

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 12 February 2008 at 7:00pm.

PRESENT

Deputy Mayor
Councillors

R A Clancy
R D Beh
R M Bouchée
P N Crutchett
J L Deakin
L R Fisk
J D Huckstepp
S C Lonie
T D Looker
A C Norton
L van Camp
R T Donaldson
C A Sheffield
C E Umapathysivam
R A Thomas
I S Walker

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

1. OPENING

The Deputy Mayor, declared the meeting open with prayer.

2. APOLOGIES

2.1 For Absence

2.2 Leave of Absence Mayor A K Rollond
Councillor P D H Heysen

3. PRESENTATION Nil

4. CONFIRMATION OF MINUTES

Councillor Deakin moved and Councillor Beh seconded that the minutes of the Ordinary Meeting of Council held on 15 January 2008 be taken as read and confirmed.

CARRIED

5. CHIEF EXECUTIVE OFFICER'S ACTIVITIES REPORT

From 1 January to 31 January 2008

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

CARRIED

6. QUESTIONS BY MEMBERS**6.1 Without Notice****6.1.1 Responsibility for Liquor Licensing Issues Media Release**

Councillor Bouchée asked a question regarding the responsibility for the recent liquor licensing issues media release.

Acting Mayor and Chief Executive Officer provided a response.

6.1.2 Timing of Liquor Licensing Issues Media Release

Councillor Bouchée asked a question regarding concerns of timing of the liquor licensing issues media release.

The Chief Executive Officer provided a response.

6.1.3 Third paragraph of Liquor Licensing Issues Media Release

Councillor Bouchée asked a question regarding the third paragraph of the media Release which reads, "At Glenelg, the police, Council officer, hotel management and trader representatives regularly meet to identify current problems and develop solutions."

The Chief Executive Officer provided a response.

6.1.4 Reference to 'General Public' in Media Release

Councillor Bouchée asked a question regarding the reference to 'General Public' in the media release. Is 'General Public' referring to affected community or general population who want extended hours?

Acting Mayor provided a response.

6.1.5 Progress Report on Glenelg Town Hall Repairs

Councillor Fisk asked a question regarding the progress of the Glenelg Town Hall repairs.

General Manager of Strategy and Development provided a response.

6.1.6 Glenelg Town Hall Repair Work

Councillor Bouchée asked a question regarding communicating to the builder responsible for Glenelg Town Hall repairs that Council seeks to have the repairs carried out as soon as possible.

General Manager Strategy and Development provided a response

6.2 With Notice Nil

7. REPORTS BY DELEGATES OR REPRESENTATIVES

7.1 Stirling Start of the Tour Down Under

Presented for Member's information was a report from Councillor Crutchett on his attendance at the Stirling Tour Down under race start on behalf of His Worship the Mayor.

Councillor Beh moved and Councillor Bouchee seconded that Councillor Crutchett's report be received and noted.

CARRIED

8. PETITIONS AND DEPUTATIONS

8.1 Presentation on the petition for an official private celebration to be held by the loyal clientele of the Broadway Kiosk.

Mr. Dayman presented a deputation to Council regarding the petition for an official private celebration to be held by the loyal clientele of the Broadway Kiosk.

C120208/029 Councillor Deakin moved and Councillor Lonie seconded:

1. That the petition from loyal clientele of the Broadway Kiosk, presented with a letter received on 24 January 2008, be received.
2. That Council waive the relevant provisions of the Broadway Kiosk lease to allow the function proposed by the petition to proceed.

C120208/030 Councillor Norton moved and Councillor Beh seconded that the question be adjourned to enable clarification of the capacity for users to attend a function at the Broadway Kiosk whilst bringing alcohol for consumption in the adjoining Jimmy Melrose Park.

CARRIED

9. NOTICES OF MOTION

9.1 King Street Bridge

Councillor Beh moved and Councillor Fisk seconded that the following Council resolution:

EE280807/091 (part 10)

"10. That in accordance with the State Government's indicated preparedness to provide in-kind assistance in securing Federal funding, Council not proceed with further work at this time in the pursuit of Federal program funding for King Street bridge replacement, but support the Department of Transport, Energy and Infrastructure in doing so."

be rescinded.

