

**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 23 May 2017 at 7:00pm.**

**MEMBERS PRESENT**

His Worship the Mayor, S Patterson  
Deputy Mayor S Lonie  
Councillor R Aust  
Councillor M Bouchée  
Councillor A Bradshaw  
Councillor S Charlick  
Councillor K Donaldson – 7.01pm.  
Councillor R Patton  
Councillor J Smedley  
Councillor R Snewin  
Councillor A Wilson  
Councillor L Yates

**STAFF IN ATTENDANCE**

Chief Executive Officer - JP Lynch  
Acting General Manager Business Services - PE Aukett  
General Manager City Assets & Services - SG Hodge  
Acting General Manager Community Services – J Smith

**1. OPENING**

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

**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.

Councillor Donaldson joined the chamber at 7.01pm.

**4. APOLOGIES**

- 4.1 Apologies Received – Councillor Clancy
- 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****Motion****C230517/766**

**That the minutes of the Ordinary Meeting of Council held on 9 May 2017 be taken as read and confirmed.**

Moved by Councillor Lonie, Seconded by Councillor Smedley

**Carried****8. PUBLIC PRESENTATIONS**

- 8.1 **Petitions** - Nil
- 8.2 **Presentation** - Nil
- 8.3 **Deputations** - Nil

**9. QUESTIONS BY MEMBERS****9.1 Without Notice****9.1.1 Tram Rail Replacement– Councillor Bouchee**

Councillor Bouchee and Councillor Wilson asked questions regarding the Tram Rail Replacement works with Department of Planning Transport and Infrastructure.

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

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

**9.1.2 SA Water Water Main Replacement – Councillor Bouchee**

Councillor Bouchee asked questions regarding the works along Jetty Road Glenelg by SA Water.

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

9.2 **With Notice** - Nil

**10. MEMBER'S ACTIVITY REPORTS** - Nil

**His Worship the Mayor sought leave of the meeting to consider Item 14.12 Proposed Bike Lane Stop 16 Jetty Road Glenelg (Report No: 177/17) and Report No: 183/17 Minutes - Jetty Road Mainstreet Committee Special Meeting – 22 May 2017.**

**Leave of the meeting was granted.**

**14.12 Proposed Bike Lane Stop 16 Jetty Road Glenelg (Report No: 177/17)**

Following receipt of the proposed plan for the bike track treatment at stop 16 Jetty Road, Glenelg. An urgent decision is now required on this design.

The General Manager, City Assets and Services following discussion with Elected Member's and the Chief Executive Officer informed the Department of Planning, Transport and Infrastructure that Council did not wish Department of Planning, Transport and Infrastructure to proceed with the proposed plan and that Council would review its position at some future time as the design appeared to be flawed.

Department of Planning, Transport and Infrastructure responded via email with the following request:

Council need to write formally to our Chief Executive Officer, Michael Deegan with the following:

- “• *A direct request to stop all work on stop 16 relating to solution for cyclists.*
- *Advice on the time frame on “distant future”.*
- *Confirmation that any future resolution on the cyclist issue to be at full cost of Council.*
- *Confirmation that if the bicycle path on Jetty Road remains post our works that Council indemnify the State against a claim from a cyclist injuring themselves.*
- *Confirmation that Council will announce its position publicly and manage all publicity and public enquiries including justification for not addressing cyclist risk at Stop 16 considering that government committed to an improvement.*
- *Details of what Council are considering to resolve the cycling issue.*

*I am concerned that government has expended \$'s on a design solution for Stop 16 and in addition may be exposed to a claim from the contractor undertaking the Jetty Road Tram tracks replacement works as a result of the reduction on scope.”*

**Motion**

1. That Council notify Department of Planning, Transport and Infrastructure that it will support the Department of Planning, Transport and Infrastructure's option for Stop 16 Jetty Road, Glenelg which delivers no delay to the current works schedule and enables the project to be completed by the current published completion date.
2. That Council makes clear in the strongest possible terms that it has not had adequate consultation on this matter or the ability to genuinely alter the design and therefore does not accept any liability or cost for future fit-out or management of this public infrastructure.
3. That a letter outlining Council's position be forwarded to the Chief Executive Officer of the Department of Planning, Transport and Infrastructure, Mr Michael Deegan.

