

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 November 2012 at 7:02pm.

MEMBERS PRESENT

His Worship the Mayor, AK Rollond
Deputy Mayor, RA Clancy
Councillor RM Bouchée
Councillor PW Dixon
Councillor KM Donaldson
Councillor LR Fisk
Councillor JD Huckstepp
Councillor SC Lonie – 7.10pm.
Councillor TD Looker
Councillor S Patterson
Councillor RC Patton
Councillor AP Roe

STAFF IN ATTENDANCE

Chief Executive Officer - JP Lynch
General Manager City Assets - SG Hodge
General Manager City Services - RA Cooper
General Manager Corporate Services - IS Walker

1. OPENING

His Worship the Mayor declared the meeting open at 7.02pm.

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 - Councillor LJ Yates

4.2 Absent - Nil

5. ITEMS PRESENTED TO COUNCIL

6. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES

Motion

C271112/730

That the minutes of the Ordinary Meeting of Council held on 13 November 2012 be taken as read and confirmed.

Moved by Councillor Clancy, Seconded by Councillor Huckstepp

Carried

8. QUESTIONS BY MEMBERS

8.1 Without Notice

8.1.1 Glenelg Surf Life Saving Club Boat – Councillor Fisk

Councillor Fisk asked a question regarding the parking of the Glenelg Surf Life Saving Club boat on the grass.

The General Manager City Assets, Mr S Hodge responded.

8.1.2 Glenelg Beach Pumping Station – Councillor Patterson

Councillor Patterson asked a question regarding the placement of rocks on the Glenelg beach around the sand pumping station.

The General Manager City Assets, Mr S Hodge responded.

8.2 With Notice

8.2.1 Question on Notice - Impact of Depreciation on Level of Rates (Report No: 492/12)

Councillor Bouchee asked the following question:

I would like to thank Mr Walker for his thoughtfully prepared advice to Councillors on the principle of depreciation as it applies to local government.

To expand that, would the administration please explain how depreciation is actually accounted for in Holdfast Bay and whether the application of depreciation has any impact on the level of rates in this Council and if so, how?"

General Manager Corporate Services – Mr I Walker

Depreciation is included as an operating expense in Council's income statement, along with other operating expenditure such as salaries and wages, repairs, maintenance, street lighting, library services etc. The difference between operating revenue and operating expenditure is either an operating surplus or an operating deficit. An operating surplus means that Council is adequately funding its ongoing services. An operating deficit means that it is not. Continued operating deficits shifts the cost of today's services on to future ratepayers. This would result in substantial future rate increases or a reduction in services. When Council sets its budget each year, it aims to deliver an operating surplus consistent with Council's key financial targets. Accordingly, Council sets its rates at a level to provide sufficient revenue to cover all operating expenditure including depreciation.

9. MEMBER'S ACTIVITY REPORTS

9.1 Member's Activity – Holdfast Bay Community Centre Report (Report No: 493/12)

Councillor Donaldson reported that she and Councillor Looker had attended the Holdfast Bay Community Centre meeting held on Tuesday 20 November 2012.

Motion

C271112/731

That Report No: 493/12 be received and noted.

Moved Councillor Bouchee, Seconded Councillor Looker

Carried

9.2 Mandatory Code of Conduct Information Session and Workshop

Councillor Looker reported that he had attended the Local Government Association information Session and Workshop on the draft Mandatory Code of Conduct.

9.3 Seacliff Park Mixed-use Neighbourhood DPA

Councillor Huckstepp reported he had attended the 21 November 2012 public meeting regarding the Seacliff Park Mixed-use Neighbourhood DPA.

9.4 80th Birthday Celebrations of the Dover Square Tennis Club

Councillor Huckstepp reported he had attended the 18 November 2012 celebrations at the Dover Square Tennis Club.

9.5 St Teresa's School Garden Opening

Councillor Huckstepp reported he had attended the 23 November 2012 garden opening at St Teresa's School.

9.6 **South Brighton Neighbourhood Watch Christmas Celebration**

Councillor Huckstepp reported that he had attended the 24 November 2012 South Brighton Neighbourhood Watch Christmas Celebration.

Councillor Lonie joined the meeting at 7.10pm.

9.7 **Metro Seaside Committee Meeting**

Councillor Dixon reported that he had attended a meeting of the Metro Seaside Committee meeting held on 22 November 2012.

