

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 12 August 2014 at 7:01pm.

MEMBERS PRESENT

His Worship the Mayor, AK Rollond
Deputy Mayor, S Patterson
Councillor RM Bouchée
Councillor KM Donaldson
Councillor LR Fisk
Councillor JD Huckstepp
Councillor SC Lonie
Councillor TD Looker
Councillor RA Clancy
Councillor RC Patton
Councillor LJ Yates

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 Organisational Sustainability – PE Aukett

1. OPENING

His Worship the Mayor declared the meeting open at 7.01pm.

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 AP Roe and Councillor PW Dixon
- 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****C120814/1193**

That the minutes of the Ordinary Meeting of Council held on 22 July 2014 be taken as read and confirmed.

Moved by Councillor Huckstepp, Seconded by Councillor Yates

Carried**8. PUBLIC PRESENTATIONS****8.1 Petitions**

- 8.1.1 ***Petition – Brighton Crash Repairs, Arundel Street Brighton*** (Report No: 251/14)

A petition has been received from a total of 20 signatories regarding the operation of Brighton Crash Repairs.

The petition states as follows:

“We the undersigned, respectfully petition the City of Holdfast Bay:

1. *to allow the operator of the Brighton Crash Repairs business to continue to park and store vehicles on its site at 2 Arundel Street Brighton as it has done for many years*
2. *to reverse any decision to prevent or restrict the operator of the Brighton Crash Repairs business from parking or storing vehicles at 2 Arundel Street Brighton as any such prohibition or restriction has a detrimental effect on the amenity of the local area; and*
3. *that Council recognise that off-street parking is the best long term solution for the co-existence of the Brighton Crash Repairs business and its neighbours.”*

Motion**C120814/1194**

That the petition be received and referred to the appropriate department for a response.

Moved Councillor Yates, Seconded Councillor Patterson

Carried8.2 **Presentation - Nil**8.3 **Deputations**8.3.1 **Barry Heffernan**

Mayor Rollond has approved a deputation from Mr Barry Heffernan made a presentation to Council on the progress of the Veterans' Shed for 5 minutes.

9. COUNCIL MEETING ADJOURNMENT**Motion****C120814/1195**

That the Council meeting be adjourned so that the Strategic Planning and Development Policy Committee can meet at this time.

Moved Councillor Lonie, Seconded Councillor Donaldson

Carried**10. COUNCIL MEETING RESUMPTION****Motion****C120814/1196**

That the Council meeting be resumed following the Strategic Planning and Development Policy Committee.

Moved Councillor Bouchee, Seconded Councillor Yates

Carried**11. CONFIRMATION OF STRATEGIC PLANNING & DEVELOPMENT POLICY COMMITTEE RESOLUTIONS****Motion****C120814/1197**

That Council adopts the following recommendations from the Strategic Planning and Development Policy Committee

Minda North Brighton Campus Development Plan Amendment – correspondence from Minister for Planning (Report No: 248/14)

That the Committee recommends that:

1. **Council not release the draft Minda North Brighton Campus Development Plan Amendment for public consultation during the Council Caretaker Period.**
2. **Council endorse the draft letter of response to the Minister for Planning located at Attachment 2 to Report 248/14 in relation to the Minda North Brighton Campus Development Plan Amendment.**

Seacliff Park Residential and Centre Development Plan Amendment – for Agency Consultation (Report No: 250/14)

That Council:

1. **Acknowledges that the Seacliff Park Residential and Centre Development Plan Amendment is a joint amendment between the City of Marion and the City of Holdfast Bay.**
2. **Endorses the enclosed Seacliff Park Residential and Centre Development Plan Amendment (refer to Attachment 1) with minor administrative amendments for the purpose of formal Agency Consultation.**
3. **Proceed to Agency Consultation pursuant to s25 of the Development Act 1993.**

Moved Councillor Fisk, Seconded Councillor Patterson

Carried

12. QUESTIONS BY MEMBERS

12.1 Without Notice

12.1.1 Petition – Brighton Crash Repairs– Councillor Yates

Councillor Yates asked a question regarding the Brighton Crash Repairs Petition.

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

12.1.2 Employment Practices – Caravan Park – Councillor Bouchee

Councillor Bouchee asked a question regarding the employment practices for Managers at the Brighton Caravan Park.

