

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 13 December 2011 at 7:00pm.

PRESENT

His Worship the Mayor	A K Rollond
Deputy Mayor	R A Clancy
Councillor	R M Bouchée
Councillor	P W Dixon
Councillor	K M Donaldson
Councillor	L R Fisk
Councillor	J D Huckstepp
Councillor	T D Looker
Councillor	S Patterson
Councillor	R C Patton
Councillor	A P Roe
Councillor	L J Yates
Chief Executive Officer	J P Lynch
General Manager City Assets	S G Hodge
General Manager City Services	R A Cooper
General Manager Corporate Services	I S Walker

1. Opening

His Worship the Mayor declared the meeting open at 7.00pm.

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 S C Lonie

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**

C131211/351

Councillor Clancy moved and Councillor Huckstepp seconded that the minutes of the Ordinary Meeting of Council held on 22 November 2011 be taken as read and confirmed.

CARRIED

8. **Questions by Members**

8.1 Without Notice

8.1.1 List of Upcoming Projects

Councillor Bouchée asked if – getting list of projects and reports

The Manager Organisational Sustainability provided a response.

8.2 With Notice Nil

9. **Member's Activity Reports**

9.1 Mayoral Report (Report No: 455/11)

Presented for the information of Members is the Activity Report for the Mayor for July - November 2011

9.2 Lifelinks Christmas Party at Partridge House

Councillor Huckstepp reported that he and Councillor Yates attended Lifelinks Christmas Party at Partridge House.

9.3 Western Region Waste Management Authority

Councillor Bouchée informed members about her media comments in the Port Adelaide area's Messenger newspaper, made as the chair of the Western Region Waste Management Authority.

9.4 Metro Seaside Councils

Councillor Dixon reported that he attended bus trip from Aldinga to North Haven with the Metro Seaside Councils group looking at sand dunes.

10. **Public Presentations**

10.1 Petitions

10.1.1 Pedestrian Crossing, Brighton Road, Hove

A petition has been received from 228 citizens of South Australia requesting for Council to advocate on their behalf to have a pedestrian crossing at Brighton Road, Hove installed.

The petition states as follows:

'We the undersigned petition the City of Holdfast Bay to advocate on our behalf and formally present our petition to the Member for Bright, Ms Chloe Fox MP and to the Minister for Transport, so that meaningful discussions regarding the provision of a pedestrian crossing on Brighton Road at Hove can be undertaken.'

C131211/352

Councillor Donaldson moved and Councillor Clancy seconded

- 1. That the petition be received by Council.**
- 2. That the petitioner be advised that Council will present the petition to the Hon Chloe Fox MP, Minister for Transport Services and the Hon Patrick Conlon MP Minister for Transport and Infrastructure.**

CARRIED

10.2 Presentations Nil

10.3 Deputations Nil

11. Motions on Notice

11.1 Adjourned Motion on Notice - Improved Control of Dogs

At the Council Meeting held 22 November 2011, the Motion on Notice – Improved Control of Dogs was adjourned so that further consultation could be made on this issue, and the matter is represented for further debate and decision.

C131211/353

Councillor Looker moved and Councillor Clancy seconded that council writes to the responsible Minister and the Dog and Cat Management Board seeking strategies to increase community safety through the improved controlling of dogs. To encourage our community to make their dogs "safer" while in the public domain under the Dog and Cat Management Act.

- 1. Increase penalties for dog owners whose dog is involved in attacks.**
- 2. Increased penalties for any owners whose dog harasses, chases, intimidates or otherwise endangers the health of any person or animal or bird.**
- 3. Increased penalties for dog owners whose dog is not under effective control.**
- 4. Expand the dangerous dog listing to cover other known dangerous breeds including crosses of that breed, that have the potential for harm in the community.**
- 5. Include in the act the option, in some circumstances, to demand DNA testing for identification.**
- 6. Authorise Animal Management Officers to have the power to ask for a dog owners name and address, without SAPOL assistance or it will be an offence under the Act.**
- 7. Declared dangerous dogs to have higher annual dog registration fees and**

owners of such dogs to have proven insurance cover.

8. Make explicit in the Act the meaning of the term "effective control".
9. Registration fees for non desexed dogs be increased to a level so that they encourage people to have their dogs be desexed.
10. Encourage dogs to be bred for companionship and not aggression, and that prescribed breeds not be allowed.