10. PUBLIC PRESENTATIONS

10.1 **Petitions** - Nil

10.2 **Presentation** - Nil

10.3 **Deputations**

10.3.1 The Buffalo

Mr Richard Finlayson, Lessee of the Buffalo made a five minute deputation to Council regarding the future of the Buffalo.

11. MOTIONS ON NOTICE

11.1 **Motion on Notice - Advising of Approval of Category 1 Planning Application and Demolition Of Existing Residential Structure – Councillor Bouchee** (Report No: 494/12)

Motion

C271112/731

That the Chief Executive Officer initiates the that following approval of a Category 1 Planning Application and demolition of existing residential structure, administration send written advice to adjoining properties of the decision and include the developers contact details are included for contact.

Adjournment

Motion

That this matter be adjourned until the next meeting where a further report will be prepared

Moved Councillor Lonie, Seconded Councillor Huckstepp

Lost

The substantive motion was put.

Moved Councillor Bouchee, Seconded Councillor Donaldson

Carried

Division called

A division was called.

Those voting for: Councillors Fisk, Patton, Bouchée, Patterson, Clancy, Donaldson, Lonie and Huckstepp (8)

Those voting against: Councillors Dixon, Looker and Roe (3).

His Worship the Mayor declared the motion

Carried

12. ADJOURNED MATTER

12.1 Adjourned Report – Brighton Rugby Union Club – Lease (Report No: 480/12)

On 13 November 2012 a report was submitted to Council, (C131112/438), recommending that Council approve a new lease to the Brighton Rugby Union Club Incorporated for a term of five years from 1 July 2012. This report was adjourned with Council resolving as follow;

“That this item be adjourned until the rental amount is provided for Members information”.

A copy of the original report presented at the Council meeting on 13 November 2012 is attached for the information of members.

Motion

C271112/732

That approval be granted to enter into a new lease with the Brighton Rugby Union Club Inc. for a term of five years from 1 July 2012 over portion of the land contained in Certificate of Title Volume 5750 Folio 187, as detailed on Attachment 1.

Moved Councillor Huckstepp, Seconded Councillor Lonie

Carried

12.2 Adjourned Report – Brighton Oval Master Plan (Report No: 481/12)

Brighton Oval is one of three sporting hubs within the City of Holdfast Bay that provides for a wide range of sport and recreational pursuits. The creation of these sporting and community hubs are consistent with the Social Needs and Community Infrastructure study as well as the Strategic Property Review being undertaken by Council.

On 28 August 2012 a report was submitted to Council, (Report No: 301/12), recommending that Council endorses the Master Plan developed for the Brighton Oval Complex, proceeds to detailed design and investigates external grant funding options for the implementation of the Master Plan.

This report was adjourned with Council resolving as follows;

“That the matter be adjourned to allow for a workshop to discuss matters further with Club presidents and to define Council future project priorities”.

The workshop with the sporting club presidents was not held because we received a letter of support from them for the Master Plan.

The concept plan may not be the final one constructed but gives definition to the project so grant funding can be sought. This project has a 2-10 year horizon.

Motion

C271112/733

That Council endorses the Master Plan developed for the Brighton Oval Complex as a basis for funding opportunities.

Moved Councillor Clancy, Seconded Councillor Donaldson

Carried

12.3 Adjourned Report – Community Donations Program (Report No: 487/12)

On 13 November 2012 a report was submitted to Council, (C131112/724), recommending that Council endorses the successful applications totalling \$34,364.35 for the Community Donations Program 2012/13. This report was adjourned with Council resolving as follow;

“That this matter be adjourned so that the amounts of the grants be reconsidered”.

Motion

C271112/734

That Council approves the grant applications totalling \$41,307.50 for the Community Donations Program 2012/13.

Amendment

That the grant to the rugby club be reduced by the cost \$2 250.00 of the paint this year that Council provides.

Moved Councillor Fisk, Seconded Councillor Bouchee

The amendment on being put was

Lost

The substantive motion was put

Moved Councillor Looker, Seconded Councillor Lonie

Carried

13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL

13.1 Development Assessment Panel Minutes – 24 October 2012 (Report No: 419/12)

Council's Development Assessment Panel is established under the Development Act 1993.