Moved Mayor Patterson, Seconded Councillor Lonie

**Amendment**

**C230517/767**

1. That Council notify Department of Planning, Transport and Infrastructure that it will support the Department of Planning, Transport and Infrastructure's option for Stop 16 Jetty Road, Glenelg which delivers no delay to the current works schedule and enables the project to be completed by the current published completion date with no bike lane included at Stop 16.
2. That Council makes clear in the strongest possible terms that it has not had adequate consultation on this matter or the ability to genuinely alter the design and therefore does not accept any liability or cost for future fit-out or management of this public infrastructure.
3. That a letter outlining Council's position be forwarded to the Chief Executive Officer of the Department of Planning, Transport and Infrastructure, Mr Michael Deegan.

Moved Councillor Yates, Seconded Councillor Smedley

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 Lonie, Aust, Bouchée, Bradshaw, Charlick, Donaldson, Patton, Smedley, Snewin, Wilson and Yates (11)

Those voting against: Nil (0).

His Worship the Mayor declared the motion

**Carried Unanimously**

16.1 **Minutes – Jetty Road Mainstreet Committee Special Meeting – 22 May 2017 (Report No: 183/17)**

The Minutes of the Jetty Road Mainstreet Committee Special Meeting held on 22 May 2017 are attached and presented for Council's information.

**Motion**

**C230517/768**

1. **The Minutes of the Jetty Road Mainstreet Committee Special Meeting held 22 May 2017 are received by Council.**

2. **The Council endorses the recommendations of the Committee, namely:**

2.1 **Discussion on Assisting Traders during Tram Works**

1. **That Jetty Road Mainstreet Committee write to Minister Mulligan requesting funds for a marketing campaign of \$40,000 to promote the precinct post the tram works.**

2. **That Jetty Road Mainstreet Committee seek matched funds of \$40,000 from Council to support the marketing plan.**

3. **That administration prepare a report on car parking. The report to include - recent car park audits; and utilization of Partridge Street carparks.**

Moved Councillor Wilson, Seconded Councillor Lonie

**Carried**

**Division called**

A division was called:

Those voting for: Councillors Lonie, Aust, Bouchée, Bradshaw, Charlick, Donaldson, Patton, Smedley, Snewin, Wilson and Yates (11)

Those voting against: Nil (0).

His Worship the Mayor declared the motion

**Carried Unanimously**

**16.2 Urgent Business – Matching Funding for Jetty Road Mainstreet Committee**

Councillor Wilson sought leave of the meeting to raise a matter of urgent business regarding the matching funding for Jetty Road Mainstreet Committee.

Leave of the meeting was granted.

**Motion****C230517/770**

That Council agrees to the request by the Jetty Road Mainstreet Committee to match any funding provided by the Government of South Australia up to a maximum of \$40,000.

**Motion****C230517/769**

**That the motion be put**

Moved Councillor Bouchee, Seconded Councillor Snewin

**Carried**

His Worship the Mayor put the motion

Moved Councillor Wilson, Seconded Councillor Aust

**Carried****Division called**

A division was called:

Those voting for: Councillors Lonie, Aust, Bouchée, Bradshaw, Charlick, Donaldson, Patton, Smedley, Snewin, Wilson and Yates (11)

Those voting against: Nil (0).

His Worship the Mayor declared the motion

**Carried Unanimously****11. MOTIONS ON NOTICE****11.1 Motion on Notice – Temporary Permits for Pop-Up Style Outdoor Dining Areas – Councillor Bouchee (Report No: 172/17)**

Councillor Bouchee proposed the following motion:

**BACKGROUND**

The permits should take into account of relevant Liquor Licensing regulations/Legislation, Dry Areas, Food Safety, Road closure requirements and Public Safety considerations as required.

**Motion****C230517/771**

**That Administration explore the feasibility of a "Temporary Permit" system that allows businesses to establish "Pop-Up" style outdoor dining areas, and/or that allows existing businesses to temporarily increase the size of the existing outdoor areas, into many of the under-utilised sections of side streets and laneways of Jetty Road, Glenelg.**

Moved Councillor Bouchee, Seconded Councillor Aust

**Carried****12. ADJOURNED MATTERS - Nil****13. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES****13.1 Minutes – Jetty Road Mainstreet Committee – 5 April 2017 (Report No: 132/17)**

The Minutes of the Jetty Road Mainstreet Committee meeting held on 5 April 2017 are attached and presented for Council's information.

