

## CITY OF HOLDFAST BAY

**Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton, on Tuesday 25 September 2007 at 7:00pm.**

### PRESENT

His Worship the Mayor  
Deputy Mayor  
Councillors

A K Rollond  
R A Clancy  
R M Bouchée  
J L Deakin  
L R Fisk  
P D H Heysen  
J D Huckstepp  
S C Lonie – 7:02pm  
T D Looker  
C A J Sheffield  
S Hodge  
C E Umapathysivam  
R A Thomas  
I S Walker

Acting Chief Executive Officer  
Acting General Manager Environment and Engineering  
General Manager Social and Organisation  
General Manager Strategy and Development  
Executive Manager Finance and Corporate

### 1. OPENING

His Worship the Mayor, declared the meeting open with prayer and acknowledgement of Kurna Traditional Owners at 7:00pm.

### 2. APOLOGIES

- 2.1 For Absence** Councillor L van Camp  
Councillor A C Norton
- 2.2 Leave of Absence** Councillor R D Beh  
Councillor P N Crutchett

### 3. PRESENTATION

His Worship the Mayor presented a book he received at the 125<sup>th</sup> Anniversary Celebrations of the establishment of The Parkin Mission of South Australia at St Andrews by the Sea on Sunday 23 September 2007.

### 4. CONFIRMATION OF MINUTES

**Councillor Bouchée moved and Councillor Fisk seconded that the minutes of the Ordinary Meeting of Council held on 11 September 2007 be taken as read and confirmed.**

**CARRIED**

### 5. MAYORAL REPORT

**From 1 August 2007 to 31 August 2007**

**Councillor Bouchée moved and Councillor Huckstepp seconded that the report be received and noted.**

**CARRIED**

## **6. QUESTIONS BY MEMBERS**

### **6.1 Without Notice**

#### **6.1.1 Storage Location of Presented Book**

Councillor Bouchée asked a question regarding the final location of the book the Parkin Mission presented to Council.

**His Worship the Mayor provided a response.**

Councillor Bouchée asked a question regarding the appropriateness of the Mayor signing and dating the book before being added to the Council collection.

**His Worship the Mayor provided a response.**

#### **6.1.2 Glenelg Town Hall Repairs**

Councillor Bouchée asked a question regarding the completion date for the Glenelg Town Hall repairs.

**General Manager Strategy and Development provided a response.**

### **6.2 With Notice**

#### **6.2.1 Sale of Durham Street Car Park**

In accordance with her notice Councillor Bouchée asked the following questions:

1. Could Administration please advise why Durham Street Car Park was sold.
2. Was the proceeds from the sale of the Durham Street Car Park required to purchase Partridge Street properties.

**Councillor Bouchée advised that the response to the questions in Item 5.2.3 did not adequately answer her query at the Council Meeting held on 11 September 2007 and the Acting Chief Executive Officer advised that the question will be taken on notice.**

Accordingly the questions are responded to, in more detail below.

#### **General Manager Strategy and Development response**

1. In November 1999 Council resolved that Administration investigate the viability and availability of the property at 24 Milton Street, Glenelg for off-street parking. Concurrently, discussions took place with Karidis Corporation in relation to what was considered a jointly beneficial development of the two land holdings at 8-10 Durham Street (owned by Council) and 12-16 Durham Street, Glenelg (owned by Karidis). Council considered various opportunities to make best use of its Durham Street land including options to:
  - Sell 'air rights' over the land parcel enabling Karidis to construct deck parking above Council's 28 ground level parks;
  - Participate in a 'joint venture' development with Karidis in which each party would contribute its land and buildings to achieve a mixed use development including carparking; and
  - Sell the land owned by Council outright.

Ultimately Council determined to sell the land at 8-10 Durham Street to the Karidis Corporation on the basis a development scheme would be undertaken on the site which would provide up to 80 charged car parking spaces in a basement level carpark with proposed residential development and carparking above. Council report 750/99 outlines in some detail the various considerations which went into this decision.