The minutes of the Development Assessment Panel meeting held 24 October 2012 are presented to Council for information.

Motion

C271112/735

That the minutes of the Development Assessment Panel meetings held on 24 October 2012 be received.

Moved Councillor Clancy, Seconded Councillor Huckstepp

Carried

13.2 Information Report – Southern Region Waste Resource Authority (Report No: 485/12)

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the “constituent councils”), pursuant to Section 43 of the Local Government Act, 1999.

Under its charter, SRWRA is responsible for providing and operating waste management services on behalf of the constituent councils and ensuring that a long term waste management strategy exists in the southern region of Adelaide.

Motion

C271112/736

- 1. That information report of the Southern Region Waste Resource Authority for its meeting held 29 October 2012 be received and noted.**
- 2. That council informs the Southern Region Waste Resource Authority that it has considered the Strategic Plan and has no feedback.**

Moved Councillor Huckstepp, Seconded Councillor Clancy

Carried

14. REPORTS BY OFFICERS

14.1 Items in Brief (Report No: 482/12)

These items are presented for the information of Members.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

Motion

C271112/737

That the report be noted and items of interest discussed.

Moved Councillor Clancy, Seconded Councillor Looker

Carried

14.2 Budget Update as at 30 September 2012 (Report No: 479/12)

This report covers the first budget update of Council's 2012/13 budget conducted as at 30 September 2012.

It has resulted in a decrease of \$644,963 in Council's projected consolidated operating result to a forecast operating deficit of \$343,340. The major reason is the timing of the Roads Grants (FAGS) of \$630,000 and settling the outstanding Liberty provisional debt of \$136,000.

Council's net financial liabilities at 30 June 2013 are projected to increase by \$699,963 to \$25.11 million (comprising \$14.22 million for municipal operations and \$10.89 million for Alwyndor). Council's net consolidated financial liabilities ratio remains at 46%, in excess of its adopted ceiling of 35%.

Motion

C271112/738

1. **That Council notes the first 2012/13 budget update for Council's municipal operations including:**
 - (a) **a decrease of \$947,663 in the projected operating result from an operating deficit of \$107,485 to an operating deficit of \$1,055,148;**
 - (b) **an increase of \$804,814 in projected net capital expenditure to \$9.77 Million;**
 - (c) **an increase in projected net financial liabilities at 30 June 2013 of \$1,002,663.**

2. **That Council notes the first 2012/13 budget update for Alwyndor operations including:**
 - (a) **an increase \$302,700 in the projected operating result from an operating surplus of \$409,108 to an operating surplus of \$711,808;**
 - (b) **a decrease in projected net financial liabilities at 30 June 2013 of \$302,700.**

Councillor Huckstepp left the chamber at 8.12pm.

Moved Councillor Looker, Seconded Councillor Fisk

Carried

14.3 **Amendment to the Regional Open Space and Business Facility Community Land Management Plans (Report No: 478/12)**

This report presents the findings of the community engagement process where the proposed changes to the Community Land Management Plans for 'Business Facilities' and the entering into a lease with Goodna Pty Ltd were supported.

The consultation was supportive of including area 'A' into the Community Land Management Plan for 'Business Facility' and for the Lease to Goodna Pty Ltd. The consultation was not supportive of amending the Community Land Management Plan for 'Regional Open Space'. The reason stated was, "Waterway is passage for boats to travel along to exist lock and to access their

berths, (which is part of 'A' Business Facility). General public events should be held on the other side of the Michael Herbert, (Wodlibulto Wadlakatta), Bridge".

Councillor Huckstepp rejoined the chamber at 8.15pm

Motion

1. That Council note the Community Engagement Report Findings located in Attachment 1.
2. That Council, pursuant to section 197 of the Local Government Act, 1999, amend the Community Land Management Plan for 'Business Facilities' to specifically allow the inclusion of the moorings and slipway, including associated infrastructure as detailed in Attachments 2 and 3.
3. That Council pursuant to section 197 of the Local Government Act, 1999, amend the Community Land Management Plan for 'Business Facilities' to specifically include the areas marked 'A' in Attachment 4.
4. That Council pursuant to section 197 of the Local Government Act 1999, amend the Community Land Management Plan for Business Facilities to specifically include the areas marked 'B' in Attachment 4.
5. That a new lease for a period of 10 years from 18 May 2011, with an option to renew for five years thereafter be granted to Goodna Pty Ltd over portion of the land comprised in Certificate of title Volume 5798 Folio 64, marked 'AA' and "NN' in GRO Plan 255 of 2000.