**Motion****C230517/772**

**1. The Minutes of the Jetty Road Mainstreet Committee are received by Council.**

**2. The Council endorses the recommendations of the Committee, namely:**

**5.3 Proposed Marketing and Event Spend (Refer Attachment 2)**

**That the proposed marketing and event spend from the Jetty Road separate rate for financial year 2017/18 be approved.**

**5.4 Winter Wonderland**

**Given the increase in size of the marquee, the increase in fees, the inclusion of additional elements and the reduced operating times for the ice rink, pricing be increased to the following: Child \$10.00; Adult \$15.00 and Family tickets (2 adult and 2 children) \$35.00 – plus booking fee and credit card surcharges.**

Moved Councillor Wilson, Seconded Councillor Lonie

**Carried****13.2 Minutes – Audit Committee – 3 May 2017 (Report No: 171/17)**

The minutes of the meeting of the Audit Committee held on 3 May 2017 are presented to Council for information and endorsement.

**Motion****C230517/773**

1. That Council receives and notes the minutes of the meeting of the Audit Committee of 3 May 2017, namely:
  1. That the Audit Committee advise Council that it has reviewed the Draft 2017-18 Budget and makes the following comments:
  2. Generally satisfied with the format and content of the plan
  3. Recommends minor word changes in respect of the EPA waste levy, electricity, and fees and charges with CPI changes, our community in regard to ageing population.
2. That the Audit Committee advises Council it has received and considered a Standing Items Report addressing:
  - Monthly financial statements
  - Internal control
  - Risk management
  - Whistleblowing
  - Internal audit
  - Economy and efficiency audits
3. That the Audit Committee adopts the following meeting schedule (subject to additional meetings being called if required):
  - Wednesday 23 August 2017
  - Wednesday 25 October 2017.
4. That the Audit Committee advises Council that it is undertaking a review of its Terms of Reference and will present its recommendations to Council when completed.
5. The Audit Committee advises Council it has received a report on related party disclosures.
6. That the Audit Committee note the contents of this report. The Audit Committee recommends that a further report be brought back to the next meeting of the Audit Committee on:
  - progress of an Exception Report;
  - the implementation of a structured inspection regime;
  - Asset Management Framework; and
  - a post implementation review of Stage 1 of the Asset

Moved Councillor Smedley, Seconded Councillor Charlick

**Carried****14. REPORTS BY OFFICERS**



**14.1 Items in Brief (Report No: 161/17)**

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****C230517/774**

**That the following items be noted and items of interest discussed:**

- **OPAL Theme for 2017-18 – ‘Life Looks Brighter Outside’**

Moved Councillor Lonie, Seconded Councillor Snewin

**Carried****14.2 Possible Sale of Strip of Land on the Western Boundary of 11 Kingston Crescent Seacliff (Report No: 162/17)**

The property owner of 11 Kingston Crescent, Seacliff approached Council regarding the possibility of purchasing a 10 metre wide x 20 metre long strip of adjoining Pine Gully land. Council’s conservation officer undertook an investigation and suggests the sale of a 2 metre strip, 40 square metres as opposed to a 200 square metre section.

This report recommends that Council agree in principle to sell the strip of 2 metre wide and 20 metres long land (approximately 40 square metres) at a fair market value.

**Motion****C230517/775**

- 1. That Council advises Mr Tim McGrath (property owner of 11 Kingston Crescent, Seacliff) that Council is willing to proceed with the sale of a strip of land on the western boundary of the property subject to an environmental assessment and public consultation outcome.**
- 2. That Council delegates to the Chief Executive Officer the authority to approve any subsequent sale documents.**

Moved Councillor Lonie, Seconded Councillor Smedley

**Carried****14.3 Possible Sale of Strip of Land on the Eastern Boundary of 83 Tapleys Hill Road Glenelg North (Report No: 163/17)**

The property owner of 83 Tapleys Hill Road, Glenelg North has approached Council regarding the possibility of purchasing from Council a strip of land between the existing eastern property boundary and the adjacent footpath.