As stated above, consideration of the Milton Street site occurred concurrently to the Durham Street discussions and the various reports prepared for Council on these matters indicate that at least part of the decision to sell Durham Street was to assist in the purchase of the Milton Street site for public carparking.

2. In relation to the Partridge Street properties, the opportunity presented to Council to purchase 3, 5 and 7 Partridge Street, Glenelg did not present itself until October 2001, well after the January 2000 decision of Council to sell Durham Street. While ultimately the proceeds from the Durham Street site may have contributed to the purchase of the Partridge Street properties, the two decisions of Council to dispose of Durham Street and acquire Partridge Street appear to have been made independently.

#### **6.2.2 Environmental Impact of the Proposed Lighting Upgrade for Glenelg Oval**

In accordance with his notice Councillor Looker asked the following questions:

Could Administration please advise the following information regarding the proposed upgrade to the Glenelg Oval.

1. The hourly energy consumption in watts on full power.
2. The amount of CO<sup>2</sup> produced to provide the power per hour.
3. Estimated annual operating hours.

#### **Background**

With concerns about green house gas emissions we need to be fully briefed before adding any infrastructure that makes a significant contribution to our emissions and subsequent detrimental environmental impact.

#### **General Manager Social and Organisation response**

The details of this question have been forwarded to the Glenelg Football Club. It is understood by Administration that the specifications of the lighting system being proposed are not yet defined. The response from the Club will be tabled for Council's information once it has been received.

### **7. REPORTS BY DELEGATES OR REPRESENTATIVES**

Councillor Bouchée reported that a new Chief Executive Officer has been appointed at the Southern Region Waste Resource Authority.

### **8. PETITIONS AND DEPUTATIONS**

Nil

**9. NOTICES OF MOTION****9.1 Appointment to Partridge House Advisory Committee**

In accordance with his notice:

**C250907/309 Councillor Looker moved and Councillor Bouchée seconded that our Mayoress, Anne Rollond be endorsed by Council as a member of the Partridge House Advisory Committee**

**CARRIED**

**Background**

Anne was a previous member and her skills and experience will be useful to this group. The urgency is that we have issues before us that need to be explored and Anne's views and experience are important. It was an oversight not to endorse her earlier.

**9.2 Hiring of the Glenelg North Community Centre**

In accordance with his notice:

**Councillor Fisk moved and Councillor Heysen seconded that Administration prepare a report, to be presented at the next Council meeting, exploring the implications of changing the closing hours of the Glenelg North Community Centre to 9:00pm Sunday to Thursday and 10:00pm on Friday and Saturday.**

**C250907/310 Councillor Looker moved and Councillor Clancy seconded that the question lie on the table.**

**CARRIED**

**Background**

The management of The Glenelg North Community Centre was taken over by the Glenelg Brass Band around 2003 and since then has been regularly hired out for birthday parties (18th and 21st birthdays and others), wedding receptions and other events on Friday, Saturday, Sunday nights, and on various occasions other nights during the week.

In general these events have tended to be noisy with amplified music and general noise associated with people coming and going often until the early hours of the following mornings. The Glenelg North Community Centre is very close to residences that abut the southern boundary and have caused considerable angst to the neighbours since 2003. Over the last 12 months ward councillors have tried various methods in an attempt to make the situation more amenable, but to no avail. For the month of September alone some of the events have caused great concern and disturbance by continuing unabated until after 1am on one Sunday night and until late on the other nights.

There appears to be no way of keeping the area quiet at night and hence I feel that it is time to cease any late night hiring's that go past 9pm for Sunday to Friday nights and 10pm for Saturday nights. The surrounding residents deserve peace and quiet in their homes and the continual late night disturbances as a result of hiring out the GNCC must end. If any night hiring's cannot be guaranteed to finish on time, then I believe all night hiring's must cease.