Moved Councillor Fisk, Seconded Councillor Patton

Amendment

C271112/739

1. That Council note the Community Engagement Report Findings located in Attachment 1.
2. That Council, pursuant to section 197 of the Local Government Act, 1999, amend the Community Land Management Plan for 'Business Facilities' to specifically allow the inclusion of the moorings and slipway, including associated infrastructure as detailed in Attachments 2 and 3.
3. That Council pursuant to section 197 of the Local Government Act, 1999, amend the Community Land Management Plan for 'Business Facilities' to specifically include the areas marked 'A' in Attachment 4.
4. That Council pursuant to section 197 of the Local Government Act, 1999, amend the Community Land Management Plan for 'Regional

Open Space' to specifically include the areas marked 'B' in Attachment 4.

5. **That a new lease for a period of 10 years from 18 May 2011, with an option to renew for five years thereafter be granted to Goodna Pty Ltd over portion of the land comprised in Certificate of title Volume 5798 Folio 64, marked 'AA' and "NN' in GRO Plan 255 of 2000.**

Moved Councillor Looker, Seconded Councillor Clancy

The amendment on being put was **Carried**

The motion, as amended, on being put was **Carried**

Division called

A division was called.

Those voting for: Councillors Patton, Dixon, Bouchée, Patterson, Looker, Clancy, Donaldson, Lonie, Roe and Huckstepp (10)

Those voting against: Councillor Fisk (1).

His Worship the Mayor declared the motion **Carried**

14.4 **Development of an Integrated Customer Contact Centre** (Report No: 483/12)

Over the past 12 months administration has undertaken a feasibility study to explore options of transforming the Customer Service Counter and foyer within the Brighton Civic Centre into an Integrated Customer Contact Centre. This report outlines the results of that process with a view to progressing this project in the short term in conjunction with other planned enhancements to improve customer service and experiences.

Councillor Donaldson rejoined the chamber at 8.38pm.

Motion **C271112/740**

That the \$100K that is not spent on Brighton Oval be used to reduced the deficit and that the contact centre be considered for the 2013/14 budget.

Councillor Clancy left the chamber at 8.55pm.

Moved Councillor Fisk, Seconded Councillor Bouchee **Lost**

Division called

A division was called.

Those voting for: Councillors Patton, Dixon, Bouchée, Patterson, Looker, Clancy, Donaldson, Lonie, Roe and Huckstepp (10)

Those voting against: Councillor Fisk (1).

His Worship the Mayor declared the motion

Carried

Motion

C271112/741

1. That to support on-going service improvements for customers, Council endorse the redevelopment of the customer service area and back of house contact centre within the Brighton Civic Centre.
2. That \$100,000 be transferred from the Brighton Oval detailed design project to fund this capital works program in the short term.
3. That funding for the Brighton Oval Precinct redevelopment be further considered for the 2013/2014 budget.

Moved Councillor Looker, Seconded Councillor Lonie

Carried

Councillor Clancy rejoined the chamber at 8.57pm.

Division called

A division was called.

Those voting for: Councillors Patton, Dixon, Bouchée, Patterson, Looker, Clancy, Donaldson, Lonie, Roe and Huckstepp (10)

Those voting against: Councillor Fisk (1).

His Worship the Mayor declared the motion

Carried

14.5 Environmental Advisory Committee (Report No: 484/12)

The Environment Advisory Committee was re-established by Council in December 2010 with the purpose of making recommendations concerning issues affecting our environment, integrating principles associated with Local Agenda 21 and ecologically sustainable development into the daily operations of Council.

The Terms of Reference (ToR) for the Environment Advisory Committee require that the Committee continue until 30 June 2013 or until its purpose has been achieved, whichever is the sooner. As Council has recently resolved to suspend the HEAT (Holdfast Environmental Action Trust) fund and to incorporate the program of work into the wider council works program, it is timely to consider whether the Committee has fulfilled its purpose or whether it should continue until 30 June 2013.

Motion

C271112/742

That, having fulfilled its purpose under its Terms of Reference, the Environment Advisory Committee be disbanded and the Members of the

Committee be invited to a meeting to discuss becoming a Reference Group for Council.