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

12.2 With Notice - Nil

13. MEMBER'S ACTIVITY REPORTS**13.1 Mayoral Report (Report No: 234/14)**

Presented for the information of Members is the Activity Report for the Mayor for May 2014 – July 2014

Motion**C120814/1198**

That the Mayor's Activity Report for May 2014 – July 2014 report be received and noted.

Moved Councillor Clancy, Seconded Councillor Donaldson

Carried**13.2 Norman Waterhouse Lawyers Annual Conference**

Councillor Looker reported that he had attended the Norman Waterhouse Lawyers Annual Conference.

13.3 CCTV Cameras

Councillor Bouchee reported that she had attended a walk in Glenelg with SAPOL to view the CCTV installations.

14. MOTIONS ON NOTICE**14.1 Motion on Notice – Renaming Mayoral Garden Party – Mayor Rollond*****Summary***

Changing the name of the MGP does not remove the significant number of issues with the organisation of the event during the caretaker period.

The MGP could be held in the first half of 2015, then there would not be a need for the name of the event to be changed and the funds allocated to fund the event by the Mayor could be used without having significant implications.

Legal advice has been sought to ensure that the advice provided an accurate reflection of the current legislation involved in the 2014 election.

Motion

That the Council endorses the change of name from the Mayoral Garden Party to The Holdfast Bay Community Christmas Garden Party and that this year the event will be held on the 28 November in conjunction with Minda, Brighton Secondary School, Brighton Lions Club and the Community Centres.

Councillor Rosemary Clancy objected to the statements made by Councillor Bouchee under Regulation 29 – Point of Order and asked Councillor Bouchee to withdraw her comments regarding Council's legal advisors.

His Worship the Mayor accepted the Point of Order and requested Councillor Bouchee to withdraw her comments.

Councillor Bouchee withdrew her comments and made a subsequent comment which she was asked to withdraw by the Presiding Member of the Meeting.

His Worship the Mayor accepted the Point of Order and requested Councillor Bouchee to withdraw her comments

Councillor Bouchee withdrew her comments.

Councillor Looker under Regulation 29 – Point of Order asked the Presiding Member, under Regulation 29 – Point of Order to ask Councillor Bouchee to stop interrupting the meeting.

His Worship the Mayor accepted the Point of Order and requested Councillor Bouchee to cease interrupting the meeting.

Moved Mayor Rollond, Seconded Councillor Donaldson

Lost

Division called

A division was called:

Those voting for: Councillors Fisk, Bouchee, Donaldson and Yates (4)

Those voting against: Councillors Patton, Patterson, Looker, Clancy, Lonie and Huckstepp (6).

His Worship the Mayor declared the motion

Lost

Motion

C120814/1199

That the Council retains the name Mayoral Garden Party and that the Mayoral Garden Party be held in December 2014 or in the first quarter of 2015, at the Mayors discretion.

Councillor Bouchee left the chamber at 7.56pm.

Councillor Bouchee rejoined the chamber at 7.57pm.

Moved Councillor Patterson, Seconded Councillor Patton

Carried

Division called

A division was called:

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

Those voting against: Councillors Fisk and Bouchee (2).

His Worship the Mayor declared the motion

Carried

ADMINISTRATION COMMENT

Background

The Mayoral Garden Party (MGP) until 2009 was the final event of the annual Every Generation in October held in the grounds of Partridge House.

The MGP in 2010 was organised independently by staff and tickets were not distributed until after the conclusion of the election. A report to council in 2010 stated that *“due to the timing of the Local Government Elections, Council recently resolved ‘That the Mayoral Garden Party be held in November 2010 following the conclusion of the Caretaker period.’ The event has traditionally been held in October as part of the Every Generation Festival. In order to ensure the event is held after the new Council is officially sworn in, the event would need to be held after 23 November 2010. Taking into consideration existing events already scheduled in the last week of November and the availability of Partridge House, the earliest available date on which to host the event is Friday 3 December 2010.”*

Following a review and the increasing cost of staff in organising the MGP, it was decided by Council that from 2011 the Mayor would have access to the budget for the event and it would be his responsibility to organise and manage the MGP independently.