LOST

Councillor Beh moved and Councillor Fisk seconded that the City of Holdfast Bay apply for Federal and State funding to replace the King Street Bridge, in time for the funding rounds, and relevant Federal and State Government grants, that are awarded at the end of the 2007/08 financial year and the end of 2008.

AMENDMENT

- C120208/031 Councillor Crutchett moved and Councillor Looker seconded that the City of Holdfast Bay apply for Federal and State funding to replace the King Street Bridge, in time for the funding rounds, and relevant Federal and State Government grants.**

CARRIED

THE AMENDMENT THEN BECAME THE MOTION AND WAS CARRIED

- C120208/032 Councillor Beh moved and Councillor Fisk seconded that the Council considers including the sum of \$10,000 (in the 2008/2009 budget) towards engaging a contractor to apply for Federal and State funding to replace the King Street Bridge.**

CARRIED

Councillor Beh moved and Councillor Deakin seconded that the City of Holdfast Bay continues to petition Transport SA to replace bus services to the Peninsula of Glenelg North and that on the release of the Consultants draft report being prepared on the state of the King Street Bridge, prepare a report on the most appropriate options for returned bus route on the Peninsula, and for Council to vote on the preferred option, and notify Transport SA of Council's preferred option as soon as practical.

- C120208/033 Councillor Crutchett moved and Councillor Norton seconded that the question be adjourned pending receipt of structural engineering advice which the Council has already sought (due end of February 2008).**

CARRIED

DIVISION SOUGHT AND ACTING MAYOR RULED NO DIVISION BE RECORDED

Background

There are around 500 families who lost public transport, the J1 bus service, to the peninsula of Glenelg North on 13 January 2008. Transport SA has blamed the "suggested poor state" of the King Street Bridge for this. This is a matter that the residents of the peninsula area of the Glenelg North, have called on the Council of the City of Holdfast Bay to take leadership in, and improve the frequency of bus services to the affected area, and replace the King Street Bridge.

Councillor Beh left the meeting at 7:50pm.

Councillor van Camp left the meeting at 7:50pm.

9.2 Special Council Meeting – Priorities for 2008

Councillor Deakin moved and Councillor Looker seconded that Council now considers the timing, format and agenda of the forthcoming Special Meeting (EC150108/561) and make recommendations pertinent to it achieving effective outcomes.

Background

I thank the majority of Council for supporting the motion that we have a special meeting to discuss our priorities for, this year, what the remains of our term and the future of Holdfast Bay. I asked for a special meeting so that there would be some structure to our deliberations and I do believe we need the opportunity to compare our priorities, without contest, before the budget sessions commence. It is important that everyone is involved and has equal opportunity to contribute, so the above notice of motion will allow us an opportunity to pick a time and format for the meeting that is acceptable to all.

Aside from projects and new initiatives I hope that we all might be able to agree on some guiding philosophies for our decision making and the guidance of staff, be they conservative or progressive, minimizing or maximizing the role of Council in the community or just establishing the appropriate standard of service that the community is prepared to pay for.

The meeting proceeded to the next item of business at 7:55pm, deferring Item No: 9.2 until later in the meeting, whilst further information was obtained.

Councillor Beh rejoined the meeting at 7:52pm.

Councillor Fisk left the meeting at 7:58pm.

Councillor Fisk rejoined the meeting at 8:01pm.

9.3 Street Tree Planting Program

C120208/034 Councillor Crutchett moved and Councillor Bouchée seconded that administration report on what additional funding would be required to enhance our street tree planting program in the 2008-2009 budget to assist in the reduction of CO2 in our city. Also whether it is a possibility for the Council to work with tree growing organisations or companies that are offering carbon offsets schemes.

CARRIED

Background

I observed that many of our street tree plantings do not appear to be adapting well to their environment, many around Glenelg East area are now 7-8 years old and have grown no higher than the steel stakes that support them. Many of them are also dying and are being replaced with trees of the same species.

I understand that the best place to plant trees that can have a direct impact on the pollutants in the environment is in the urban environment.

Councillor Crutchett left the meeting at 8:05pm.

Councillor Crutchett rejoined the meeting at 8:10pm.

Councillor Huckstepp left the meeting at 8:12pm.

The Council continued its consideration of Item No: 9.2 at 8:05pm.