Moved Councillor Looker, Seconded Councillor Fisk

Carried

Division called

A division was called.

Those voting for: Councillors Fisk, Patton, Dixon, Looker, Clancy, Donaldson, Roe and Huckstepp (8).
Those voting against: Councillors Bouchée, Patterson and Lonie (3).

His Worship the Mayor declared the motion

Carried

14.6 **Library and Bay Discovery Centre Redevelopment Concept Plans** (Report No: 488/12)

The purpose of this report is to outline the findings of the community consultation regarding the concept plans for the Library and Bay Discovery centre.

Motion

C271112/743

That Council endorses the Concept Plans developed for the Libraries and Bay Discovery Centre as a basis for funding opportunities.

Moved Councillor Looker, Seconded Councillor Bouchee

Carried

Division called

A division was called.

Those voting for: Councillors Fisk Patton, Dixon, Bouchée, Patterson, Looker, Clancy, Donaldson, Lonie, Roe and Huckstepp (11)
Those voting against:

His Worship the Mayor declared the motion

Carried

14.7 **Kauri Parade Sporting Precinct Masterplan** (Report No: 489/12)

Kauri Parade is one of three community sporting hubs within the City of Holdfast Bay that provides for a wide range of sport and recreational pursuits. The creation of these sporting and communities hubs are consistent with the Social Needs and Community Infrastructure study as well as the Strategic Property Review being undertaken by Council.

The concept plan may not be the final one constructed but gives definition to the project so grant funding can be sought. This project has a 2-10 year horizon.

This report is to seek Council's support to undertake community consultation on the proposed draft Master Plan for Kauri Parade.

Motion**C271112/744**

That Council endorses the draft Kauri Parade Sporting Precinct Master Plan for community consultation and following the conclusion of the consultation period, the draft Master Plan for Kauri Parade Sporting Precinct be amended as appropriate for final Council endorsement.

Moved Councillor Huckstepp, Seconded Councillor Roe

Carried**15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil****16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING**

Councillor Lonie left the chamber at 9.34pm.

16.1 The Buffalo

Council acknowledged the deputation by the Lessee of the Buffalo, Mr Finlayson and asked for further information to be presented at the next Council meeting.

Councillor Lonie rejoined the chamber at 9.37pm.

Councillor Roe left the chamber at 9.38pm.

Councillor Roe rejoined the chamber at 9.40pm.

17. ITEMS IN CONFIDENCE**17.1 Jetty Road Mainstreet Management Committee Nominations (Report No: 477/12)****Motion****C271112/745**

- 1. That under provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, General Managers and administrative staff in attendance in order to consider in confidence this item.**
- 2. That the Chief Executive Officer is satisfied that it is necessary that the public be excluded to enable the Council to discuss and to consider the matter at the meeting on the following grounds:**
 - a. information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead in regards to Jetty Road Mainstreet Management Committee Nominations.**

Moved Councillor Lonie, Seconded Councillor Huckstepp

Carried

Staff In Attendance: Chief Executive Officer - JP Lynch, General Manager City Assets - SG Hodge, General Manager City Services - RA Cooper, General Manager Corporate Services - IS Walker, Manager Jetty Road Development – L Johnson, Manager Development Services- A Marroncelli, Manager Community Engagement- K Harding, Governance Officer – W Matthews.

Jetty Road Mainstreet Management Committee Nominations (Report No: 477/12)

The Jetty Road Mainstreet Management Committee (JRMMC) is a special purpose committee of the City of Holdfast Bay formed under Section 41 of the Local Government Act 1999. The JRMMC has delegated powers from Council which are reviewed annually.

The term of appointment of all members of the JRMMC will, subject to Section 45(1) of the Local Government Act 1999, coincide with the term of the Council, and be for a period of two years, with an option to renew for a further two years. Where Members elect not to take up their option of a further two year term, new Members will be appointed in accordance with Section 11 Method of Appointment of Community Members for two years or until the end of the current term of Council. [NOTE: Council at its meeting held 12 December 2010 C141210/025 resolved to appoint nine members for a two year term].