This report recommends that Council agree in principle to sell the strip of land at a fair market value.

**Motion****C230517/776**

1. **That Council advises the property owner of 83 Tapleys Hill Road that Council in principle is willing to proceed with the sale of a strip of land on the eastern property boundary.**
2. **That Council's administration on this occasion does not notify nearby residents of the proposed sale as it has no effect on any neighbouring property.**
3. **Council delegates to the Chief Executive Officer the authority to approve any subsequent sale documents.**

Moved Councillor Patton, Seconded Councillor Charlick

**Carried**14.4 **Renewal of Lease – Glenelg North Community Centre** (Report No: 164/17)

The City of Holdfast Bay is currently in the process of developing a 'Community Centre Framework' to operationally complement its 'Community Centre Policy' (endorsed by Council on 11 April 2017), and the pending 'Community Leasing Policy'. While actively promoting involvement and fostering strong partnerships, the Policies and Framework combined will establish a clear, strategic and sustainable direction for the future planning, development and management of all community centres within the city. The expected completion of this initiative is 2018.

Noting this, two (2) of Holdfast Bay's community centres lessees are due for a lease renewal prior to the implementation of the Policy and Framework; one of which being the Glenelg North Community Centre (Glenelg Brass Band Inc.) whose current lease expires 31 October 2017.

Due to this, the Administration recommends that Council enter into a subsequent new lease with Glenelg Brass Band Incorporated for a further term of two (2) years (with no option for renewal), in order to allow the timely completion of both the Framework initiative, while also continuing to support the user group to facilitate services at the location, for the ongoing benefit of the community.

**Motion****C230517/777**

1. **That Council enters into a lease with the Glenelg Brass Band Incorporated over a portion of allotment 3 in FP 1875 contained in Certificate of Title Volume 5511 Folio 96 for a period of two (2) years, commencing 1 November 2017, with the same terms and conditions as the current lease.**
2. **That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Bouchee, Seconded Councillor Donaldson

**Carried**

**14.5 Renewal of Lease – Brighton Community Centre (Report No: 165/17)**

The City of Holdfast Bay is currently in the process of developing a 'Community Centre Framework' to operationally complement its 'Community Centre Policy' (endorsed by Council on 11 April 2017), and the pending 'Community Leasing Policy'. While actively promoting involvement and fostering strong partnerships, the Policies and Framework combined will establish a clear, strategic and sustainable direction for the future planning, development and management of all community centres within the city. The expected completion of this initiative is 2018.

Noting this, two (2) of Holdfast Bay's community centres lessees are due for a lease renewal prior to the implementation of the Policy and Framework; one of which being the Brighton Community Centre - Over 50s Social Club (Brighton Over 50s Social Club Incorporated) whose current lease expires 31 December 2017.

Due to this, the Administration recommends that Council enter into a subsequent new lease with the Brighton Over 50s Social Club Incorporated for a further term of two (2) years (with no option for renewal), in order to allow the timely completion of Framework initiative, while also continuing to support the user groups to facilitate services at each respective location, for the ongoing benefit of the community.

**Motion****C230517/778**

- 1. That Council enters into a new lease with the 'Brighton Over 50's Social Club Incorporated over the land contained in Certificate of Title Volume 5664 Folio 439 for a term of two (2) years, commencing 1 January 2018, with the same terms and conditions as the current lease.**
- 2. That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Yates, Seconded Councillor Lonie

**Carried****14.6 Monthly Financial Report – 30 April 2017 (Report No: 166/17)**

Attached are financial reports as at 30 April 2017. They comprise a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor Aged Care, and a month by month variance report for Council's municipal activities.

The current forecast was updated by Council on 9 May 2017 as part of the quarterly budget review to 31 March 2017 (Resolution No: C090517/750). Included in the March quarterly update was \$50,000 capital expenditure for a stormwater management solution to address flooding issues at the intersection of Moseley and Pier Street. A further investigative report was received and adopted by Council on 11 April 2017 recommending a clean out at an operational cost of up to \$50,000 of stormwater pipes in Pier Street and the

Gross Pollutant Trap (Resolution No: C110417/732). The additional operating expenditure and corresponding reduction of capital expenditure has been included in the attached financial reports and forms part of the revised forecast for 2016/17.