Because of the timing of the event consideration needs to be given to the requirements of applicable legislation and the interaction between the *Local Government Act 1999* and Caretaker Period, *Local Government (Elections) Act 1999*, Elected Member Code of Conduct. Given the complexity of the requirements of the various acts, legal advice has been sought and what follows has been reviewed by our legal advisors for accuracy.

Current Situation

The MGP is no longer part of the Every Generation Festival and is organised and managed independently from Council by the Mayor, with minimal council support. The Mayor wishes to hold the event on 28 November 2014, in conjunction with Minda, Brighton Secondary School, Brighton Lions Club and the Community Centres.

The Council’s Caretaker Period Policy and Guidelines state:

- 2.1.1. *At the calling of a general election for Council, Council will, for the election period described above, enter into a Caretaker mode. During this period Council will not: -*

- a. *Enter into any decision about the employment of a permanent Chief Executive Officer.*
- b. *Enter into any contract, lease or entrepreneurial venture that exceeds the value of \$100,000, or 1% of rate revenue from the previous financial year, whichever is the greater, unless the contract or lease gives effect to any expenditure or revenue measure contained in a budget and adopted by Council prior to the election period*
- c. *Publish any electoral matter except for that required under the Act.*
- d. *Use any of its resources to the advantage of any candidate (other than a decision that allows the equal use of council resources by all candidates for election.)*
- e. *Enter into any public consultation unless prior approval of Council has been given or it expressly required by this or any other Act, including the Development Act 1993.*

The guidelines associated Caretaker Period state:

Events and Functions	<i>Means gatherings involving external stakeholders to discuss, review, acknowledge, communicate, celebrate or promote a program, strategy or issue which is of relevance to Council and its community and may take the form of conferences, workshops, forums, launches, promotional activities, and social occasions such as dinners, receptions and balls.</i>
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“Council Events and Functions

Council organised events and functions held during the election period will be reduced to only those essential to the operation of the Council. Council Members must not give speeches or keynote addresses at functions during an election period, members may make short welcome speeches.”

Whilst the Mayors motion appears straight forward the interaction between the Local Government Act and Caretaker Period, Local Government Elections Act, Code of Conduct – Elected Members makes determining the appropriateness of this more complex therefore legal advice has been sought and what follows has been reviewed by our legal advisors for accuracy.

The MGP is an activity which is covered by the Council's Caretaker Period policy – which runs from 2 September to when the Electoral Commissioner declares the poll results, which is likely to be before 14 November 2014. The Caretaker Period Policy specifically provides that the Council will not *Use any of its resources to the advantage of any candidate (other than a decision that allows the equal use of council resources by all candidates for election.)*

If the Mayor is a candidate or is likely to be a candidate the allocation of funds solely for utilisation by the Mayor is contrary to the Council's Policy position. This is because such funds are not equally made available to all candidates (and, for obvious reasons, it is proper that such funding is not available to all candidates). Accordingly, as the MGP uses council resources and can be seen to advantage one candidate (or possible candidate), even with a name change to the event it could still be perceived as the MGP by the community who have attended this event in the past. Further, whilst the name of the event may be changed it remains an event for which funding is made available to the Mayor and is also an event primarily arranged by the Mayor with minimal Council support.

This year the post-election timetable has the Elected Members attending their first meeting on Tuesday 25 November 2014, which is three days prior to this event.

By holding the MGP on this date the Mayor is committing Council and whomever is the incoming Mayor to a function only 3 days after the first meeting of the council and they may wish to have a say in and organise to their own wishes.

Ticket distribution for the event is also relevant, because it could amount to a 'bribe' under section 57 of the Local Government (Elections) Act 1999. This is because the offering of food, drink or entertainment during the caretaker period is defined as a 'bribe', meaning that such an offer by the Mayor to the event could amount to a criminal offence under the Act if the purpose of the offering was made with a view to induce a person to submit/withdraw as a candidate, influence the vote of a person or interfere with an election. Sections 57 and 58 are set out below.

"57. Violence, intimidation, bribery etc

- 1) *A person who exercises violence or intimidation, or offers or gives a bribe, with a view to –*
 - a. *Inducing a person to submit or withdraw candidature for election; or*
 - b. *Influencing the vote of a person at an election or poll; or*
 - c. *Otherwise interfering with the due course of an election or poll, is guilty of an offence.*

Maximum penalty: \$10,000 or imprisonment for seven years.