**10. ADJOURNMENT (TO ENABLE PERMANENT COMMITTEES TO MEET)  
(7:20PM)**

**Councillor Fisk moved and Councillor Heysen seconded that Council stand adjourned to enable the permanent Economic and Corporate and Environment and Engineering Committees to meet.**

**CARRIED**

**Councillor Clancy left the meeting at 8:33pm.**

**11. RESUMPTION**

**Councillor Looker moved and Councillor Fisk seconded that Council resume at 8:33pm.**

**CARRIED**

**12. COMMITTEE RECOMMENDATIONS FOR CONSIDERATION**

**12.1 Economic and Corporate Committee**

The Deputy Chairperson, Councillor Fisk reported that the Economic and Corporate Committee had met this evening and had processed the business contained in the agenda documents.

**Councillor Fisk moved and Councillor Heysen seconded:**

- 1. That the report of the Chairman of the Economic and Corporate Committee and the Committee agenda documents together with Administration recommendations be received.**
- 2. That the recommendations of the Economic and Corporate Committee be adopted.**

**CARRIED**

**12.2 Environment and Engineering Committee**

The Chairperson, Councillor Bouchée reported that the Environment and Engineering Committee had met this evening and had processed the business contained in the agenda documents.

**Councillor Bouchée moved and Councillor Huckstepp seconded:**

- 1. That the report of the Chairman of the Environment and Engineering Committee, and the Committee agenda documents together with Administration recommendations be received.**
- 2. That the recommendations of the Environment and Engineering Committee be adopted.**

**CARRIED**

**13. REPORTS OF ADVISORY COMMITTEES AND/OR SUB-COMMITTEES Nil**

**14. REPORTS OF REGIONAL SUBSIDIARIES Nil**

**Councillor Clancy rejoined the meeting at 8:35pm.**

**15. REPORTS BY OFFICERS**

**15.1 Items in Brief (Report No: 450/07)**

Report No: 450/07 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

**C250907/311 Councillor Bouchée moved and Councillor Clancy seconded that the report be noted and items of interest be discussed.**

**CARRIED**

**15.2 Resignation from Environmental Advisory Committee (Report No: 449/07)**

Councillor Looker has advised that due to meeting commitments for another community committee, he is unable to attend the bi monthly meetings of the Environmental Advisory Committee.

The purpose of this report is to formally acknowledge Councillor Looker's resignation and to acknowledge the opportunity to appoint another Elected Member to this committee.

**C250907/312 Councillor Bouchée moved and Councillor Heysen seconded:**

- 1. That Council acknowledges Councillor Looker's resignation from the Environmental Advisory Committee, effective immediately.**
- 2. That Councillor Looker be thanked for his contribution to the Environment Advisory Committee and;**
- 3. That Councillor Huckstepp be appointed to the Environment Advisory Committee.**

**CARRIED**

**16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS**

A listing of resolutions subject to formal resolutions to adjourn or lay on the table items of Council business, for the current term of Council were presented in the Agenda.

**17. URGENT BUSINESS**

**17.1 Glenelg North Community Centre**

**C250907/313 Councillor Bouchée moved and Councillor Looker seconded that Administration, together with Mr Bob Owen of the Glenelg North Community Centre Management Committee, explore the costs associated with:**

- The installation of appropriately sized water tanks; and**
- The re-siting of the new shed, 4 metres east of the centre.**

**CARRIED**

**C250907/314 Councillor Bouchée moved and Councillor Looker seconded:**

- 1. That an informal meeting be convened comprising; Mr Bob Owen, Glenelg North Community Centre Management; Councillors Fisk, Heysen, Beh and Bouchée; and a facilitator to meet with the residents regarding the noise/aberrant behaviour, operating times and possible solutions.**
- 2. That the outcome of these discussions be reported to the Council at the end of October or beginning of November 2007.**

**CARRIED**

**17.2 Palindrome Festival**

Councillor Looker commended the Friends of the Library on an outstanding festival and encouraged Elected Members to attend.

