

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 27 October 2009 at 7:05pm.

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 – 7:25pm.
Councillor	T D Looker
Chief Executive Officer	J P Lynch
General Manager City Assets	S G Hodge
General Manager City Services	R A Thomas
General Manager Corporate Services	I S Walker
Manager Governance and Policy	P E Aukett

1. Opening

His Worship the Mayor declared the meeting open at 7.05 pm.

2. Kurna Acknowledgement

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

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

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

3. Prayer

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

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

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

4. Apologies

4.1 Apologies Received Councillors Norton and van Camp

4.2 Absent Nil

5. Items Presented to Council

The Consul General of Japan presented the City of Holdfast Bay with a lacquered case in appreciation of the hospitality shown to him during his brief visit to the City of Holdfast Bay.

6. Declaration of Interest

Members were reminded to declare their interest before each item.

7. Confirmation of Minutes

C271009/543

Councillor Huckstepp moved and Councillor Bouchée seconded that the minutes of the Ordinary Meeting of Council held on Tuesday 13 October 2009 be taken as read and confirmed.

CARRIED

8. Questions by Members

8.1 Without Notice Nil

8.2 With Notice Nil

9. Member's Activity Reports

C271009/544

Councillor Clancy moved and Councillor Beh seconded that the Mayor's activity report be accepted.

CARRIED

10. Public Presentations

10.1 Petitions Nil

10.2 Presentations Nil

10.3 Deputations Nil

11. Motions on Notice

11.1 Feasibility for establishment of Artscape

In accordance with her notice:

C271009/545

Councillor Bouchée moved and Councillor Heysen seconded that the Chief Executive Officer initiate an investigation into the opportunities/feasibility for the establishment of an Artscape Corridor along the Coast Park connecting Glenelg North-Glenelg-Brighton-Seacliff, which could include sculpture/mosaic/garden furniture/utilitarian sculpture etc...and report back, including on going maintenance costs, to Council when ready.

CARRIED

Background

There are some elements of art already along some of the coast park and what does exist creates interest for residents and tourists. This can be a staged/managed program and will involve the Art's Committee and the community as a whole. It is an opportunity and maybe this is the time to start thinking about the possibilities.....

11.2 CCTV Cameras within Glenelg Entertainment Area

In accordance with her notice:

C271009/546

Councillor Bouchée moved and Councillor Deakin seconded that the Chief Executive Officer investigate the feasibility of including the purchase of 2 more CCTV cameras over the next 2 financial years for installation within the western end of Glenelg entertainment area, location of the installations to be negotiated with the police management located at Sussex Street, and that the feasibility of mobile cameras being fitted into security cars be considered.

CARRIED

Background

After several meetings to establish a Neighbourhood Watch in this area, it has become evident that geographic black holes could be covered by the installation of a few more cameras eg Moseley Street (Backpackers) and maybe Colley or Holdfast Walk (Pier Hotel).

11.3 New Year's Eve

In accordance with her notice:

Councillor Bouchée moved and Councillor Fisk seconded that Council trial the New Years Eve fireworks in Glenelg to coincide with the timing of the fireworks in Brighton at 9.30pm - 10.30pm, in 2010.

LOST

A Division was called.

Voted For

L R Fisk

P N Crutchett

R M Bouchée

Voted Against

R D Beh

R A Clancy

J L Deakin

J D Huckstepp

T D Looker

P D Heysen

HIS WORSHIP THE MAYOR DECLARED THE MOTION LOST

Councillor Beh moved that Council consider holding the New Years Eve fireworks in Glenelg to coincide with the timing of the fireworks in Brighton at 9.30am – 10.30pm, in 2010.

THIS MOTION LAPSED FOR WANT OF A SECONDER

Background

I believe that it is now time to reclaim the night for families/ visitors and residents and not have to contend with the anti social behaviour of some who

ruin this night that could be enjoyed by all. Maybe the increased opportunities in Adelaide on the night would be more enjoyable for the younger group.

It has been suggested that they will still come down by the police...but let us try it for one year...we may be surprised.

The General Manager City Services, Ms R Thomas's comment.

With only 8 weeks to go, the arrangements for New Years Eve celebrations at Glenelg are well advanced including the booking of the live entertainment to perform between 8.30pm and 12.30am (including the usual count down at midnight); security patrols, road closures, St John, Transport, contractors and SES. A change to one of the key attractions of NYE at the Bay, the fireworks, at this late stage of event planning will create a number of difficulties as operational plans have been developed and contractors booked across many support areas of this event.

