Avenue. Plans have again been completed to encompass the extra scope of works including extra details on lighting and parking restrictions.

Letters have been delivered to all residents within the area informing them of the additional scope of works and Council's decision to carry out stage one of Acacia Street angled slow points between Wheatland Street and Maitland Terrace. Traffic data has been collected for both of these sections of Acacia St and the

total number of vehicles using this street has risen by 2000 v/day.

With the additional lighting works required as shown on the attached plans extra funding may have to be sought to complete stage one of the Acacia Street traffic control installations.

C250809/461.4

That the Committee recommends:

- 1. That the three angled slow points between Wheatland Street and Maitland Terrace be installed as described in the Attachment 1 at Report No. 396/09.**
- 2. That the three angled slow points from Maitland Terrace to Pine Avenue be delayed in order to evaluate the effectiveness of the slow points between Wheatland Street and Maitland Terrace and to allow further negotiation with residents over their location.**

Non Significant Street Tree Removal - 28 Adelphi Terrace, Glenelg North
(Report No: 397/09)

Council is requested to consider removal of one non-significant tree located within the road reserve at the side of 28 Adelphi Terrace, Glenelg North. The 10m high mature *Langenaria patersoni* Norfolk Island Hibiscus is not significant under the Development Act 1993, and is not compliant with the City of Holdfast Bay Street Tree Strategy for either Adelphi Terrace or West Lane.

C250809/461.5

That the Committee recommends:

- 1. That due to its location, health concerns, and potential for structural damage to the surrounding infrastructure, the *Langenaria patersoni* at 28 Adelphi Terrace, Glenelg North be removed at Council expense.**
- 2. That Council plant an *Allocasuarina verticillata* Drooping she-oak on the Patawalonga Frontage, Glenelg North adjacent to the above property, at Council expense.**

Significant Tree Removal – 40a Kauri Parade, Corner of Wheatland Street and Kauri Parade, Seacliff – Council Pocket Reserve (Report No: 398/09)

Due to issues of risk, Council is requested to consider removal of one significant tree on Council pocket reserve at 40A Kauri Parade, corner of Wheatland Street and Kauri Parade, Seacliff. The over mature to senescent *Melia azedarach* is significant under the Development Act 1993.

C250809/461.6

That the Committee recommends:

- 1. That subject to all necessary consents, due to potential for collapse, the *Melia azedarach* (White Cedar) at 40A Kauri Parade, at the corner of Wheatland Street and Kauri Parade, Seacliff be removed with costs to be met by Council.**
- 2. That two replacement trees with the potential to become significant, *Angophora Costata* (Smooth Barked Apple) be planted in the reserve, with costs to be met by Council.**

Proposed Bin Impoundment Fee (Report No: 399/09)

Under Section 188 of the *Local Government Act 1999*, Council has the ability to charge fees for activities which incur costs. This report seeks Council endorsement to implement a charge to cover the costs associated with returning impounded bins.

C250809/461.7

That the Committee recommends that Council endorses a charge of \$80 for returning impounded bins, which have previously received notification of

incorrect storage and presentation.

Jetty Road Glenelg, Rail Revitalisation, Replacement of Poles from Brighton Road to Partridge Street, Glenelg (Report No: 400/09)

Meetings to date with DTEI and Administration have developed a proposed plan for the redevelopment of the existing outdated tram poles along the eastern end of Jetty Road between Brighton Road and Partridge Street, Glenelg.

The current plan submitted to Council shows the implementation of kerb protuberances where the new tram poles could be installed a recommended 600mm from the back of kerb. The existing poles are currently 200mm from the back of kerb and if replaced in the same locations would be encompassed by the existing shop front infrastructure.

The new kerb protuberances will affect current parking conditions along Jetty Road, as shown on attachment one, by reducing the parking bays by four. To accommodate for this loss Council could reduce the existing number of kerb protuberances and regain three of the lost car parks. This will however mean that some trees may have to be relocated. In conjunction with this at the project completion a local area traffic management study could be conducted which could see the reduction in the amount of loading zones which in turn may create more parking spaces.

