

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 8 September 2009 at 7:04pm.

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	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

1. Opening

His Worship the Mayor declared the meeting open at 7:04pm.

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.

4. Apologies

- 4.1 Apologies Received Nil
- 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

C080909/476

Councillor Huckstepp moved and Councillor Clancy seconded that the minutes of the Ordinary Meeting of Council held on 25 August 2009 be taken as read and confirmed.

CARRIED

8. Questions by Members

8.1 Without Notice

8.1.1 Legal Advice and Actions

Councillor Beh asked a question regarding how Administration obtains Legal Advice and if there is a listing of all current/upcoming Legal Actions.

The Chief Executive Officer, Mr J Lynch sought clarification on the matter.

Councillor Bouchée sought further information from Councillor Beh regarding his question.

Councillor Beh clarified his question as it referred to actions which the Council is a party to current and may be a party to and have the potential to go further.

Councillor Clancy suggested that the resident contact the Council Chief Executive Officer directly to deal with this matter.

8.2 With Notice Nil

9. Member's Activity Reports

9.1 Supported Residential Facilities Advisory Committee

Councillor Heysen reported that he reported that he represented the Local Government Association at the Supported Residential Facilities Advisory Council.

9.2 Adelaide and Mt Lofty Ranges Natural Resources Management Board

Councillor Bouchée reported that as the Local Government Association Adelaide and Mt Lofty Ranges Natural Resources Management Board representative that the NRM Board has provided feedback to the Greater Adelaide 30 Year plan.

9.3 Annual Conference and Annual General Meeting of the Murray Darling Association

Councillor Crutchett reported that he attended the Annual Conference and Annual General Meeting of the Murray Darling Association. A further report will be presented at a future date.

10. Public Presentations

10.1 Petitions Nil

10.2 Presentations

10.2.1 Presentation by Inner Southern Business Enterprise Centre

Mr Alan Amezdroz, General Manager, Inner Southern Business Enterprise Centre made a 5 minute presentation to Council regarding the Inner Southern Business Enterprise Centre.

The Inner Southern Business Enterprise Centre (ISBEC) is a not-for-profit organisation supported by a unique partnership of Federal, State and Local Government (including the City of Holdfast Bay) together with the business sector.

The City of Holdfast Bay's has provided ongoing support since 2002, ISBEC provides Council with an independent mechanism to assist local businesses to grow and improve their capabilities.

ISBEC's aim is to provide practical assistance, information, counselling and support to new and existing businesses to foster the strongest possible business environment and employment opportunities within the region.

10.3 Deputations Nil

11. Motions on Notice

11.1 Wind Turbine Trial at Somerton Surf Lifesaving Club

His Worship the Mayor drew Members attention to the announcement that the trial will not be proceeding.

In accordance with his notice:

C080909/477

Councillor Norton moved and Councillor Huckstepp seconded that given the overwhelming negative response at the recent community meeting to discuss the proposed wind turbine trial at Somerton Surf Lifesaving Club, Council will not support the trial and therefore will not:

- 1. grant consent under clause 5 of the current lease agreement between the City of Holdfast Bay and the Somerton Surf Lifesaving Club Inc for the purposes of the State Government conducting a wind trial on the premises; or**
- 2. give consent to alter the fabric of the building for the purpose of conducting a wind trial on the premises.**

CARRIED

Councillor Norton presented the petition from residents which will be formally presented to Council in a future agenda.

Councillor Norton presented the report prepared by Ms C Fox MP, Member for Bright regarding the Wind Turbine Trial at the Somerton Surf Lifesaving Club.

Background

The huge attendance of ratepayers, from the adjoining area to the Somerton Surf Lifesaving Club, at the information and public presentation session held Tuesday 2 September 2009, was overwhelmingly opposed to the turbine trial. The vote taken at the completion of the meeting showed an extremely strong rejection of the trial.

The results of the feedback forms circulated by Ms Chloe Fox MP, Member for Bright, to every house in the adjoining streets, showed that there is 95% opposition to the proposed trial.