For the information of Members, Administration did seek out sponsorship to hold an early 9.30pm fireworks display at Glenelg (in addition to the midnight fireworks), the aim being to attract more families to Glenelg (who then might stay until midnight). Unfortunately, we were not successful in gaining any sponsorship.

Since the commencement of early fireworks at Brighton, it is evident that fewer families are prepared to come down to Glenelg for New Years Eve.

11.4 Whales

This motion was withdrawn by Councillor Norton.

12. Adjournment for Permanent Committees to meet

C271009/547

Councillor Clancy 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

Councillor Lonie arrived at the meeting at 7.25pm.

14. Environment and Engineering Committee

15. Resumption

C271009/548

Councillor Looker moved and Councillor Lonie seconded that Council resume at 8.25pm.

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.

C271009/549

Councillor Looker moved and Councillor Fisk 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:**

13.7.1 Item in Brief (Report No: 479/09)

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

C271009/549.1

That the Committee recommends that Report No 479/09 be noted and items of interest discussed.

13.7.2 Monthly Financial Reports – September 2009 (Report No: 480/09)

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 2009/10 budget.

C271009/549.2

That the Committee recommends that Report No: 480/09 be received and noted.

13.7.3 Licence – Brighton United Lodge No: 10 Car Park Land (Report No: 481/09)

Brighton United Lodge No 10 has written to Council advising that it is prepared to offer a licence to Council for a term of 5 years from 1 May 2009 to use the carpark land owned by the Lodge on the eastern side of the rail corridor in Commercial Road, Brighton. This offer extends previous arrangements between the parties which expired on 30 April 2009.

C271009/549.3

That the Committee recommends:

- 1. That Council enter into the proposed licence agreement with Brighton United Lodge No 10, for a period of 5 years commencing on 1 May 2009, at an annual licence fee of \$1 pa payable on demand.**
- 2. That His Worship the Mayor and the Chief Executive Officer be authorised to sign and seal any documentation in relation to the proposed licence.**

13.7.4 Broadway Kiosk Air Conditioning Plant (Report No: 482/09)

The lessee of the Broadway Kiosk has written to Council seeking to relocate the internal air-conditioning plant to the northern end of the kiosk within the existing lease area. Council approval for the works is required in accordance with the terms of the lease agreement.

C271009/549.4

That this item be adjourned until a report is received on the appropriateness of the air conditioning unit, and on any implications for residents and outdoor diners.

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.

C271009/550

Councillor Huckstepp moved and Councillor Deakin 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:**

14.7.1 Items in Brief (Report No: 484/09)

Report No: 484/09 was presented detailing items which were presented for the information of Members.

C271009/550.1

That the Committee recommends that the Report No 484/09 be noted and items of interest be discussed.

14.7.2 King Street Bridge Replacement – Successful Funding Through The Special - Local Roads Program (SLRP) (Report No: 485/09)

On the 27 May 2008, Council resolved that they will continue to actively pursue funding partnerships for the King Street Bridge replacement and that Council will consider making a funding submission for the Special Local Roads Program (SLRP) funds for 2009/2010.

On the 1 September 2009, Council received advice from the Hon Gail Gago MLC that Council was successful in their application for \$1.5million during financial year 2009/2010.

C271009/550.2

~~**Councillor Crutchett moved and Councillor Clancy seconded that That:**~~

- 1. That Council formally agrees to replace the King Street Bridge.**
- 2. That Council accepts the funding offer of \$1.5million through the special projects component of the Roads to Recovery Grant.**
- 3. That Administration continues discussions with the Department of Water, Land and Biodiversity Conservation (DWLBC) regarding the option of relocating the barrage gates to the King Street Bridge site.**
- 4. That Administration prepares a scope of works specification for inclusion in a separable portions contract for a public tender submission to be advertised as soon as possible.**

C271009/550.3

That the scope of works include the opportunity for tenderers to suggest, iconic design features or sculptural design elements to create a local landmark be included as a separate cost.

14.7.3 Significant Street Tree Removal – Adjacent 15 Brimble Street, North Brighton (Report No: 486/09)

Council is requested to consider removal of one significant tree adjacent to 15 Brimble Street, North Brighton. The 5m high mature *Prunus* species is significant under the Development Act 1993 and is not compliant with the Street Tree Strategy.

C271009/550.4

That the Committee recommends:

- 1. That subject to all necessary consents, due to its poor condition, the *Prunus* (Flowering Peach) adjacent to 15 Brimble Street, North**

Brighton be removed with costs to be met by Council.