This section of Jetty Road is the last to have the power supply still running through over head power lines. By relocating the new poles out of the way of existing shop infrastructure the old poles can be left with the overhead power lines still attached and out of the way. ETSA have notified Administration that there is no undergrounding of power in this area programmed within the next two years. This being the case the old poles would need to stay and would become ETSA's infrastructure until they are removed once the power supply is placed underground.

C250809/461.8

That the Committee recommends:

1. **That Council approves the proposal to replace the existing tram poles on the eastern end of Jetty Road, Glenelg between Partridge Street and Brighton Road as indicated at Attachment 1 to Report No: 400/09.**
2. **That DTEI carry out a consultation process between adjacent traders, residents and the Jetty Road Main Street Board as part of the upgrading of the tram poles.**

2009/10 HEAT Fund Project Proposal (Report No: 401/09)

The initial HEAT Fund schedule of works for 2009/10 was based on quarantining \$300,000 directly from rate revenue. Having secured a sum of \$100,000 a reassessment of projects has been undertaken by Administration and the Environmental Advisory Committee and this report presents the 2009/10 HEAT project schedule for consideration and endorsement.

C250809/461.9

That the matter be adjourned for a Council Workshop on this issue as the proposal is significantly different to the business plan and the duplication of State/Federal Government programs. Demonstrate that the HEAT fund is being used for its intended purpose.

CARRIED**18. Reports of Committees, Subsidiaries and Development Assessment Panel**

- 18.1 Minutes - Arts Advisory Committee, 3 August 2009 (Report No: 385/09)

The Arts Advisory Committee was established to:

- To hold discussions with all arts groups within the City to discuss future requirements and possible needs, to ensure that ratepayers/residents and tourists can maximise their cultural experience.
- That the Committee report to Council on recommendations for future Council expenditure, prior to planning the 2009-2010 budget.

The minutes of the Arts Advisory Committee meeting held 3 August 2009, are attached and submitted to Council for information and endorsement, noting in particular the Committee's recommendations presented below.

C250809/462

Councillor Lonie moved and Councillor Heysen seconded that the minutes of the Arts Advisory Committee be received and the recommendations numbered 1 - 4 endorsed by Council:

Resignation of Community Arts Patron

1. **That the resignation be accepted and that a letter sent to J Jones for his contribution to the arts in Holdfast Bay.**

Arts database

2. **That Council endorses the establishment of an Artist Register for eventual inclusion onto the Council website.**

SALA Festival

3. **That the update be noted and participation in the 2009 SALA Festival discussed.**

Brighton Jetty Classic Sculptures By the Sea

4. **That the Committee recommends to Council, subject to incorporating the City of Holdfast Bay logo on promotional material for the 2010 Sculptures by the Sea Exhibition/Competition, a sponsorship donation of \$5,000 from the 2009/2010 Arts & Cultural Services Budget be granted to the Brighton Jetty Classic Sculptures by the Sea Committee for the staging the 2010 Exhibition/Competition.**

CARRIED

18.2 Information Report - Southern Region Waste Resource Authority
August 2009 (Report No:387/09)

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.

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.

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 meeting held on 3 August 2009.

C250809/463

Councillor Clancy moved and Councillor Lonie seconded:

1. That information reports of the Southern Region Waste Resource Authority for its meetings held 3 August 2009 be received and noted.
2. That Administration report on the continuing strategic and financial benefits or disadvantages of Council maintaining its 15% stake in SRWRA.

CARRIED

18.3 Minutes - Environmental Advisory Committee (Report No: 392/09)

The Environmental Advisory Committee was established to assist Administration to advise Council on environmental issues.

The Minutes of the Environmental Advisory Committee meeting held 10 August 2009, are attached and submitted to Council for information and endorsement.