A petition of the area resulted in 107 signatures, to date, opposing this trial.

Both Dr Duncan McFetridge MP, Member for Morphett and Ms Chloe Fox MP, Member for Bright strongly oppose this trial.

12. Adjournment for Permanent Committees to meet

C080909/478

Councillor Beh moved and Councillor Looker 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

C080909/479

Councillor Beh 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.

C080909/480

Councillor Lonie moved and Councillor Huckstepp seconded:

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

13.7.1 Items in Brief (Report No: 409/09)

Report No: 409/09 was presented detailing items which were presented for the

information of Members.

C080909/480.1 That the Committee recommends that the report be noted and items of interest be discussed.

13.7.2 Delegations (Report No: 384/09)

Section 44 (6) of the Local Government Act 1999, requires Council to review its delegations at least once each financial year.

Delegations are the means by which Council can formally pass on its powers and functions to other bodies or individuals in order to efficiently and effectively manage the business of Council.

In order to give effect to the delegations, Council must first revoke all existing delegations and then resolve to adopt the new delegations, with any conditions or limitations, to the Chief Executive Officer. Subsequent to these delegations being made by Council, the Chief Executive Officer will then make any sub-delegations to other staff as appropriate.

Section 44 (6) of the Local Government Act 1999, requires Council to review its delegations at least once each financial year. The review has been undertaken by Administration and is presented for Council's endorsement.

C080909/480.2 That the Committee recommends that having conducted its annual review of the Council's Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Committee recommends to Council that:

1. Revocations:

1.1 Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:

- 1.1.1 Community Titles Act 1996**
- 1.1.2 Dog & Cat Management Act 1995**
- 1.1.3 Environment Protection Act 1993 and Environment Protection (Waste Management) Policy 1994**
- 1.1.4 Expiation of Offences Act 1996**
- 1.1.5 Fences Act 1975**
- 1.1.6 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005**
- 1.1.7 Food Act 2001**
- 1.1.8 Freedom of Information Act 1991**
- 1.1.9 Housing Improvement Act 1940**
- 1.1.10 Land & Business (Sale and Conveyancing) Act 1994**
- 1.1.11 Liquor Licensing Act 1997**
- 1.1.12 Local Government Act 1934**
- 1.1.13 Local Government Act 1999**
- 1.1.14 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management**

(Transitional Provisions - Levies) Regulations 2005

- 1.1.15 Occupational Health Safety & Welfare Act 1986**
- 1.1.16 Public and Environmental Health Act 1987 and Public and Environmental Health (Waste Control) Regulations 1995 and Public and Environmental Health (Legionella) Regulations 2008**
- 1.1.17 Roads (Opening & Closing) Act 1991**
- 1.1.18 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 1999 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999**
- 1.1.19 Supported Residential Facilities Act 1992**

2. Delegations made under Local Government Act 1999

2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Attachments 1-6, 8-14, 17 and 18 (each of which is individually identified as indicated below and distributed under separate cover) are hereby delegated this 25th day of August 2009 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

- 2.1.1 Community Titles Act 1996 (Attachment 1)**
- 2.2.2 Dog & Cat Management Act 1995 (Attachment 2)**
- 2.2.3 Environment Protection Act 1993 and Environmental Protection (Waste Management) Policy 1994 (Attachment 3)**
- 2.2.4 Expiation of Offences Act 1996 (Attachment 4)**
- 2.2.5 Fences Act 1975 (Attachment 5)**
- 2.2.6 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005 (Attachment 6)**
- 2.2.7 Freedom of Information Act 1991 and Freedom of Information (Fees and Charges) Regulations 2003 (Attachment 8)**
- 2.2.8 Housing Improvement Act 1940 (Attachment 9)**
- 2.2.9 Land & Business (Sale & Conveyancing) Act 1994 (Attachment 10)**
- 2.2.10 Liquor Licensing Act 1997 (Attachment 11)**
- 2.2.11 Local Government Act 1934 (Attachment 12)**
- 2.2.12 Local Government Act 1999 (Attachment 13)**
- 2.2.13 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005**