- 2. That two replacement trees with the potential to become significant, *Eucalypus* species, be planted in nearby Bowker Oval, with costs to be met by Council.**

14.7.4 North Brighton to Kingston Park Coast Park Design – Project Update and Community Reference Group Nomination Process (Report No: 48709)

The Coast Park Consultation and Design Project for North Brighton to Kingston Park has commenced following Council's endorsement of the project on 8 September 2009 (Report No: 410/09) and receipt of additional funding support on 11 September 2009 from the Department of Planning and Local Government. The first stage of the project has involved an initial consultation process to gauge community ideas and expectations. A key component has also involved a process of clarifying public interest by establishing a Community Reference Group which calls for nominations from interested and affected stakeholders to work with Council staff, the project consultants and elected representatives of Council to assist in developing an initial draft concept plan.

The purpose of this report is to provide the Elected Members with an update on the Project and seek endorsement for the process to evaluate and nominate the preferred candidates for appointment to the Community Reference Group.

C271009/550.5

That the Committee recommends that Council nominates the following Elected Members to assist Administration to evaluate and nominate the preferred candidates (approximately 8) for appointment to a Community Reference Group to provide input into the Coast Park Consultation and Design Project for the section of coast park between North Brighton and Kingston Park:

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

14.7.5 2009/2010 Heat Fund Project Proposal (Report No: 488/09)

Following a report to Council on 25 August 2009 (Report No: 401/09), Council resolved the following:

'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.'

This report summarises the findings from the workshop held on Tuesday 13 October 2009 and recommends a project proposal for the 2009/2010 financial year.

C271009/550.6

That the Committee recommends:

- 1. That Council endorses the draft 2009/10 HEAT Fund Project proposal as detailed:**

Buildings Energy Efficiency Program	\$25,000
Stormwater Retention & Reuse Program(s)	\$70,000
<u>Vehicle Fleet Offsets Program</u>	<u>\$ 5,000</u>

Total **\$100,000**

That Administration explores all external opportunities for funding including the Federal Government's 'Water for the Future' Program.

CARRIED

18. Reports of Committees, Subsidiaries and Development Assessment Panel

18.1 Minutes – Development Assessment Panel, 23 September 2009
(Report No: 469/09)

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.

C271009/551

Councillor Clancy moved and Councillor Looker seconded that the following minutes of the Development Assessment Panel held Wednesday 23 September 2009 be received.

CARRIED

18.2 Minutes – Events Advisory Committee, 19 October 2009
(Report No: 489/09)

The Events Advisory Committee was established to:

- Advise Council on recommendations for Council Expenditure prior to the annual budget cycle.
- Foster and encourage resident focussed events.
- Seek partnerships to develop new community events.
- Provide advice when required regarding Council's major Civic Events.
- Evaluate events at their completion and make recommendations to Council if required.

C271009/552

Councillor Fisk moved and Councillor Lonie seconded that the minutes of the Events Advisory Committee held Monday 19 October 2009 be received and the recommendations numbered 1 - 4 endorsed by Council.

- 1. The Events Advisory Committee recommends that Council endorse the staging of the 2011 Australian IRB Championships on Glenelg Beach.**
- 2. The Events Advisory Committee recommends that Council provides support for the National IRB Championships event subject to the provision, assessment and agreement of further details.**
- 3. The Events Advisory Committee recommends that Council considers**

a contribution of in-kind support to the value of \$5,000 to this event as part of the 2010/2011 budget deliberations.

4. **The Events Advisory Committee recommends that Council suggests that the Glenelg Surf Life Saving Club seek the additional \$5,000 cash sponsorship from external sources.**

CARRIED

18.3 Minutes – Jetty Road Mainstreet Management Committee, 14 October 2009 (Report No: 494/09)

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 committee's Terms of Reference and given the committee delegated authority to manage the business of the committee.

C271009/553

Councillor Fisk moved and Councillor Lonie seconded that the following minutes of the Jetty Road Mainstreet Management Committee held Wednesday 14 October 2009 be received and the following recommendations numbers 1-7 be noted.