C250809/464

Councillor Lonie moved and Councillor van Camp seconded that the minutes of the Environmental Advisory Committee be received and endorsed excluding Item 4.1.2 – 2009/10 Draft HEAT Fund Project Proposal in the EAC minutes until such time as the workshop has been held.**CARRIED**

18.4 Minutes - Jetty Road Mainstreet Management Committee (Report No: 390/09)

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 12 August 2009, are attached and presented for Councils' information.

C250809/465

Councillor Heysen moved and Councillor Fisk seconded that the following minutes of the Jetty Road Mainstreet Management Committee held 12 August 2009 be noted.**CARRIED**

18.5 Minutes - Volunteer Advisory Committee (Report No: 391/09)

The Volunteer Advisory Committee was established to assist Administration in achieving an approach to Volunteer programs that is consistent with the national standards and meets best practice.

The Minutes of the Volunteer Advisory Committee meeting held 13 August 2009, are attached and submitted to Council for information and endorsement

C250809/466

Councillor Lonie moved and Councillor Clancy seconded that the minutes of the Volunteer Advisory Committee meeting held 13 August 2009 be received and endorsed by Council.**CARRIED**

18.6 Minutes – Holdfast Bay History Centre (Report No: 389/09)

The Holdfast Bay History Centre was established to assist Administration in the management of the Holdfast Bay History Centre at Ringwood House, Brighton.

The Minutes of the Holdfast Bay History Centre Advisory Committee Meeting held 12 August 2009, are attached and submitted to Council for information and endorsement noting in particular the Committee's recommendations

C250809/467

Councillor Huckstepp moved and Councillor Bouchée seconded that the minutes of the Holdfast Bay History Centre Advisory Committee be received and endorsed.

CARRIED**19. Reports by Officers****19.1 Appointments to the Alwyndor Management Committee and Office Bearers 2009/2010 (Report No: 386/09)**

The Management Committee, in accordance with its Terms of Reference, has recurrent vacancies for three community-based members. The Committee members have expressed their willingness to continue as community elected representatives for a further two year term. The Alwyndor Management Committee recommends to Council the re-appointment of the three current members.

C250809/468

Councillor Clancy moved and Councillor Bouchee seconded:

- 1. That Council endorses the recommendation of the Alwyndor Management Committee in relation to membership appointments, and Mr Nick Hakof, Mr Ian Pratt and Mr Darryl Royans be reappointed for a further two year term on the Management Committee to expire on 30 June 2011 (subject to the receipt of a satisfactory National Police Clearance).**
- 2. That Council notes the Election of Office Bearers for the 2009/2010 financial year as presented in Attachment 2 to Report 386/09.**

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 Alwyndor Capital Redevelopment Program (Report No: 402/09)**

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Ms P Aukett, Mr G Potter, Mr G Sanford, Mr N Hakof and Ms W Matthews

C250809/469

Councillor Huckstepp left the chamber at 8:41pm.

Councillor Beh moved and Councillor Clancy 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

The Chairman Alwyndor Management Committee remained for this item.

Alwyndor Capital Redevelopment Program (Report No: 402/09)

Alwyndor provides some 134 permanent residential beds, across high and low care, dementia and respite care, complimented by on-site rehabilitation / allied health programs (1,000 clients) and community aged care packages (162), that operate on an out-reach basis within the community.

The Alwyndor Management Committee (AMC) has the responsibility to implement both short and long term planning that ensures that the building fabric and property is well maintained and fit for the purpose. The preparation and implementation of such planning ensures that the AMC meets its responsibilities and obligations to the City of Holdfast Bay Council (CHB) and to the present and future consumers of Alwyndor's services.

The competition within the aged care industry in general (and mirrored in the Southern Metropolitan Region of Adelaide), is such that the buildings / plant and equipment they contain, must continually be reviewed and updated to comply with current Government Legislation, evolving industry standards and community expectations.

Councillor Huckstepp rejoined the Chamber at 8:43pm.