- 2) *A person who receives a bribe offered in contravention of subsection (1) is guilty of an offence*

Maximum penalty: \$10,000 or imprisonment for seven years.

- 3) *In this section –
'bribe' includes any pecuniary sum or material advantage
including food, drink or entertainment*

58. Violence, intimidation, bribery etc

- 1) *A person who dishonestly exercises, or attempts to exercise, a
vote at an election or poll to which that person is not entitled is
guilty of an offence.*

Maximum penalty: \$5,000 or imprisonment for one year.

- 2) *A person who dishonestly influences or attempts to influence the
result of an election or poll is guilty of an offence.*

Maximum penalty: \$5,000 or imprisonment for one year.

If the date of the event is changed to the first half of 2015 there is no particular need for the name of the event to be changed. Further, the event name change does not detract from the utilisation of Council funds specifically for an event to be arranged by the Mayor during the caretaker period and the potential for issues regarding the allocation of tickets if tickets are not made available to all candidates on the same basis.

14.2 **Motion on Notice – Local Government Elections – Public Meetings – Councillor Looker** (Report No: 260/14)

BACKGROUND

Public meetings are a key part of an election and it is important they be widely publicised and the conducted with complete impartiality. The number of candidates will be too great for adequate speaking time so two meetings will allow that plus provide convenience for residents at either end of the city.

Motion

C120814/1200

That Council Administration, as part of the local government elections, organise up to four public meetings, adjudicated by a neutral chair, to allow all nominated candidates to introduce themselves and their platform for election and take several questions. These meetings will be widely publicised and open.

Moved Councillor Looker, Seconded Councillor Clancy

Carried

15. **ADJOURNED MATTER - Nil**

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

Councillor Patterson left the chamber at 8.11pm

16.1 Minutes – Development Assessment Panel – 25 June 2014 (Report No: 213/14)

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

The minutes of the Development Assessment Panel meeting held 25 June 2014 are presented to Council for information.

Motion

C120814/1201

That the minutes of the Development Assessment Panel meetings held on 25 June 2014 be received.

Moved Councillor Clancy, Seconded Councillor Looker

Carried

16.2 Minutes – Alwyndor Management Committee – 15 July 2014 (Report No: 239/14)

The Minutes of the Alwyndor Aged Management Committee for 15 July 2014 are provided for information.

Motion

C120814/1202

That the minutes of the Alwyndor Management Committee for 15 July 2014 be noted.

Moved Councillor Lonie, Seconded Councillor Clancy

Carried

17. REPORTS BY OFFICERS

17.1 Items in Brief (Report No: 240/14)

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

C120814/1203

That the following items:

- **Adelaide Airport Preliminary Draft Masterplan 2014**
- **Scores on Doors**
- **Open Air Cinema 2015**

- **Heritage and Character Development Plan Amendment – Completion of Process**
- **Bus Layover**
- **Flying the Rainbow Flag – Celebrating Diversity**

be noted and items of interest discussed.

Moved Councillor Lonie, Seconded Councillor Looker

Carried

Councillor Lonie left the chamber at 8.14pm.

Councillor Patterson rejoined the chamber at 8.15pm.

Councillor Lonie rejoined the chamber at 8.16pm.

Motion

That Council only fly the Official Flags of Australia and the City of Holdfast Bay flag on the Council Flag poles, where appropriate.

Moved Councillor Huckstepp, Seconded Councillor Fisk

Lost

Motion

C120814/1204

That Council fly the Rainbow Flag in Moseley Square during the Feast Festival.

Moved Councillor Yates, Seconded Councillor Looker

Carried

17.2 **Partridge House – Special Circumstances Licence Application (Report No: 237/14)**

Partridge House hosts numerous licensed events and functions throughout the course of any given year both in the house and increasingly in the garden areas on the south-western side of the building. Until now limited liquor licences have been obtained for these events to provide restricted beverage services to guests.

However, due to the growing number of events held each year, it has now become more feasible to seek a permanent Licence that will only operate for privately booked events/functions in both the house and certain areas of the grounds.