- (Attachment 14)**
- 2.2.14 Roads (Opening and Closing) Act 1991 (Attachment 17)**
- 2.2.15 Occupational Health Safety and Welfare Act 1986 (Attachment 15)**
- 2.2.16 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 1999 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999 (Attachment 18).**
- 2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.**
- 3. Delegations made under Food Act 2001**
- 3.1 In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 contained in the proposed Instrument of Delegation (annexed to the Report dated 25 August 2009 and entitled Review of Delegations and marked Attachment 7) (distributed under separate cover) are hereby delegated this 25 of August 2009 to the person occupying the office of Chief Executive Officer (“the head of the enforcement agency” for the purposes of the Food Act 2001), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.**
- 3.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.**
- 4. Delegations made under Public and Environmental Health Act 1987**
- 4.1 In exercise of the power contained in Section 6 of the Public and Environmental Health Act 1987, the powers and functions under the Public and Environmental Health Act 1987, Public and Environmental Health (Waste Control) Regulations 1995 and Public and Environmental Health (Legionella) Regulations 2008 contained in the proposed Instrument of Delegation (annexed to the Report dated 25 August 2009 and entitled Review of Delegations and marked Attachment 16) (distributed under separate cover) are hereby delegated this 25th day of August 2009 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Public and Environmental Health Act 1987.**
- 4.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit**

and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Public and Environmental Health Act 1987.

5. **Delegations under Supported Residential Facilities Act 1992**
 - 5.1 In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Residential Facilities Act 1992 contained in the proposed Instrument of Delegation (annexed to the Report dated 25 August 2009 and entitled Review of Delegations and marked Attachment 19) (distributed under separate cover) are hereby delegated this 25th day of August 2009 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.
 - 5.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.
6. **Authorisations and Subdelegation under the Road Traffic Act 1961**
 - 6.1 That, in accordance with the Notice to the Council dated 17 June 2006 from the Minister for Transport and Urban Planning (“the Minister’s Notice”), the Council authorises the following officers to exercise, for, and on behalf of the Council, the power conferred on the Council pursuant to the following clauses of the Minister’s Notice in relation to the Road Traffic Act 1961:
 - Clause A.1 – Chief Executive Officer, General Manager City Assets, Manager Infrastructure, Manager Regulatory Services, Buildings and Open Space Manager and Transport and Stormwater Technical Manager;
 - Clause B.1 – Chief Executive Officer, General Manger City Assets, Manager Infrastructure, Manager Regulatory Services, Buildings and Open Space Manager and Transport and Stormwater Technical Manager;
 - Clause C.1 – Chief Executive Officer, General Manger City Assets, Manager Infrastructure, Manager Regulatory Services, Buildings and Open Space Manager and Transport and Stormwater Technical Manager;
 - Clause D.1 – Chief Executive Officer, General Manger City Assets, Manager Infrastructure, Manager Regulatory Services, Buildings and Open Space Manager and Transport and Stormwater Technical Manager;

Clause E.1 – Chief Executive Officer, General Manager City Assets, Manager Infrastructure, Manager Regulatory Services, Buildings and Open Space Manager and Transport and Stormwater Technical Manager;

subject to –

- (i) the conditions contained in the Minister’s Notice; and**
- (ii) where applicable the conditions contained within the “Notice from the Commissioner of Highways for the Temporary use of Traffic Control Devices by persons other than Road Authorities” dated 8 April 2002, as amended from time to time;**
- (iii) any conditions contained in this Resolution or in such instrument; and**
- (iv) the creation of a separate instrument in writing reflecting such authorisations under the Minister’s Notice and this Resolution.**

6.2 The said instrument shall be in substantially the same form as the proposed instrument of authorisation annexed to the Report dated 25 August 2009 and entitled Review of Delegations and marked Attachment 20 (distributed under separate cover).