CARRIED

The General Manager City Assets, Mr S Hodge's comment.

Consultation has been undertaken with:

- **Dog and Cat Management Board;**
The Board has not yet received the Authorised Persons' Association's proposed amendments to the Dog and Cat Management Act, 1995 due to comment pending from the Local Government Association and looks forward to receiving Council's information on the same subject.
- **Holdfast Dog Club;**
The Club president has been contacted and informed of the Authorised Persons' Association proposed draft submission to the Dog and Cat Management Board and Council's similar recommendations. The feedback from the Holdfast Dog Club was positive and for the process to continue through to the Dog and Cat Management Board for assessment.

A submission has been endorsed by the APA's Executive but is a draft at present as the APA is currently seeking comment from the LGA before submitting the document to the Dog and Cat Management Board for assessment and comment.

Councillor Bouchee left the chamber at 7.12pm.

Councillor Bouchee rejoined the chamber at 7.14pm.

11.2 Christmas Wishes and Congratulations on 2011 Achievements

In accordance with his notice, Councillor Looker will move:

C131211/354

Councillor Looker moved and Councillor Clancy seconded that Council wishes the Chief Executive Officer, Mr J Lynch and all Council staff (present and past) a Merry Christmas a Happy New year and note our appreciation for the significant achievements of 2011.

- **Efficient and professional delivery of services to the community for the year together with achievements in major projects**
- **King Street Bridge project delivered on time and on budget**
- **Continuation of the Coast Park development**
- **Redevelopment of Alwyndor aged Care facility**
- **Expansion of Old Gum Tree reserve**
- **CC TV extension for increased community safety**
- **Progression of the Brighton Sporting Complex masterplan**
- **John Miller Reserve redevelopment**
- **Environmental trust initiatives**
- **Mobile speed devices**

- **Completion and opening of the Brighton Performing Arts Complex**
- **Sculpture park additions including the landmark “Kitty Whyte Sculpture”**
- **Seacliff Surf club redevelopment**
- **Auto signage for car parking**
- **Doubling of the tree planting scheme**
- **Introduction of modern, efficient finance and governance methods**
- **Promotion of community gardens**
- **New initiatives for improved customer service**
- **Detailed asset management plans**
- **Water retention initiatives**
- **Carbon reduction offset programme.**
- **Praise from the external auditor who confirmed the CHB as an efficient, well run organisation.**

CARRIED

Background

At this time of the year it is appropriate to wish our dedicated team best wishes for the season and reflect on the positive achievements of the past 12 months.

A division was called.

For	Against
R M Bouchée	
R A Clancy	
P W Dixon	
K M Donaldson	
L R Fisk	
J D Huckstepp	
T D Looker	
S Patterson	
R C Patton	
A P Roe	
L J Yates	

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

12. Adjourned Matters Nil

13. Reports of Management Committees, Subsidiaries and the Development Assessment Panel

13.1 Minutes – Development Assessment Panel (Report No: 452/11)

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 26 October and 23 November 2011 is presented to Council for information.

In accordance with its resolution on 27 November 2009, Council is also asked to determine the future of any planning appeal matters should they eventuate. Elected Members requiring a copy of the Development Assessment Panel Agenda, including reports and/or access to the Development Application files, are asked to contact Council Administration prior to the Council Meeting.

C131211/355

Councillor Clancy moved and Councillor Fisk seconded that the minutes of the Development Assessment Panel meetings held on 26 October 2011 and 23 November 2011 be received.

CARRIED

14. Reports by Officers

14.1 Items in Brief (Report No: 442/11)

Report No: 442/11 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

C131211/356

Councillor Dixon moved and Councillor Yates seconded that the report be noted and items of interest be discussed.

CARRIED

14.2 Budget Update – As At 31 October 2011 (Report No: 443/11)

This report covers the first detailed update of Council's 2011/12 budget as at 31 October 2011.

It has resulted in an increase of \$313,000 in Council's projected consolidated operating result to an operating surplus of \$1.433 million. The projected operating surplus is comprised of \$163,000 from Council's municipal operations and \$1.270 million from Alwyndor. The improvement in projected consolidated operating surplus is wholly due to municipal operations, as Alwyndor has not amended its projected forecast.