As such, the Administration proposes to lodge an application with Consumer and Business Services for a Special Circumstances Licence to operate in accordance with section 40 of the *Liquor Licensing Act 1997*. The hours in which the licence will operate reflects those outlined in Council's current liquor licensing policy:

- i) Monday to Saturday between 8:00am and 12:00 midnight the same day;
- ii) Sunday between 11.00am and 8:00pm the same day.

Due to the sporadic nature of these functions/events and how the licence will operate, as a subsequent aspect of the application, a section 97(2) exemption will be sought. The exemption will authorise the licence to operate without a 'Responsible Person' being present at the premises at all times; and only when events are held.

This licence will allow Partridge House staff the opportunity to offer a more complete and tailored services to those seeking to book an event in either the House or grounds.

The Administration now seeks Council endorsement prior to lodging an application.

Motion

C120814/1205

That Council supports the application for Special Circumstances Licence to supply liquor at Partridge House for privately booked functions/events ONLY, in

accordance with section 40 of the *Liquor Licensing Act 1997*, as well as endorsing the section 97(2) exemption based on the following conditions being imposed on the licence:

1. **The hours in which liquor is served/supplied be restricted to:**
 - i) **Monday to Saturday between 8:00am and 12:00 midnight the same day;**
 - ii) **Sunday between 11.00am and 8:00pm the same day.**
2. **Liquor is to be supplied to persons attending private functions only and no liquor is to be offered for sale to the general public;**
3. **There will be no promotion of liquor for sale at the licensed premises;**
4. **That the section 97(2) exemption is granted from the requirements outlined in section 97(1)(a) provided:**
 - a. **the licensing authority be given the right to review the exemption at any time.**

Councillor Huckstepp left the chamber at 8.35pm.

Moved Councillor Patterson, Seconded Councillor Yates

Carried

17.3 **Seacliff Surf Lifesaving Club Liquor Licence** (Report No: 238/14)

The Seacliff Surf Life Saving Club has approached the Administration with the intent to amended aspects of their liquor licence. The club seeks to extend their ground floor licensed area to include the kiosk (currently a disused space) and adjacent outdoor area, in addition to removing outdated contradictory licence conditions.

The club now seeks landlord consent and Council endorsement prior to lodging an application for variation/alteration with Consumer and Business Services.

Motion

C120814/1206

That Council gives landlord consent and advises Consumer and Business Services that it endorses the Seacliff Surf Lifesaving Club's intent to:

1. **Vary their ground floor licensed area to include the 'kiosk' and adjacent external area; and**
2. **Remove liquor licence conditions 5 and 6.**

Councillor Huckstepp rejoined the chamber at 8.37pm.

Moved Councillor Lonie, Seconded Councillor Donaldson

Carried

17.4 **Recording of Council Meetings** (Report No: 242/14)

Council at its meeting held on 28 May 2013, resolved that *“administration report on the practical measures required and cost, to make audio recordings of each council meeting.”*

This report explores the issues and the costs of the different options of making audio recordings of each council meeting.

Motion

That the report be received and noted and that recording is not pursued as the costs and risks associated outweigh the public benefit.

Councillor Patton left the chamber at 8.43pm.

Councillor Patton rejoined the chamber at 8.44pm.

Moved Councillor Donaldson, Seconded Councillor Lonie

Lost

Division called

A division was called:

Those voting for: Councillors Donaldson and Lonie (2)

Those voting against: Councillors Fisk, Bouchee, Patton, Patterson, Looker, Clancy, Huckstepp and Yates (8).

His Worship the Mayor declared the motion

Lost

17.5 **Community Land Revocation – Corner Kauri Parade and Portland Street Seacliff**
(Report No: 243/14)

To allow the disposal of land on the corner of Kauri Parade and Portland Streets Seacliff, Council first needs to revoke the Community Land status of this land in accordance with the Local Government Act, 1999.

The purpose of this report is for Council to consider the response to the public consultation that has recently occurred regarding removing this land from Community Land Status.

A 28 days public consultation period was undertaken from 16 June 2014 to 13 July 2014. Feedback was received from only two people, with one indicating they do not support this proposal. The other person did not state their level of support.

Given the low response numbers with only one not supporting this proposal to revoke the land from Community Land status it is recommended that

endorsement from the Minister for Local Government to have the land revoked from Community Land status.