Motion

C271112/746

1. **That Council resolves to continue with the appointment of nine members until the end of the current term of the Council.**
2. **That Council resolves that the following persons be appointed as Community Members of the JRMMC and remain so until the appointment by Council of persons to fill these positions following the next General Election of the Council:-**
 - **Con Maios, Bentleys SA Pty Limited**
 - **Michael Deare, Pure Coffee PL**
 - **Eve Leenaerts, Telstra**
 - **Vanessa Corbell, Glenelg Florist**
 - **Carly Byron, Eclectik**

Moved Councillor Patton, Seconded Councillor Huckstepp

Carried

Councillor Patton left the chamber at 9.50pm.

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

Motion

C271112/747

1. **That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the documents relating to Report No: 477/12 including:**

- **Report**
- **Attachment**

relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(a).

2. **This resolution will be reviewed within 12 months by the Council.**

Moved Councillor Bouchee, Seconded Councillor Clancy

Carried

- 17.2 **Development Assessment Panel Appointments (Report No: 486/12)**

Motion

C271112/748

1. **That under provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, General Managers and administrative staff in attendance in order to consider in confidence this item.**
2. **That the Chief Executive Officer is satisfied that it is necessary that the public be excluded to enable the Council to discuss and to consider the matter at the meeting on the following grounds:**
 - a. **information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead) in the matter of Development Assessment Appointments (Report No: 486/12).**

Moved Councillor Bouchee, Seconded Councillor Donaldson

Carried

Staff In Attendance: Chief Executive Officer - JP Lynch, General Manager City Assets - SG Hodge, General Manager City Services - RA Cooper, General Manager Corporate Services - IS Walker, Manager Jetty Road Development – L Johnson, Manager Development Services- A Marroncelli, Manager Community Engagement- K Harding, Governance Officer – W Matthews.

Development Assessment Panel Appointments (Report No: 486/12)

The current term for Independent Members serving on Council's Development Assessment Panel (the Panel) is set to expire on 31 December 2012. This report recommends that Council appoint four Independent Members to the Panel, one being the Presiding Member, based on the recommendations of a working group comprised the three Elected Members appointed to serve on the Panel.

Motion

C271112/749

1. **That Graham Goss, Jenny Newman, Nathan Sim and Ivan Winter be appointed to serve as Independent Members of the City of Holdfast Bay Development Assessment Panel in accordance with the Code of**

Conduct and Terms of Reference for the Panel for the period commencing 1 January 2013 and ending 31 December 2014.

2. **That Graham Goss be appointed to serve as Presiding Independent Member of the City of Holdfast Bay Development Assessment Panel in accordance with the Code of Conduct and Terms of Reference for the Panel for the period commencing 1 January 2013 and ending 31 December 2014.**
3. **That the Council releases the minutes for Report Number 486/12 (excluding Attachment 1)**

Councillor Patton rejoined the chamber at 9.51pm.

Councillor Donaldson left the chamber at 9.55pm.

Councillor Donaldson rejoined at 9.57pm

Moved Councillor Looker, Seconded Councillor Huckstepp

Carried

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

Motion

C271112/750

1. **That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the documents relating to Report No: 486/12 including:**

- **Report**
- **Attachment**

relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(a).

2. **This resolution will be reviewed within 12 months by the Council.**

Moved Councillor Bouchee, Seconded Councillor Clancy

Carried

17.3 Western Region Waste Resource Authority

Motion

C271112/751

1. **That under provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, General Managers and administrative staff in attendance in order to consider in confidence this item.**

2. **That the Chief Executive Officer is satisfied that it is necessary that the public be excluded to enable the Council to discuss and to consider the matter at the meeting on the following grounds:**
- d. **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 and the benefit or detriment to a third party in the matter of Western Region Waste Resource Authority outweighs the public interest at this time.**

Moved Councillor Bouchee, Seconded Councillor Clancy

Carried

Staff In Attendance: Chief Executive Officer - JP Lynch, General Manager City Assets - SG Hodge, General Manager City Services - RA Cooper, General Manager Corporate Services - IS Walker, Manager Jetty Road Development – L Johnson, Manager Development Services- A Marroncelli, Manager Community Engagement- K Harding, Governance Officer – W Matthews.

Councillor Bouchee raised an issue regarding the remediation of Garden Island site.

This matter was not retained in confidence.

CLOSURE

The Meeting closed at 10.08pm.

CONFIRMED Tuesday 11 December 2012

MAYOR