Council's net financial liabilities at 30 June 2012 are projected to increase by \$3.2 million to \$22.9 million (comprising \$16.4 million for municipal operations and \$6.5 million for Alwyndor). This is largely the result of Council's recent acquisition of the property at 48 McFarlane Street for \$3.3 million, and is projected to push Council's net consolidated financial liabilities ratio up to 46%, in excess of its adopted ceiling of 35%.

C131211/357

Councillor Looker moved and Councillor Huckstepp seconded :

1. That Council notes the first 2011/12 budget update for Council's municipal operations including:
 - a. an increase of \$312,925 in the projected operating result from an operating deficit of \$149,640 to an operating surplus of \$163,285;
 - b. an increase of \$3.508 million in projected net capital expenditure to \$9.102 million;
 - c. an increase in projected net financial liabilities at 30 June 2012 of \$3.195 million.
2. That Council notes the first 2011/12 budget update for Alwyndor has resulted in no net change to its operating result, capital expenditure or funding requirements.
3. That Council approves additional borrowings of up to \$6.413 million, in accordance with Council's treasury policy, to meet projected funding requirements through to June 2012 as required.

CARRIED

14.3 City of West Torrens – Transition of Elder Choices Program (Report No: 444/11)

The City of West Torrens (CWT) manages an Elder Choices Program that consists of thirty (30) Community Aged Care Packages (CCP's). Recently CWT decided to review this Program to ascertain its future direction and viability as a stand alone program. From this review came a recommendation, based on the future needs of the Program's clients, to look at transitioning the Program to another service provider, subject to Federal Government approval.

Also from the review, came a recommendation that Alwyndor Aged Care (AAC), be approached as it would be able to provide the best and most seamless transition option for both Program clients and staff (Local Government employees).

C131211/358

Councillor Bouchee moved and Councillor Clancy seconded that Council gives approval to accept the City of West Torrens offer to transfer the Elder Choices Program to the City of Holdfast Bay (Alwyndor Aged Care), subject to the Alwyndor Management Committee determining its ongoing viability upon receipt and review of a comprehensive feasibility study / transition plan; and formal approval by the Department of Health and Ageing.

CARRIED

14.4 Code of Practice – Meeting Procedures (Report No: 445/11)

The City of Holdfast Bay's Code of Practice – Meeting Procedures is required to be reviewed every year. Following the Elected Member workshop held in September 2010, a new Code of Practice – Meeting Procedures has been drafted and is presented for adoption.

C131211/359

Councillor Looker moved and Councillor Clancy seconded that Council adopts the draft Code of Practice – Meeting Procedures presented at Attachment 1 to Report No: 418/11.

CARRIED

14.5 Regulated Trees Development Plan Amendment and Development (Regulated Trees) Variation Regulations 2011 (Report No: 420/11)

The purpose of this report is to provide Council an opportunity to respond to the Ministerial Development Plan Amendment (DPA). This was released by Hon John Rau, Minister for Planning, in response to the new regulations regarding the management of regulated trees. The Development (Regulated Trees) Variation Regulations 2011 were gazetted into law on 17 November 2011. The DPA has been released to all Adelaide Local Government authorities on an interim effect period for twelve (12) months, with initial comments due by 25 January 2012.

It should be noted that in providing a response, the Minister has only asked for comment on the DPA, not the changes to legislation which has already been passed. However, Council may wish to reinforce its previous concerns.

C131211/360

Councillor Yates moved and Councillor Clancy seconded that Council recommends:

- 1. That the draft submission provided at Attachment 3 to Report Number 420/11 be forwarded to the Hon John Rau, Minister for Planning and provides comments on the following points:**
 - a. Council's response to the Regulated Trees Development Plan Amendment and;**
 - b. Reinforce its previous concerns on the Development (Regulated Trees) Variation Regulations 2011.**
- 2. That a copy of the above submission is forwarded to the Local Government Association of South Australia.**

CARRIED

14.6 Community Gardens Guidelines (Report No: 421/11)

The purpose of this report is to provide information to Elected Members on the outcomes of the community consultation for the draft Community Gardens Guidelines, conducted from 1 November to 22 November 2011.

The draft Guidelines provides a brief introduction to community gardens and describes a recommended role for Council, including a process for assessing proposals from groups wishing to develop gardens on Council owned or controlled land.

Outcomes of the consultation confirmed community support for Council's current draft Community Gardens Guidelines.