**18. ITEMS IN CONFIDENCE****18.1 Minutes of the Southern Region Waste Resource Authority Meeting (Report No: 425/07)**

Council officers remaining: Mr Sheffield, Mrs Umapathysivam, Mr Hodge, Mr Walker, Ms Thomas and Mr Watson.

**C250907/315** Councillor Clancy moved and Councillor Heysen seconded that, pursuant to Section 90(2) and 90(3)(b) of the Local Government Act 1999 the Council order that the public be excluded from attendance at the meeting, with the exception of Council officers and any other visitors permitted to remain, after taking into account the relevant considerations under Section 90(3)(b), on the basis that it will receive, discuss or consider the following:

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

**CARRIED**

**Minutes of the Southern Region Waste Resource Authority Meeting (Report No: 425/07)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C250907/317** Councillor Heysen moved and Councillor Clancy seconded that pursuant to Section 90(2), 90(3)(b) and 91(7) of the Local Government Act 1999:

1. The Council orders that the documents and minutes relating to Report No: 425/07 with the exception of Resolution No: C250907/315 for going into confidence be kept confidential and not available for public inspection on the basis that they deal with information the disclosure of which:
  - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
  - (ii) would, on balance, be contrary to the public interestunder Section 90(2) and 90(3)(b) of the Act
2. This resolution will be reviewed on or before 31 December 2008 by the Council.

**CARRIED**

**18.2 Scampi's - Variation to Proposed Lease (Report No: 426/07)**

**Council officers remaining: Mr Sheffield, Mrs Umapathysivam, Mr Hodge, Mr Walker, Ms Thomas and Mr Watson.**

**C250907/318 Councillor Clancy moved and Councillor Heysen seconded that, pursuant to Section 90(2) and 90(3)(b) of the Local Government Act 1999 the Council order that the public be excluded from attendance at the meeting, with the exception of Council officers and any other visitors permitted to remain, after taking into account the relevant considerations under Section 90(3)(b), on the basis that it will receive, discuss or consider the following:**

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

**CARRIED**

**Scampi's - Variation to Proposed Lease (Report No: 426/07)****ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C250907/320 Councillor Clancy moved and Councillor Heysen seconded that pursuant to Section 90(2), 90(3)(b) and 91(7) of the Local Government Act 1999:**

1. **The Council orders that the documents and minutes relating to Report No: 426/07 with the exception of Resolution No: C250907/318 for going into confidence be kept confidential and not available for public inspection on the basis that they deal with information the disclosure of which:**
  - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
  - (ii) would, on balance, be contrary to the public interest**under Section 90(2) and 90(3)(b) of the Act**
2. **This resolution will be reviewed on or before 31 December 2008 by the Council.**

**CARRIED**



**18.3 Broadway Kiosk – Use of Business Name (Report No: 447/07)**

**Council officers remaining: Mr Sheffield, Mrs Umapathysivam, Mr Hodge, Mr Walker, Ms Thomas and Mr Watson.**

**C250907/321 Councillor Clancy moved and Councillor Huckstepp seconded that, pursuant to Section 90(2) and 90(3)(b) of the Local Government Act 1999 the Council order that the public be excluded from attendance at the meeting, with the exception of Council officers and any other visitors permitted to remain, after taking into account the relevant considerations under Section 90(3)(b), on the basis that it will receive, discuss or consider the following:**

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

**CARRIED**

**Broadway Kiosk – Use of Business Name (Report No: 447/07)**

This report advises Elected Members that the developer and operators of the new kiosk have consented to Council's terms in relation to the use of the business name "Broadway Kiosk".

**C250907/322 Councillor Heysen moved and Councillor Clancy seconded that His Worship the Mayor and the Chief Executive Officer be authorised to sign and seal any documentation in relation to this matter.**

**CARRIED**

**19. RESUMPTION**

**Councillor Clancy moved and Councillor Huckstepp seconded that Council resume as an open meeting of Council at 8:58pm.**

**CARRIED**

**20. CLOSURE**

**The Meeting closed at 8:58pm.**

**CONFIRMED**

**Tuesday 9 October 2007**

**MAYOR**