9.2 Special Council Meeting – Priorities for 2008

Councillor Deakin moved and Councillor Looker seconded that the arrangements for the Special Council Meeting be:

- 1. That the Special Meeting of Council be held on 18 March 2008 at 7:00pm at the Civic Centre at Brighton.**
- 2. That the Agenda cover the following matters:**
 - **Short-term issues/projects;**
 - **Long-term issues/projects; and**
 - **Policy matters.**

CARRIED**9.4 King Street Bridge – 2008/2009 Budget Considerations**

C120208/035 Councillor Beh moved and Councillor Crutchett seconded that Administration report prior to the formulation of the 2008 to 2009 budget: an estimate on the design costs for the replacement of the King Street Bridge as to establish whether we can include this as a budget item.

CARRIED**Background**

Councillors already committed the construction of a replacement bridge subject to this additional funding on the existing site. However we have not discussed any design parameters for the new bridge.

Questions that need to be asked are:

Do we need Bridge with no load limit or can we simply replace the King Street Bridge with a bridge that has a low capacity of say 5 tonnes?

Could Council purchase a prefabricated design from an existing bridge supplier?

Refer attachments 1 and 2.

What savings could be achieved by using a different design without affecting the lifestyle and safety of our residents on the North Peninsula?

What advances have been achieved in bridge design technology to ensure a future Council doesn't have the same predicament that we currently face?

10. ADJOURNMENT (TO ENABLE PERMANENT COMMITTEES TO MEET) (8:13PM)

Councillor Deakin moved and Councillor Beh seconded that Council stand adjourned to enable the permanent Social and Organisation and Strategy and Development Committees to meet.

CARRIED

Councillor Crutchett left the Strategy and Development Committee meeting at 9:12pm.

11. RESUMPTION

Councillor Beh moved and Councillor Deakin seconded that Council resume at 9:13pm.

CARRIED

Councillor van Camp left the meeting at 9:13pm.

12. COMMITTEE RECOMMENDATIONS FOR CONSIDERATION**12.1 Social and Organisation Committee**

The Acting Chairperson, Councillor Clancy reported that the Social and Organisation Committee had met this evening and had processed the business contained in the agenda documents.

Councillor Beh moved and Councillor Fisk seconded:

- 1. That the report of the Chairman of the Social and Organisation Committee, and the Committee agenda documents together with Administration recommendations be received.**
- 2. That the recommendations of the Social and Organisation Committee be adopted excluding Committee Agenda Item 8.4.**

CARRIED

Councillor Norton declared an interest in Item 8.4 of the Social and Organisation Committee Agenda and left the meeting at 9:15pm.

Councillor Fisk moved and Councillor Beh seconded that the recommendation of the Social and Organisation Committee be adopted relating to Item 8.4 on the Agenda.

CARRIED

Councillor Norton rejoined the meeting at 9:15pm.

Councillor Crutchett rejoined the meeting at 9:15pm.

Councillor van Camp rejoined the meeting at 9:16pm.

12.2 Strategy and Development Committee

The Chairperson, Councillor van Camp reported that the Strategy and Development Committee had met this evening and had processed the business contained in the agenda documents.

Councillor Fisk moved and Councillor Beh seconded:

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

CARRIED

13. DEVELOPMENT ASSESSMENT PANEL

Councillor Bouchée moved and Councillor Beh seconded that the minutes of the Development Assessment Panel meeting held on Wednesday 23 January 2008 be received.

CARRIED

14. REPORTS OF ADVISORY COMMITTEES AND/OR SUB-COMMITTEES

Jetty Road Mainstreet Management Committee Meeting held 12 December 2007

Audit Committee Meetings held 10 January 2008 and 23 January 2008

Councillor Looker moved and Councillor Bouchée seconded that the minutes of these committees, except the Audit Committee minutes from the meeting held on 23 January 2008, (as these are draft minutes which have not been endorsed by the Committee,) be received and the recommendations be adopted.

AMENDMENT

Councillor Crutchett moved and Councillor Beh seconded that the minutes of these committees be received.

CARRIED

THE AMENDMENT THEN BECAME THE MOTION AND WAS CARRIED

15. REPORTS OF REGIONAL SUBSIDIARIES Nil

16. REPORTS BY OFFICERS**16.1 Items in Brief (Report No: 50/08)**

Report No: 50/08 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

C120208/036 Councillor Crutchett moved and Councillor Deakin seconded that the report be noted and items of interest be discussed.