C131211/361

Councillor Bouchee moved and Councillor Roe seconded:

- 1. That Council endorses the draft Community Gardens Guidelines, presented with this report.**
- 2. That subject to Council's endorsement, the Community Gardens Guidelines be implemented and take effect from 1 February 2012.**

CARRIED

14.7 Holdfast Bay Music Centre – Renewal of Lease and Proposed Evaporative Air Conditioner (Report No: 448/11)

The Holdfast Bay Music Centre has written to Council advising that it wishes to enact the renewal provision contained within the current lease agreement and is seeking permission to install an evaporative air-conditioner on the roof of the Centre clubrooms, which are located adjacent to the Seacliff Sports Club at Kauri Reserve.

Council's consent as lessor is required for the proposed works under the terms of the lease.

C131211/362

Councillor Yates moved and Councillor Donaldson seconded that:

- 1. Council notes that the Holdfast Bay Music Centre has exercised its right of renewal contained within the existing lease, for a term of five years commencing on 1 January 2012, at a rental of \$10 per annum plus GST payable on demand.**
- 2. Council provides its consent as landlord, subject to any necessary Development Act consents, to install an evaporative air-conditioner on the roof of the Holdfast Bay Music Centre Clubrooms on the condition that:**
 - (a) the Centre is liable for any maintenance associated with the proposed works;**
 - (b) it will be required to rectify any damage to the premises that may occur as a result of the installation, placement or removal of such plant; and**
 - (c) The Holdfast Bay Music Centre also acknowledges that the property is one that has been identified within Council's Property Review and that the review may impact the operation of the property in the medium term.**

CARRIED

Councillors Clancy, Dixon and Huckstepp declared an interest in the matter due to their Development Assessment Panel membership and left the meeting at 7.35pm.

14.8 Land Owner Consent – Installation of LCD entry Statement Display (Report No: 440/11)

Council has submitted a development application to install a customised LCD entry statement display sign at the north eastern corner of the Brighton Road, Dunbar Terrace, Jetty Road signalised intersection. In accordance with the Development Act 1993, land owner consent is sought to allow the installation of the sign on land under the care, control and management of the City of Holdfast Bay.

C131211/363

Councillor Looker moved and Councillor Roe seconded:

- 1. That pursuant to Section 221 of the Local Government Act 1999, Council grants consent to allow the undertaking of works associated with Development Application Number 110/00969/11 on the north eastern corner of the Brighton Road, Dunbar Terrace, Jetty Road signalised intersection as described in Attachment 1 of this report.**
- 2. That this project be deferred to the 2012/13 financial year.**

- 3. That the Jetty Road Mainstreet Management Committee be asked to contribute 50% of the total cost.**

CARRIED

Councillors Clancy, Dixon and Huckstepp rejoined the chamber at 7.42pm.

14.9 2010/11 Annual Review of Investments (Report No: 449/11)

Section 140 of the Local Government Act requires Council to review the performance of its investments on an annual basis. In accordance with the Treasury Management Policy, a report is presented to Council which provides this summary.

C131211/364

Councillor Patterson moved and Councillor Bouchee seconded that Council notes it has received and considered a report comprising an annual review of its investments in accordance with section 140 of the Local Government Act.

CARRIED

14.10 Project Update (9) – Alwyndor Redevelopment (Report No: 450/11)

Presented for the information of Members is an update on the progress of the Alwyndor Redevelopment Capital Works Project.

C131211/365

Councillor Clancy moved and Councillor Patton seconded that the update on the Alwyndor Aged Care Capital Redevelopment contained in Report No: 450/11 be received and noted.

CARRIED

14.11 Request for Vegetation Review between Seacliff and Brighton (Report No: 441/11)

This report is prepared for Elected Members consideration following a request from 3 residents of Seacliff who have requested major pruning of foreshore vegetation to ensure views over Gulf St Vincent. Given the competing interest of environment and residential views it is recommended that Council consider a detailed report on the conflicting issues that will in turn help determine a future Policy position.

The complexities of this however, will take some time to research and therefore a report will need to be presented in early 2012 allowing staff sufficient time to research all issues and develop a position for consideration by Council.

C131211/366

Councillor Huckstepp moved and Councillor Roe seconded that a report be provided by March 2012 on the issues associated with foreshore vegetation, and that this report consider the views of residents along with the environmental benefits associated with this foreshore vegetation and provide a draft policy recommendation for consideration.