Sponsorship Expenditure

1. **That the Sponsorship Expenditure Report be received and noted and sponsorship support as discussed be made available to those groups listed in the report.**
2. **That Administration establish and maintain a list of businesses within the precinct who wish to be considered for supplying mobile catering services at events held in and adjacent to the precinct.**
3. **That the Committee recommends providing Jetty Road Trader vouchers to the showbags for the Australia Cadet Class sailing event.**

Update on the Costs/Budget for Christmas Decorations and Lighting:

4. **That the Update on the Costs/Budget for Christmas Decorations and Lighting Report be received and noted.**
5. **That the Committee agrees to use stainless steel fittings for the tree lighting and a demonstration of the lights in Moseley Square for to be arranged.**

Budget Update

6. **That the Budget Update Report be received and noted.**

Recent Council Decision Regarding the Tourist Tram

7. **That the recent Council decision regarding the Tourist Tram be received and noted.**

CARRIED

18.4 Minutes – Alwyndor Aged Care Management Committee, 20 October 2009 (Report No: 496/09)

The Alwyndor Aged Care Management Committee was established to manage the affairs of Alwyndor Aged Care Facility. The Council has

endorsed the Committee's Terms of Reference and given the Committee delegated authority to manage the business of Alwyndor Aged Care Facility.

C271009/554

Councillor Fisk moved and Councillor Lonie seconded that the following minutes of the Alwyndor Aged Care Management Committee held Tuesday 20 October 2009 be received and noted.

CARRIED

19. Reports by Officers

19.1 Use of Term 'In Principle Support' (Report No: 465/09)

A resolution which provides 'in principle support' to a project or activity is intended to signify Council's general support and acceptance of a proposal. It is not intended to be taken as Council's final decision on the matter. Concern has been expressed that this phrase could be misconstrued. This is remedied by including extra words into the resolution to clarify and strengthen Council's intent.

C271009/555

Councillor Crutchett moved and Councillor Bouchée seconded that when Council resolves to give 'in principle support' to a project or activity, it includes in the resolution clear directions on any further action or information required before final approval is given. The resolution is also to contain a disclaimer clearly articulating that this decision is not Council's final decision, and does not commit Council to ultimately proceeding with the project or activity.

CARRIED

19.2 Committee Register Review (Report No: 466/09)

A review of the Committee Register (Council Standing and Special Purpose Committees) has identified a number of changes to the special purpose committees.

C271009/556

Councillor Deakin moved and Councillor Heysen seconded that Council:

- 1. Removes the following Advisory Committees from the Committee Register:**
 - 1.1 Residential Coastal and Foreshore Zone Development Plan Amendment Advisory Committee;**
 - 1.2 Kingston Park Urban Design Advisory Committee;**
 - 1.3 International Liaison Advisory Committee;**
 - 1.4 Development Assessment Panel Independent Members Selection Panel; and**
 - 1.5 Chief Executive Officer Recruitment Committee.**
- 2. Makes the following amendments to:**
 - 2.1 Glenelg Community Centre Property Management Committee amending its name to be Glenelg Community Centre Advisory Committee;**
 - 2.2 Rating Review Advisory Committee amending its name to be the Rates Advisory Committee and altering its membership to include at least one Councillor from each Council Ward.**

CARRIED

- C271009/557** **Councillor Crutchett moved and Councillor Bouchée seconded nominated the following councillors to attend the Rates Advisory Committee - Councillors Crutchett, Deakin, Clancy and Fisk.**

CARRIED

19.3 Local Government Amendment Bills 2009 (Report No: 468/09)

Two Local Government Amendment Bills, The Local Government (Elections) (Miscellaneous) Amendment Bill 2009 and Statutes Amendment (Council Allowances) Bill 2009 are currently before Parliament. The Minister for State/Local Government Relations is also seeking feedback from Councils on a third bill, the Local Government (Accountability Framework) Amendment Bill 2009. Feedback received from staff at the City of Holdfast Bay on the three Bills has been of a minor nature, and is generally supportive.

- C271009/558** **Councillor Fisk moved and Councillor Looker seconded that Council informs Minister Gago that they have noted the proposals put forward in the *Local Government (Accountability Framework) Amendment Bill 2009*, and are broadly supportive of her call for greater local government accountability.**

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

- C271009/559** **Councillor Looker moved and Councillor Beh seconded that Item 21.1 be accepted as a late item.**

CARRIED

21.1 Trial Glenelg Tourist Tram Service

- C271009/560** **Councillor Bouchée moved and Councillor Heysen seconded that:**

- 1. That Council contributes an additional \$10,000 to the amount already committed (being \$20,000 from Council and up to \$20,000 from the Jetty Road Mainstreet Management Committee), with any shortfall met by JRMMC, to the trial Tourist Tram Service.**
- 2. That Administration prepares a response to TransAdelaide outlining a proposal based on the requirements contained within this report, and seeks written advice from Council's insurer as to Council's position in relation to public liability insurance.**
- 3. That subject to receiving written advice from Council's insurer supporting the proposal, Administration responds to TransAdelaide with the proposal.**
- 4. That subject to reaching agreement with TransAdelaide, Administration proceed with the trial Tourist Tram Service.**
- 5. That Administration report back to Council at the conclusion of the**

trial period regarding the success or otherwise of the Glenelg Tourist Tram Service, prior to a commitment being made to negotiate any future service.