6.3 In exercise of the power contained in, and in accordance with, Clause F.1 of the Notice to the Council dated 17 June 2006 from the Minister for Transport (“the Minister’s Notice”), the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause F of the Minister’s Notice is hereby sub-delegated to the person occupying the office of Chief Executive Officer of the Council subject to:

- (i) the conditions contained in the Minister’s Notice; and**
- (ii) any conditions contained in this Resolution or in such instrument; and**
- (iii) the creation of a separate instrument in writing reflecting such subdelegation under the Minister’s Notice and this Resolution.**

6.4 The said instrument shall be in substantially the same form as the proposed instrument of subdelegation annexed to the Report dated 25 August 2009 and entitled Review of Delegations and marked Attachment 20 (distributed under separate cover).

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.

C080909/481

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:

14.7.1 Items in Brief (Report No: 406/09)

Report No: 406/09 was presented detailing items which were presented for the information of Members.

C080909/481.1

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

14.7.2 Application to the Office of the Liquor and Gambling Commissioner for a Variation to the Entertainment Consent by the Dublin Irish Pub (Report No: 404/09)

An application has been made to the Office of the Liquor and Gambling Commissioner by The Dublin Irish Pub seeking a Variation to the Entertainment Consent of its existing Hotel Licence. The variation seeks to include more diverse music styles plus noise mitigation measures. The purpose of this report is to seek Council's comments in order to inform the Office of the Liquor and Gambling Commissioner before a decision is made on the application.

C080909/481.2

Councillor Bouchée moved and Councillor Fisk seconded that the Committee recommends that Council advise the Office of the Liquor and Gambling Commissioner that it does object to the application by The Dublin Irish Pub for a Variation to Entertainment Consent at 11 Moseley Street, Glenelg given their past history and that the conditions are not enforceable, namely:

- **The closing of doors and windows within the premises.**
- **Prohibit loudspeakers to be placed on the fascia of the premises, balcony or any other adjacent outdoor area or footpath.**
- **That there is adequate overall monitoring and compliance**

14.7.3 Residential Coastal and Foreshore Zones Development Plan Amendment (Report No: 405/09)

The Statement of Intent to undertake a Residential Coastal and Residential Foreshore Zones and Miscellaneous Amendments Development Plan Amendment was endorsed by the Minister for Urban Development and Planning in September 2006. Since that time, a significant amount of research and investigation has occurred to develop a new set of policies for Holdfast Bay's coastal residential strip and foreshore areas that will provide more comprehensive building control, more closely represent community expectations, and align with the objectives of the Metropolitan Planning Strategy.

The policy directions arising from the investigations have been formulated into a draft set of new Development Plan policies which will be included in a full Development Plan Amendment (DPA) report for consultation release. However, prior to finalising the DPA itself, the draft policies are now presented to Council for endorsement.

C080909/481.3

That this matter be adjourned and referred to a Council Workshop for further consideration.

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

18.1 Minutes – Development Assessment Panel, 26 August 2009 (Report No: 412/09)

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.

C080909/482

Councillor Clancy moved and Councillor Looker seconded that the minutes of the Development Assessment Panel meeting held on Wednesday, 26 August 2009 be received.

CARRIED

Councillor van Camp left the Chamber at 8:26pm.

19. Reports by Officers

19.1 Adjourned Item – Coast Park Consultation and Design Project – Seacliff to Kingston Park – Tender Evaluation and Budgetary Consideration (Report No: 410/09)

Please Note: Attachment 1 to Report No:410/09 is confidential and is circulated to Members under separate cover. If Members wish to discuss information contained in Attachment 1 they will need to do so in confidence.

Council at its meeting held on 28 July 2009 resolved to adjourn consideration of Report No 329/09 until its meeting to be held on 8 September 2009, and sought further information for Member's consideration on the possibility of seeking further funding from the Department of Planning and Local Government in order to complete the Coast Park Design and Consultation Project for the two remaining foreshore sections in Holdfast Bay.

The matter is now presented for further consideration.