CARRIED

14.12 Debenture Rollover – Glenelg Football Club (Report No: 451/11)

A sporting club debenture loan referring to the Glenelg Football Club is eligible for rollover on 17 January 2012. In accordance with the terms of Council's consent to the Club's sponsorship agreement the amount due for rollover is to be reduced by a

principal repayment of \$25,000. The Club requests that the existing level of repayments be maintained and therefore the remaining rollover term can be reduced to a term of two years on an 8 year repayment basis. This will also enable the Club the opportunity to further reduce principal and loan term in two years.

C131211/367

Councillor Bouchee moved and Councillor Patton seconded:

- 1. That Council accepts \$25,000 additional repayment on existing debenture loan from the Glenelg Football Club.**
- 2. That Council rollover the remaining loan principal of \$211,795 for a term of 2 years on a 8 year repayment basis with the Glenelg Football Club at an interest rate equal to the LGFA lending rate plus a credit margin of 0.5% pa.**

CARRIED

14.13 Noodle Box Restaurant Licence Application (Report No: 439/11)

An application has been submitted to the Liquor and Gambling Commissioner for a Restaurant Licence by the operators of Noodle Box located at 51 Jetty Road Glenelg. The applicant seeks to offer the service of alcohol between the hours of 11:00am and 10:30pm on any day.

This application presents an opportunity for Council to support and allow a small community business to further flourish within the City of Holdfast Bay.

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

C131211/368

Councillor Dixon moved and Councillor Donaldson seconded that Council advises the Office of the Liquor and Gambling Commissioner that it does not object to the application made by the proprietors of Noodle Box Glenelg for a restaurant license at 51 Jetty Road Glenelg subject to the following conditions:

- 1. That the hours of the restaurant license be in accordance with the hours of operation as proposed in the details of the applicant:
Monday to Sunday between the hours of 11:00am and 10:30pm.**
- 2. That any proposed changes to the trading hours in the future will require further consideration and comments by Council before a decision is made by the Office of the Liquor and Gambling Commissioner.**

CARRIED

14.14 Request for Easement to ETSA Utilities for Infrastructure associated with Sand Pumping Pipeline (Report No: 438/11)

The State Government has committed to the construction of a sand transfer pipeline system between Glenelg and Kingston Park to eliminate the ongoing need to transport up to 70,000m² of sand by road each year. This report seeks endorsement to undertake community consultation on the request for three easements over Community Land for the purpose of ETSA Utilities to supply electricity to enable the pumping stations to operate and deliver on the outcomes of the sand pipeline project.

C131211/369**Councillor Patterson moved and Councillor Yates seconded:**

1. **That the request for easements over Community Land at:**
 - **John Miller Reserve Certificate of Title 5725/34**
 - **Wattle Reserve Certificate of Title 5721/307**
 - **Angus Neill Reserve Certificate of Title 5299/714**

for ETSA infrastructure be noted and endorsed in principle to allow community consultation.
2. **That community consultation be undertaken in accordance with, Section 194(2) of the Local Government Act (1999) in respect to the request from ETSA Utilities for infrastructure on Community Land as defined in recommendation 1.**
3. **That Council commence negotiations on a commercial lease arrangement with ETSA Utilities for access to this Community Land**
4. **That a further report be provided to Council once community consultation has concluded in accordance with Section 194(2) of the Local Government Act (1999)**
5. **That Council negotiates a more amenable location in each reserve.**

CARRIED

14.15 Legislative Review of Asset Plans (Report No: 453/11)

The Local Government Act (1999) requires Council to review its Strategic Plans within two years of a new Council being elected. This report tables those asset plans (that form part of the Strategic Management Plan) following their review and discusses the processes undertaken and seeks endorsement from Council to undertake community consultation in February 2012 as required under the Local Government Act.