CARRIED

C120208/037 Councillor Deakin seconded and Councillor Norton seconded that Council funds the cost of any Elected Members wishing to attend the forthcoming Local Government Association Conference and Dinner.

CARRIED

16.2 2008 Organisational Issues - Update (Report No: 44/08)

Councillor Crutchett moved and Councillor Norton seconded that this matter be adjourned until after the confidential items.

CARRIED

16.3 Lease – Brighton Bowling Club Inc and RSL (Brighton) Sub Branch Inc (Report No: 55/08)

Report No: 55/08 was presented informing Elected Members that public consultation has occurred in relation to a proposed grant of lease to the Brighton Bowling Club Inc and Brighton RSL Inc following their collocation proposal. The negotiated lease provides for a term of 21 years from the date of practical completion/handover of the refurbished and extended facility (expected to be 15 May 2008) at a commencing rental of \$10,000 pa plus GST.

C120208/038 Councillor Huckstepp moved and Councillor Lonie seconded:

1. That the existing lease to the Brighton Bowling Club Inc dated 6 December 2004 over the premises at Keelara Road, Brighton be terminated on or about 14 May 2008.
2. That a new lease to the joint tenants, Brighton Bowling Club Inc and RSL
3. (Brighton) Sub Branch Inc, over the premises at Keelara Road, Hove be granted for a period of 21 years, commencing on completion of the building redevelopment at a commencing rental of \$10,000 pa plus GST.

CARRIED

16.4 New Initiatives Evaluation Process and Criteria (Report No: 56/08)

Report No: 56/08 was presented informing Elected Members that the term "Discretionary Project" has been replaced by the term "New Initiative" to better describe the nature and purpose of the budget allocation for new programs and services. A new staged development and evaluation process has been introduced to ensure that New Initiatives demonstrate both strategic and business reasons to warrant consideration for adoption. Additionally a tracking process is introduced to allow a record and audit trail of all initiatives to be maintained. These processes ensure Elected Members are provided with the level of information required to provide direction to Administration on matters of resource allocation.

C120208/039 Councillor Crutchett moved and Councillor Fisk seconded that the New Initiative assessment criteria set out in Report No: 56/08 be endorsed.

CARRIED

17. 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.

18. URGENT BUSINESS

18.1 Possible malfunction of railway crossing at Jetty Road Brighton

Councillor Norton reported that on 12 February 2008 he observed that a train at the railway crossing at Jetty Road, Brighton had to stop 15 metres away from the intersection and wait until the lights started working and the boom gate arm came down. He requested that staff investigate this incident.

18.2 Meeting Procedures and Protocols

Elected Members generally discussed adherence to meeting procedures and protocols.

Councillor Deakin moved and Councillor Crutchett seconded that Members no longer need to stand when speaking in Council Meetings.

LOST

19. ITEMS IN CONFIDENCE**19.1 Council Land – Development and Community Outcomes Opportunity
(Report No: 62/08)**

**Council officers remaining: Mr Donaldson, Mrs Umapathysivam, Mr Sheffield,
Mr Walker, Ms Thomas, Mr Potter and
Ms Cunningham**

C120208/040 Councillor Deakin 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

C120208/041 Councillor Crutchett moved and Councillor Bouchée seconded that General Manager Alwyndor Aged Care, Mr Greg Potter and Chairperson of the Alwyndor Aged Care Board of Management, Ms Julie Cunningham be excluded from the meeting and invited back in if Members have any questions.

CARRIED**THE AMENDMENT THEN BECAME THE MOTION AND WAS CARRIED**

**Council Land – Development and Community Outcomes Opportunity
(Report No: 62/08)**

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C120208/045 Councillor van Camp moved and Councillor Huckstepp 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: 62/08 with the exception of Resolution No: C120208/040 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

General Manager Alwyndor Aged Care, Mr Greg Potter and Chairperson of the Alwyndor Aged Care Board of Management Ms Julie Cunningham rejoined the meeting at 10:32pm.

A summary of Council's decision was provided.