Councillor Beh left the Chamber at 8:43pm.

Councillor Beh rejoined the Chamber at 8:46pm.

C250809/470

Councillor Heysen moved and Councillor Clancy seconded that:

- 1. Council receives the 'Capital Redevelopment Proposal' for the Alwyndor Aged Care Facility dated August 2009 and, in particular, notes the prudential report prepared by Realty Solutions contained at Attachment 1 to the report, to satisfy the requirements of Section 48 of the Local Government Act.**
- 2. Council notes the resolution of the Alwyndor Management Committee dated 21 July 2009 and the detailed process undertaken by the Committee in evaluating and formulating the redevelopment proposal.**
- 3. Council notes that Members have attended two workshops with the**

Alwyndor Management Committee in relation to the proposed redevelopment on 5 March and 4 August, 2009.

4. Council approves the provision of short-term bridging finance from municipal funds during the latter stage of construction.
5. Alwyndor Management Committee and AAC Administration provide project reporting to Council on a monthly basis during the term of the redevelopment project.
6. Council approves the redevelopment of Alwyndor Aged Care Facility to construct:
 - a. a two-storey building to provide a new 44 bed residential care facility, incorporating lifestyle and therapy services, community care and administrative accommodation;
 - b. upgrades to Cheater House and to existing Units 1, 4 and 5, including an additional lounge between Units 4 and 5; and
 - c. demolition of the existing Units 2 and 3as detailed in the 'Capital Redevelopment Proposal' subject to:
 - a. the receipt of a further report on the proposed terms of a contract (or contracts) to deliver the redevelopment project;
 - b. Council approval of the proposed contract (or contracts) prior to execution; and
 - c. receipt of a comprehensive project management plan.
7. Both the further report on the proposed terms of contract (contracts) and the comprehensive project management plan will be presented to Council for approval as soon as they are available.
8. That a Media Release be prepared based on the information in paragraphs numbered 1, 2, 3, 6, 7, 8 and 17 identified for release from Confidence be used to announce the project.

CARRIED

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C250809/471

Councillor Heysen moved and Councillor Clancy 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: 402/09 with the exception of paragraphs numbered 1, 2, 3, 6, 7, 8, 17 and the resolution be released from confidence excluding any financial information which is to be retained in confidence and Resolution No: C250809/469 for going into confidence be kept confidential and not available for public inspection on the basis that they deal with information the disclosure of which:
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest under Section 90(2) and 90(3)(b) of the Act
2. This resolution will be reviewed on or before 30 June 2010 by the Council.

CARRIED

Mr G Potter, Mr N Hakof and Mr S Hodge left the chamber at 8:52pm.

22.2. Items in Brief – Major Event Proposal (Report No: 403/09)

Council Officers Remaining: Mr J Lynch, Ms R Thomas, Ms P Aukett, Mr G Sanford and Ms W Matthews

C250809/472

Councillor Beh moved and Councillor Heysen 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

Item in Brief – Major Event Proposal (Report No: 403/09)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C250809/474

Councillor Lonie moved and Councillor Clancy 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: 403/09 with the exception of Resolution No: C250809/472 for going into confidence be kept confidential and not available for public inspection on the basis that they deal with information the disclosure of which:
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest under Section 90(2) and 90(3)(b) of the Act
2. This resolution will be retained in confidence until the event is announced.

CARRIED

A Division was called.

Voted For R D Beh R A Clancy J L Deakin L R Fisk S C Lonie	Voted Against R M Bouchée P N Crutchett P D H Heysen J D Huckstepp
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COUNCIL

3529

25.08.2009

T D Looker
L van Camp

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

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23. Resumption

C250809/475

Councillor Beh moved and Councillor Heysen seconded that Council resume as an open meeting of Council at 9:12pm.

CARRIED

24. Closure

The Meeting closed at 9:13pm.

CONFIRMED Tuesday 8 September 2009

MAYOR