C131211/370**Councillor Looker moved and Councillor Yates seconded**

1. **That Council receive the report and associated asset plans.**
2. **That Council endorse the release of these asset plans for community consultation.**
3. **That a further report be provided to Council once consultation has occurred with the community and prior to Council's adoption of the asset plans as required under Section 122 of the Local Government Act.**

CARRIED/LOST15. **Resolutions subject to formal motions** Nil16. **Urgent Business – Subject to the Leave of the Meeting** Nil17. **Items in Confidence**

17.1 Former Brighton Town Hall and Surrounds Expression of Interest Process (Report No: 454/11)

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

Aukett

C131211/371

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

- **commercial information of a confidential nature (not being a trade secret) the disclosure of which:**
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and**
 - (ii) would, on balance, be contrary to the public interest.**

CARRIED

Former Brighton Town Hall and Surrounds Expression of Interest Process (Report No: 454/11)

A Request for Proposal for the re-development of the former Brighton Town Hall and associated land holding failed to deliver an acceptable result.

With holding and opportunity costs of approximately \$143,000 per annum a timely decision for the future of the site is important. The site is prominent and its redevelopment would help improve the aesthetics of the area and add a needed vibrancy to this section of Brighton Road.

Ownership of this property affords Council a unique opportunity to influence the development of this strategically located site.

Unless the property were to be retained and re-used for community purposes the Community Land status would need to be revoked. This process can take a considerable period of time and should commence immediately and be concluded prior to approaching the market.

C131211/372

Councillor Donaldson moved and Councillor Roe seconded that the Community Land Status revocation process commence for the land located at 382 to 388 Brighton Road, Hove (described in Certificates of Title Volume 5830 Folio 838 and Volume 5184 Folio 889) including the necessary public consultation in order to seek approval from the Minister for State/Local Government Relations.

CARRIED

A division was called.

For	Against
R A Clancy	R M Bouchée
P W Dixon	K M Donaldson
J D Huckstepp	L R Fisk
T D Looker	
S Patterson	

R C Patton
A P Roe
L J Yates

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

C131211/373

Councillor Looker moved and Councillor Roe seconded:

- 1. The property currently being used for the Over 50's Social Club be retained.**
- 2. That upon the revocation of the Community Land status the property be placed on the market for sale with a licensed Real Estate Agent by tender under bids invited for any or all the following options:**
 - a. outright sale;**
 - b. sale subject to the purchaser gaining the relevant consents for a residential development ;**
 - c. sale subject to the purchaser gaining the relevant consents for a residential development with a requirement of 15% affordable housing.**
- 3. A further report be presented to Council on completion of the tender evaluation process summarising the offers received detailing the potential revenue and any associated risks prior to the acceptance or rejection of any offer.**
- 4. The revenue generated by the sale be applied towards the redevelopment of sporting/recreational/community hubs such as the Brighton Oval redevelopment and Macfarlane Street Open Space purchase.**
- 6. That an easement be allowed after consultation with DPTI on the Brighton Road side of the site to allow future expansions on Brighton Road.**

CARRIED

A division was called.

For	Against
R A Clancy	R M Bouchée
P W Dixon	
K M Donaldson	
L R Fisk	
J D Huckstepp	
T D Looker	
S Patterson	
R C Patton	
A P Roe	
L J Yates	

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

C131211/374

Councillor Looker moved and Councillor Roe seconded that the purchaser be advised of the local heritage listed former Brighton Town Hall building and its implications.

CARRIED

A division was called.

For	Against
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R A Clancy	R M Bouchée
P W Dixon	K M Donaldson
J D Huckstepp	L R Fisk
T D Looker	L J Yates
S Patterson	
R C Patton	
A P Roe	

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C131211/375

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

- 1. The Council orders that the documents relating to Report No: 454/11 be kept confidential and not available for public inspection, due to the commercially sensitive information contained in the report on the basis that they deal with information the disclosure of which:

 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and**
 - (ii) would, on balance, be contrary to the public interest under Section 90(2) and 90(3)(d) of the Act.****
- 2. That the minutes be released from confidence.**
- 3. This resolution will be reviewed on or before 30 June 2013 by the Council.**

CARRIED

Councillor Looker left the chamber at 9.00pm.

C131211/376

Councillor Bouchée moved and Councillor Donaldson that the consultation documents be presented to Council for endorsement at the earliest convenience.

CARRIED

18. Resumption

C131211/377

Councillor Patterson moved and Councillor Bouchee seconded that Council resume as an open meeting of Council at 9.01pm.

CARRIED

Councillor Looker rejoined the chamber at 9.02pm.

19. Closure

The Meeting closed at 9.02pm

CONFIRMED

Tuesday 17 January 2012

MAYOR