**Motion**

**C230517/779**

**That Council receives the financial reports for the 10 months to 30 April 2017 and notes:**

**Municipal Activities**

- a decrease in the forecast operating surplus for 2016/17 of \$50,000 from \$478,967 to \$428,967 (compared to an operating surplus of \$472,779 in the original budget);
- a decrease in the forecast capital expenditure for 2016/17 of \$50,000 from \$18.207 million to \$18.157 million (compared with \$8.585 million in the original budget);
- no change in the forecast funding requirement for 2016/17 of \$989,252 (compared with a funding surplus of \$2.970 million in the original budget).

**Alwyndor Aged Care**

- no change in the forecast operating surplus for 2016/17 of \$169,562 (compared to an operating surplus of \$466,362 in the original budget);
- no change in the forecast capital expenditure for 2016/17 of \$476,260 (unchanged from the original budget);
- no change in the forecast funding surplus for 2016/17 of \$555,782 (compared with a funding surplus of \$852,582 in the original budget).

Moved Councillor Smedley, Seconded Councillor Yates

**Carried**

14.7 **Glenelg Beach Concert Debrief (Report No: 155/17)**

A concert on was held on the Glenelg beach on Saturday, 11 February 2017 with performances from The Cat Empire, Xavier Rudd and others. The event attracted 5,000 paying attendees and was incident free.

The City of Holdfast Bay charged both venue hire and professional fees for City of Holdfast Bay employee time and expertise.

**Motion**

**C230517/780**

**That Council receive and note Report No: 155/17.**

Councillor Patton left the chamber at 7.45pm.

Moved Councillor Lonie, Seconded Councillor Wilson

**Carried**

14.8 **Draft 2017-18 Annual Business Plan Consultation Outcomes** (Report No: 167/17)

Council has received 8 submissions in response to its Draft 2017-18 Draft Annual Business Plan community consultation. The key topics raised through the consultation included the presentation and format of the document, allocation of budget to specific projects, comments on specific projects/areas and comments relating to the proposed 2.9% rate increase.

**Motion**

**C230517/781**

**That the submissions arising from the community consultation on the Draft 2017-18 Annual Business Plan be received and noted.**

Councillor Patton rejoined the chamber at 7.46pm.

Moved Councillor Charlick, Seconded Councillor Lonie

**Carried**

14.9 **2017-18 Rate Parameter Setting** (Report No: 169/17)

In setting rates for each financial year, Council reviews the property valuations and principles in relation to the minimum rate, differential rate, rate capping and how the rate contribution is to be apportioned across ratepayers.

**Motion**

**C230517/782**

**That the following principles be applied to setting the rates for 2017/18:**

- (a) the minimum rate be increased by the same percentage as the increase in general rate i.e. 2.9%;**
- (b) the differential rate be retained at the current 13.8% proportion of general rate revenue;**
- (c) the rate capping percentage be reduced from 7% to 6%;**
- (d) the heritage rate rebate be reduced from 17% to 8%.**

Moved Councillor Lonie, Seconded Councillor Yates

**Carried**

14.10 **Procurement Policy** (Report No: 170/17)

It is a requirement under s49 of the *Local Government Act 1999* that Council adopts policies on procurement, specifically contracting, tendering and the use of local goods and services. The purpose of this policy is to ensure that Council achieves value for money when purchasing, and establishing processes to protect staff and ensure probity.

The Procurement Policy has been reviewed to accommodate changes to internal processes, as a result of the Procure to Pay Project Implementation.

In order to improve the relationship that Council has with its suppliers, a new document, the Supplier Charter, has been created to inform suppliers on how to do business with Council.

**Motion****C230517/783**

1. **That Council approve the amended policy.**
2. **That Council approve the adoption of the Supplier Charter.**

Moved Councillor Lonie, Seconded Councillor Donaldson

**Carried**14.11 **Council Policy Review** (Report No: 168/17)

As part of the on-going review of Council policies, six policies have been reviewed and are now presented to Council for adoption. Four of the six policies have required minor amendments since their last review, while three policies have had the addition of a preamble and the last three policies have been substantially rewritten.

