

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 26 February 2008 at 7:00pm.

PRESENT

His Worship the Mayor
Deputy Mayor
Councillors

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

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

1. OPENING

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

2. APOLOGIES

- 2.1 For Absence** Councillor L van Camp
2.2 Leave of Absence Councillor P D Heysen
Councillor L R Fisk

3. PRESENTATION**3.1 HMAS Glenelg**

His Worship the Mayor presented gifts received from the HMAS Glenelg received at its commissioning on 22 February 2008 and the Reception following the Freedom of Entry Ceremony on 23 February 2008.

4. CONFIRMATION OF MINUTES

Councillor Huckstepp moved and Councillor Looker seconded that the minutes of the Ordinary Meeting of Council held on 12 February 2008 be taken as read and confirmed.

CARRIED

5. MAYORAL REPORT

From 1 January 2008 to 31 January 2008

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

CARRIED

6. QUESTIONS BY MEMBERS**6.1 Without Notice****6.1.1 Formal Meeting for Chief Executive Officer Appraisal Presentation**

Councillor Bouchée asked four questions regarding the informal meeting for the Chief Executive Officer's appraisal presentation.

General Manager Social and Organisation provided a response.

6.1.2 Proposed Organisational Changes

Councillor Bouchée asked a question about the need for Council discussion of the Chief Executive Officer's organisational change proposal to be not formal but in confidence.

General Manager Social and Organisation provided a response.

6.2 With Notice Nil**7. REPORTS BY DELEGATES OR REPRESENTATIVES****Alwyndor Aged Care**

Councillor Clancy advised that current Alwyndor Aged Care residents originated from the following areas:

• Brighton/Hove	43 residents
• Glenelg	18 residents
• Somerton Park	15 residents
• Marion/Warradale	13 residents
• Other	35 residents
• TOTAL	124

Councillor Clancy advised the vast majority of rehabilitation and community clients come from City of Holdfast Bay and City of Marion.

Councillor Clancy advised the majority of people using services at Alwyndor Aged Care come from Holdfast Bay.

There was further discussion of the information provided by Councillor Clancy.

8. PETITIONS AND DEPUTATIONS**8.1 ADJOURNED ITEM - Presentation of petition for an official private celebration to be held by the loyal clientele of the Broadway Kiosk.**

Council at its meeting held 12 February 2008 resolved to adjourn consideration of Item No: 8.1 to enable clarification of the capacity of users to attend a function at the Broadway Kiosk whilst bringing alcohol for consumption in the adjoining Jimmy Melrose Park.

At the meeting of 12 February 2008 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.

The matter was presented for further consideration.

Executive Manager Finance and Corporate comment.

Consumption of alcohol is permitted in a park that is not a designated Dry Zone although this may be subject to normal police scrutiny for excessive noise and behavioural issues. The portion of the Jimmy Melrose Park north of Kent Street is a designated Dry Zone. The portion south of Kent Street is not a designated Dry Zone.

As the portion of the Jimmy Melrose Park adjacent to the Broadway Kiosk is not situated within a designated Dry Zone pursuant to Liquor Licensing (Dry Areas – Long Term) Regulations the consumption of alcohol would be permitted, however, under the Liquor Licensing Act 1997, a catered event by a regulated premises (whether on the premises or at any alternative venue) would require a limited liquor licence.

It is Administration's view that the proposed celebration involves the promotion of the Broadway Kiosk and, as such, a liquor licence would be required.

C260208/053 Councillor Crutchett moved and Councillor Bouchée seconded that the meeting proceed to the next item of business.

CARRIED

8.2 Jack Fox Oval

A petition has been received from Dr Duncan McFetridge MP, signed by 366 residents requesting Council negotiate with Minda Incorporated to purchase Jack Fox Oval as open space for public use.

The Petition states as follows:

"I am enclosing a petition with 366 signatures from concerned residents requesting that the Council enter into negotiations with Minda Incorporated to purchase Jack Fox Oval as open space for public use.

This would mean extending the area to be rezoned under the Holdfast Bay (City) Development Plan – North Brighton Coastal Plan Amendment Report to include the whole of the land immediately east of the Somerton Surf Lifesaving Club, known as the Jack Fox Oval, and the remnant sand dunes”.

C260208/054

Councillor Bouchée moved and Councillor Norton seconded:

1. That the petition be received and referred to the Strategy and Development Committee for consideration.
2. That Dr. D. McFetridge MP be advised of Council’s decision.

CARRIED

9. NOTICES OF MOTION

9.1 Proposed Organisational Changes

In accordance with his notice:

C260208/055

Councillor Crutchett moved and Councillor Bouchée seconded that Administration provide the Council Executive with the names and a brief CV of three consultants preferably from our universities MBA programmes who specialise in organisational structure and HR management.

The Council executive holds a special meeting to select from this list a suitable consultant that can advise the elected members at a special meeting on March 4th 2007 prior to the Chairman Workshop on the advantages/disadvantages of the various basic types of organisational structure, namely

- The line organisation
- The line and staff organisation
- The functional organisation
- The Matrix organisation

At this March 4th meeting the Council consider the professional advice from the consultant and council prepares a formal response to the CEO’s proposed changes to the organisational structure to ensure the council is moving forward in a positive manner with an organisational structure that will meet our demands for the next five to six years as set out in our strategic plan and long-term financial plan.

The CEO action the necessary steps for the special meetings to occur.

Background

The CEO has provided Council with an outline of his proposed changes to the organisational structure following the resignation of two key staff and requires our response by March 7.