General Manager Alwyndor Aged Care, Mr Greg Potter and Chairperson of the Alwyndor Aged Care Board of Management Ms Julie Cunningham left the meeting at 10:35pm.

**19.2 Review of Confidential Status of Items – Land Acquisition
(Report No: 49/08)**

Council officers remaining: Mr Donaldson, Mrs Umaphysivam, Mr Sheffield, Mr Walker and Ms Thomas

C120208/046 Councillor Huckstepp moved and Councillor Lonie 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

Review of Confidential Status of Items – Land Acquisition (Report No: 49/08)

A review of confidential orders in relation to Council's land transactions for 382 Brighton Road, Hove has been completed by Administration.

Recommendations for the release from confidentiality were presented for Council's consideration.

The purpose of this report is to review those items.

Councillor Bouchée left the meeting at 10:36pm.

C120208/047 Councillor Deakin moved and Councillor Lonie seconded that the confidential documents as specified in Attachment 1 of Report No: 49/08 be released from confidentiality as at 12 February 2008.

CARRIED

19.3 Rodney Fox Shark Museum – Lease (Report No: 69/08)

Council officers remaining: Mr Donaldson, Mrs Umapathysivam, Mr Sheffield, Mr Walker and Ms Thomas

C120208/048 Councillor Deakin moved and Councillor Lonie seconded that, pursuant to Section 90(2) and 90(3)(d) of the Local Government Act 1999 the Council order that the public with the exception of Council officers and any other visitors permitted to remain, be excluded from attendance at the meeting, after taking into account the relevant considerations under Section 90(3), on the basis that it will receive, discuss or consider the following:

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

CARRIED

Rodney Fox Shark Museum – Lease (Report No: 69/08)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C120208/050 Councillor Lonie moved and Councillor Beh seconded that pursuant to Section 90(2), 90(3)(d) and 91(7) of the Local Government Act 1999:

- 1. The Council orders that the documents and minutes relating to Report No: 69/08 with the exception of Resolution No: C120208/048 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 prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and**
 - (ii) would, on balance, be contrary to the public interest**

under Section 90(2) and 90(3)(d) of the Act.
- 2. This resolution will be reviewed on or before 31 December 2008 by the Council.**

CARRIED

16.2 2008 Organisational Issues - Update (Report No: 44/08)

Council officers remaining: Mr Donaldson, Mrs Umapathysivam, Mr Sheffield, Mr Walker and Ms Thomas

C120208/51 Councillor Crutchett moved and Councillor Lonie seconded that the Report No: 44/08 be received, pursuant to Section 90(2) and 90(3)(a) 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 listed above, after taking into account the relevant considerations under Section 90(3), on the basis that it will receive, discuss or consider the following:

- **information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead).**

CARRIED

2008 Organisational Issues - Update (Report No: 44/08)

Councillor Beh left the meeting at 11:00pm.

Councillor Beh rejoined the meeting at 11.05pm.

Councillor Norton left the meeting at 11:11pm.

Councillor Norton rejoined the meeting at 11:13pm.

Councillor Huckstepp left the meeting at 11:20pm.

Councillor Huckstepp rejoined the meeting at 11:25pm.

Councillor van Camp left the meeting at 11:30pm.

Councillor van Camp rejoined the meeting at 11:35pm.

Councillor Lonie left the meeting at 11:35pm.

Councillor Lonie rejoined the meeting at 11:36pm.

C120208/052 Councillor Crutchett moved and Councillor Huckstepp seconded:

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

1. **That pursuant to Section 90(2), 90(3)(a) and 91(7) of the Local Government Act 1999:**
 - a) **The Council orders that the document at Attachment 1 to Report No: 44/08 and the related discussion and minutes be kept confidential and not available for public inspection on the basis that they deal with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead) under Section 90 (2) and 90(3)(a) of the Act.**
 - b) **This resolution will be reviewed by the Chief Executive Officer as soon as practicable, and the Chief Executive Officer is hereby authorised to determine that the relevant documents be released for public access, having regard to responsible human resource management principles.**

CARRIED

20. RESUMPTION

Councillor Crutchett moved and Councillor Lonie seconded that Council resume as an open meeting of Council at 11.44pm.

CARRIED

21. CLOSURE

The Meeting closed at 11.44pm

CONFIRMED

Tuesday 26 February 2008

MAYOR