**Motion****C230517/784**

1. **That the following policies (as amended) be adopted by Council:**
  - **Caretaker Period Policy**
  - **Dog Management Policy**
  - **Elected Member Training & Development Policy**
  - **Goods on Footpath Policy**
  - **Mobile Trading Policy**
  - **Order Making Policy**
2. **That the strategic references relevant to each policy (Attachments 1-6) are updated, following the recent endorsement of the Council's Our Place 2030 Strategic Plan.**

Moved Councillor Yates, Seconded Councillor Lonie

**Carried**15. **RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**16. **URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING**16.3 **Cyclist Dismount Signage – Jetty Road Glenelg – Councillor Bouchee****Background**

With the current discussion around cyclists' safety on Jetty Road, Glenelg and the obvious issues we have faced in the past, I believe this is a workable solution to whatever decisions are made by Council and the Department of Planning Transport and Infrastructure into the future.

Given that DPTI's original plan was to insert rubber compound in the gaps between the tracks and the road surface, which is now no longer part of their thinking the whole street is going to be problematic for cyclists, not just the areas around the tram stops.

Further to this last year when the Department changed the rules to now make it legal for cyclists to ride on footpaths, pedestrians and particularly the elderly would be at risk of injury from errant cyclists.

**Motion**

**C230517/785**

**That Council installs “Cyclist Dismount” signs within the pavement and any other appropriate location from Moseley Square to Brighton Road, in order to safeguard cyclist and pedestrians from injury.**

Moved Councillor Bouchee, Seconded Councillor Wilson

**Carried**

**Division called**

A division was called:

Those voting for: Councillors Bouchée, Bradshaw, Donaldson, Patton, Smedley, Snewin and Wilson (7)

Those voting against: Councillors Lonie, Aust, Charlick and Yates (4).

His Worship the Mayor declared the motion

**Carried**

**17. ITEMS IN CONFIDENCE**

- 17.1 **Motion on Notice – Glenelg Football Club – Councillor Bouchee** (Report No: 174/17)

**Motion– Exclusion of the Public – Section 90(3)(d) Order**

**C230517/786**

- 1 **That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 174/17 – Motion on Notice – Glenelg Football Club – Councillor Bouchee in confidence.**
2. **That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 174/17 – Motion on Notice – Glenelg Football Club – Councillor Bouchee on the following grounds:**
  - d. **pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information in that the Glenelg Football Club’s and that this information may prejudice the commercial position of the football club.**

**In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.**

- 3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.**

Moved Councillor Lonie, Seconded Councillor Smedley

**Carried**

### **Conflict of Interest**

His Worship the Mayor, S Patterson declared a material conflict of interest for the item 17.1 Glenelg Football Club (Report No: 285/16). The nature of his material conflict of interest (Pursuant to Section 74 of the Local Government Act 1999) is that his company has a business relationship with the SANFL. His Worship the Mayor dealt with this material conflict of interest by making it known to the chamber and left the chamber at 8.11pm.

The Deputy Mayor, Councillor Lonie assumed the chair at 8.11pm.

Councillor Charlick left the chamber at 8.11pm.

Councillor Charlick rejoined the chamber at 8.13pm.

### **RETAIN IN CONFIDENCE - Section 91(7) Order**

#### **Motion**

**C230517/788**

**That having considered Agenda Item 17.1 Motion on Notice – Glenelg Football Club – Councillor Bouchee (Report No: 174/17) in confidence under section 90(2) and (3)( d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and minutes be retained in confidence for a period of 2 months and that this order be reviewed at this time.**

Moved Councillor Snewin, Seconded Councillor Yates

**Carried**

- 17.2 Motion on Notice – Glenelg Football Club – Councillor Donaldson (Report No: 176/17)**

The Chairperson, Councillor Lonie following legal advice did not consider Item 17.2 Motion on Notice – Glenelg Football Club – Councillor Donaldson (Report No: 176/17).



**CLOSURE**

The Meeting closed at 9.00 pm.

**CONFIRMED      Tuesday 13 June 2017**

**MAYOR**