C080909/483

Councillor Clancy moved and Councillor Huckstepp seconded that the report be received and the adjourned item Report No 329/09, Coast Park Consultation & Design Project – Seacliff to Kingston Park – Tender Evaluation & Budgetary Consideration be reconsidered, together with the following amended recommendations:

- 1. That the project be expanded to include consultation and design of all remaining coast park areas, excepting Minda Dunes area, within The City of Holdfast Bay.**
- 2. That administration seeks additional funding from the Department of Planning and Local Government of \$80,000 on a dollar for dollar basis to assist funding of the additional work.**
- 3. That subject to the Department of Planning and Local Government's funding being made available, Council provide \$80,000 in this financial year 2009 – 10 to match the proposed funding from DPLG.**
- 4 That subject to The Department of Planning and Local Government providing grant funds of \$80,000 the complete consultation and design project for the remainder of Coast Park (excepting Minda Dunes) be awarded to GHD.**
- 5. Works commence as soon as a positive outcome from the grant submission is known, with a view to completing the project by March 2010.**

CARRIED

Councillor van Camp rejoined the Chamber at 8:31pm.

19.2 Items in Brief (Report No: 411/09)

Report No: 411/09 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

C080909/484

Councillor Bouchée moved and Councillor Lonie seconded that the report be noted and items of interest be discussed.

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

21.1 Partridge House Advisory Committee

C080909/485

Councillor Fisk moved and Councillor Heysen seconded that Councillor Bouchée be appointed to the Partridge House Advisory Committee

CARRIED

21.2 King Street Bridge

Councillor Beh asked Administration if they could provide advice regarding the timeframe and requirements of the King Street Bridge Funding

The Chief Executive Officer, Mr J Lynch took the question on notice.

21.3 Workshop on Noise

Councillor van Camp suggested that Administration arrange for a short workshop be held prior to a Council Meeting on Noise and Frequency to better to inform members on this issue and to provide context.

21.4 Public Meeting – Somerton Surf Lifesaving Club

His Worship the Mayor raised concerns regarding the way that majority and minority views are heard at a public meetings and has requested that Administration prepare guidelines for the conduct of future public meetings.

22. Items in Confidence

22.1 Item in Brief - Glenelg Cinema Building, Jetty Road Glenelg (Report No: 408/09)

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

C080909/486

Councillor Beh moved and Councillor Huckstepp seconded that, pursuant to Section 90(2) and 90(3)(j) 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 the disclosure of which**
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and**
 - (ii) would, on balance, be contrary to the public interest.**

CARRIED

Item in Brief - Glenelg Cinema Building, Jetty Road Glenelg (Report No 408/09)

Report No: 408/09 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

C080909/487

Councillor Heysen moved and Councillor Fisk seconded that the report be noted and items of interest be discussed.

CARRIED

ORDER TO RELEASE DOCUMENTS FROM CONFIDENCE

C080909/488

Councillor Bouchée moved and Councillor Clancy seconded that the documents and minutes relating to Report No: 408/09 be released from confidence and made available for public inspection.

CARRIED

22.2 Items in Brief - 3-5 College Street at Glenelg (Report No: 407/09)

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Mr I

Walker, Ms P Aukett and Miss W Matthews

C080909/489

Councillor Clancy moved and Councillor Heysen seconded that, pursuant to Section 90(2) and 90(3)(j) 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 the disclosure of which**
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and**
 - (ii) would, on balance, be contrary to the public interest.**

CARRIED

Item in Brief - 3-5 College Street at Glenelg (Report No: 407/09)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C080909/491

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

- 1. The Council orders that the documents and minutes relating to Report No: 407/09 with the exception of Resolution No: C080909/489 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) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and**
 - (ii) would, on balance, be contrary to the public interest under Section 90 (2) and 90(3)(j) of the Act.**
- 2. This resolution will be reviewed on or before 30 June 2010 by the Council.**

CARRIED

23. Resumption

C080909/492

Councillor Beh moved and Councillor Huckstepp seconded that Council resume as an open meeting of Council at 8:41pm.

CARRIED

24. Closure

The Meeting closed at 8:41pm.

CONFIRMED Tuesday 22 September 2009

MAYOR