Motion

C120814/1207

1. That Council receives the results of the public consultation undertaken.
2. That Council seeks the endorsement of the Minister for Local Government to have the land located on the corner of Kauri Parade and Portland Street Seacliff, as detailed in Attachment 1, revoked from Community Land status.

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

17.6 **Elected Member Use of Social Media – Content Guidelines** (Report No: 244/14)

In April this year the Independent Commissioner Against Corruption, Mr Justice Lander wrote to this Council advising that he had closed a file regarding a complaint made to the Office of Public Integrity. This complaint concerned the use of Social Media by Elected Members. As a result of an investigation into the complaint, the Chief Executive Officer accepted a recommendation to develop Guidelines for the use of social media by Members. Those Guidelines have since been prepared and are presented to Council for adoption.

Motion

C120814/1208

That the Elected Member Use of Social Media – Content Guidelines attached to this report:

1. Are adopted by Council, forming part of Council's policies, codes and decisions; and
2. A copy is provided to the Independent Commissioner Against Corruption as requested.

Moved Councillor Looker, Seconded Councillor Lonie

Carried

17.7 **Seacliff – Corner Barwell Ave and Kauri Parade – Lease to Civil Mining Group** (Report No: 245/14)

The contract to Civil Mining Group Pty Ltd for the provision of concrete works for the City of Holdfast Bay has been extended for a period of two years from 19 August 2014 to 18 August 2016.

It is intended to allow Civil Mining Group Pty Ltd to continue to use portion of the property located on the corner of Barwell Avenue and Kauri Parade Seacliff for the purposes of storage of materials, plant and equipment.

It is proposed to enter into a lease with the Civil Mining Group Pty Ltd over portion of this site for a period from 19 August 2014 to 18 August 2016.

Motion

C120814/1209

1. **That approval is granted to enter into a lease with Civil Mining Group over portion of allotment 62 in DP 54730 contained in Certificate of Title Volume 5828 Folio 590, from 19 August 2014 to 18 August 2016.**
2. **That the Mayor and Chief Executive Officer be granted approval to execute and seal the required documentation to give effect to this lease.**

Moved Councillor Yates, Seconded Councillor Lonie

Carried

17.8 Williams Avenue, Glenelg East – Lease to St John Ambulance SA Inc (Report No: 246/14)

The St John Ambulance SA Inc. previously held a lease over the building located at Williams Avenue, Glenelg East for a period of one year from 1 July 2011 to 30 June 2012 and there was no option to renew. The lease has been continuing on a monthly holding over basis since 1 July 2012.

During negotiations to complete the lease document to give effect to this renewal, St John Ambulance SA Inc. have requested that the lease be renewed for a period to 31 December 2016, in lieu of the term from 1 July 2012 to 31 December 2014 previously negotiated.

Motion

C120814/1210

That a new lease for a period of 3 years from 1 January 2014 to 31 December 2016 be granted to St John Ambulance SA Inc. over the premises located at Williams Avenue, Glenelg East contained in portion of allotment 100, in DP 46662 and contained in Certificate of Title, Volume 5869 Folio 949.

Moved Councillor Fisk, Seconded Councillor Patton

Carried

18. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

19. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING

19.1 Donation to Medecins Sans Frontieres

Motion

C120814/1211

That Council make a donation of \$200 to Medecins Sans Frontieres in memory of Malaysian Flight MH17 and its effect on residents and staff at Alwyndor Aged Care.

Moved Councillor Yates, Seconded Councillor Fisk

Carried

20. ITEMS IN CONFIDENCE**20.1 Sale of Land – Lot 48 Macfarlane Street Glenelg North (Report No: 247/14)****Motion****C120814/1212**

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.

Moved Councillor Patterson, Seconded Councillor Lonie**Carried****Sale of Land - Lot 48 MacFarlane Street, Glenelg North (Report 247/14)****ORDER TO RETAIN DOCUMENTS IN CONFIDENCE****Motion****C120814/1214**

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: 229/14) including:
 - Minutes
 - Report
 - Attachments

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)(d).

2. **This resolution will be reviewed within 12 months or the Chief Executive Officer is authorised by the Council to release the report, minutes and attachments at settlement of the sale of the property.**

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

CLOSURE

The Meeting closed at 9.11pm.

CONFIRMED Tuesday 26 August 2014

MAYOR