CARRIED

A Division was called

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

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

22. Items in Confidence

22.1 Glenelg Football Club Sponsorship Signage (Report No: 470/09)

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

C271009/561

Councillor Clancy moved and Councillor Lonie 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

Glenelg Football Club Sponsorship Signage (Report No: 470/09)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C271009/563

Councillor Lonie moved and Councillor Crutchett 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: 470/09 with the exception of Resolution No: C271009/572 for going into confidence be kept confidential and not available for public inspection, until 30 November 2009, 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

CARRIED

**22.2 Update on Patawalonga Boat Lock, Glenelg North
(Report No: 475/09)**

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

C271009/564

Councillor Beh moved and Councillor Bouchee seconded that, pursuant to Section 90(2) and 90(3)(i) of the Local Government Act 1999 the Council order that the public be excluded from attendance at the meeting, with the exception of Council officers and any other visitors permitted to remain, after taking into account the relevant considerations under Section 90(3), on the basis that it will receive, discuss or consider the following:

- **information relating to actual litigation, or litigation that the Council or Council Committee believes on reasonable grounds will take place, involving the Council or an employee of the Council.**

CARRIED

Update on Patawalonga Boat Lock, Glenelg North (Report No: 475/09)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C271009/566

Councillor Crutchett moved and Councillor Fisk seconded that pursuant to Section 90(2), 90(3)(i) and 91(7) of the Local Government Act 1999:

1. **The Council orders that the documents and minutes relating to Report No:475/09 with the exception of Resolution No: C271009/575 for going into confidence be kept confidential and not available for public inspection until the Government has been advised of Council's decision on the basis that they deal with information relating to actual litigation, or litigation that the Council or Council Committee believes on reasonable grounds will take place, involving the Council or an employee of the Council, under Section 90 (2) and 90(3)(i) of the Act.**

CARRIED

**22.3 Jetty Road Mainstreet Management Committee Minutes (Report
No: 495/09)**

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

C271009/567

Councillor Lonie moved and Councillor Heysen seconded that, pursuant to Section 90(2) and 90(3)(k) of the Local Government Act 1999 the Council order that the public be excluded from attendance at the meeting, with the exception of Council officers and any other visitors permitted to remain, after taking into account the relevant considerations under Section 90(3), on the basis that it will receive, discuss or consider the following:

- **information relating to tenders for the supply of goods, the provision of services or the carrying out of works.**

CARRIED

Jetty Road Mainstreet Management Committee Minutes (Report No: 495/09)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**C271009/569****Councillor Lonie moved and Councillor Fisk seconded that pursuant to Section 90(2), 90(3)(k) and 91(7) of the Local Government Act 1999:**

- 1. The Council orders that the documents and minutes relating to Report No: 495/09 with the exception of Resolution No: C271009/578 for going into confidence be kept confidential and not available for public inspection, until the Mainstreet Board has advised the successful tender, on the basis that they deal with information relating to tenders for the supply of goods, the provision of services or the carrying out of works, under Section 90 (2) and 90(3)(k) of the Act.**

CARRIED**22.4 Alwyndor Aged Care Management Committee Minutes
(Report No: 497/09)**

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

C271009/570**Councillor Heysen moved and Councillor Huckstepp seconded that, pursuant to Section 90(2) and 90(3)(b) of the Local Government Act 1999 the Council order that the public be excluded from attendance at the meeting, with the exception of Council officers and any other visitors permitted to remain, after taking into account the relevant considerations under Section 90(3)(b), on the basis that it will receive, discuss or consider the following:**

- **information or matter the disclosure of which –**
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and**
 - (ii) would, on balance, be contrary to the public interest.**

CARRIED

Alwyndor Aged Care Management Committee Minutes (Report No: 497/09)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**C271009/572****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: 497/09 with the exception of Resolution No: C271009/581 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

22.5 Land Sale

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

C271009/573

Councillor Bouchée 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

Land Sale

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C271009/574

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

1. The Council orders that the minutes relating to the question with the exception of Resolution No: C271009/584 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

23. Resumption

C271009/586

Councillor Lonie moved and Councillor Heysen seconded that Council resume as an open meeting of Council at 9.56 pm.

CARRIED

24. Closure

The Meeting closed at 9.56 pm

CONFIRMED Tuesday 10 November 2009

MAYOR