I’m sure the CEO is trying to achieve the best outcomes in line with budget constraints however I am concerned that the proposal has some advantages and some very real shortcomings;

Advantages

- The simplicity of the organisational structure.
- Usually low cost because of the few senior executives
- Relatively quick decision-making and quick adoption of action
- Staff have a clearly defined line of authority and accountability.

Disadvantages

- No managerial specialisation
- Managers are forced into becoming generalists each having to cover a wide range of activities. It is difficult to conceive of any individual who is an expert in all aspects of the council's business.
- Line structures are slow in the development of mid-level managers because of the highly centralised authority placed on top managers.
- Clear communication can also be a problem leading to delays, misunderstanding and failure to receive messages.

Local government has moved on from the "jobs for life" status and culture long associated to the previous town clerk and city engineer regime. The most fundamental human resource change was the introduction of the chief executive officer (CEO) and senior management appointments based on fixed term performance contracts with no guarantee or expectancy of renewal. It is elected members responsibility to steer the City of Holdfast Bay through strategic management and the setting of the budget. It is clearly the CEOs responsibility to row the City of Holdfast Bay and decide who and where the oarsmen are placed.

I believe elected members need to take political ownership of the corporate strategy and the role of the elected member in the articulation of the strategy formation process and the embedding of the political manifesto in the process.

I use the following examples:

- If you believe "**Green is good**" you may want to ensure that we have a Manager of The Environment as a senior executive.
- If you believe **anti-social behaviour** cannot be tolerated in the streets you may want the Manager Regulatory Services as a senior executive.
- If you believe the strong focus should be on **roads and footpaths** you may want Manager Of Infrastructure as a senior executive
- If you believe over development is a problem in the City of Holdfast Bay you may want the Manager Of Development as a senior executive
- If you've promised the community to "**cut rates**" you may want the Manager of the City Economy as a senior executive.
- If you have an aged relative that requires **community care** you may want the Manager of Social Services as a senior manager.
- If you want a focus on **open community consultation** it may be important than the Manager of Governance as a senior executive.

I believe it is important that we get the organisational structure correct and that we provide the CEO with sufficient budget allocation to ensure we deliver the services that are expected by the community.

I would propose that the consultant be funded from the elected members training account as very few elected members have formal training in organisational structure and human resource management.

We are at a point of decision: we can either muddle through or use a scientific management approach with the assistance of our administration.

Chief Executive Officer comment

In order to assist with Members' further appreciation of the rationale and objectives of my proposed organisational changes, I propose to schedule an informal workshop to occur immediately after the management consultant advice session on 4 March 2008,

if it is resolved that the latter is to proceed. This will enable a full discussion of the issues, options, constraints and aspirations that shape the ultimate organisation structure as one that effectively and efficiently meets Council and community needs, in the light of the broad advice proposed to arise from Cr Crutchett's motion.

Should Cr Crutchett's motion not succeed, I would still propose to conduct the informal workshop for the purposes outlined above, and in the context of consultation with the Council about the organisation structure.

Councillor Deakin moved and Councillor Clancy seconded to adjourn to be considered in conjunction with item 18.2, in confidence.

LOST

THE SUBSTANTIVE MOTION WAS PUT AND WAS CARRIED

**10. ADJOURNMENT (TO ENABLE PERMANENT COMMITTEES TO MEET)
7.35PM**

Councillor Looker moved and Councillor Lonie seconded that Council stand adjourned to enable the permanent Economic and Corporate Committee and the Environment and Engineering Committee to meet.

CARRIED

Councillor Bouchée left the meeting at 7.35pm

Councillor Bouchée returned to the meeting at 7.37pm

11. RESUMPTION

Councillor Looker moved and Councillor Beh seconded that Council resume at 10.17pm.

CARRIED

12. COMMITTEE RECOMMENDATIONS FOR CONSIDERATION

12.1 Economic and Corporate Committee

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

Councillor Beh moved and Councillor Looker 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 Huckstepp reported that the Environment and Engineering Committee had met this evening and had processed the business contained in the agenda documents.

Councillor Huckstepp moved and Councillor Looker 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

Councillor Huckstepp left the meeting at 10.17pm

Councillor Clancy left the meeting at 10.18pm

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

- 13.1 Jetty Road Mainstreet Management Committee Meeting held 13 February 2008.**

Councillor Crutchett moved and Councillor Beh seconded that the minutes of this committee be received.

CARRIED

Councillor Huckstepp returned to the meeting at 10.18pm

Councillor Clancy returned to the meeting at 10.21pm

14. REPORTS OF REGIONAL SUBSIDIARIES Nil

15. REPORTS BY OFFICERS

- 15.1 Brownhill-Keswick Creeks Catchment Flood Management Local Government Subsidiary (Report No: 80/08) – Late Item**

Report No: 80/08 was presented informing Elected Members that the councils that fall within the catchment of the Brown Hill and Keswick Creek systems are working towards formation of a Local Government Act subsidiary to implement major flood management and protection works based on the approved stormwater management plan for these waterways. To date, Holdfast Bay's Administration has maintained an 'observer' status as the upstream councils have progressed their collective commitments. As the formal creation of the subsidiary moves towards reality it is timely that Council confirms whether or not it wishes to formally participate in the subsidiary.

- C260208/056 Councillor Looker moved and Councillor Bouchee seconded that the Project Director of the Brown Hill Keswick Creek Stormwater Project be advised that the City of Holdfast Bay does not wish at this time to pursue membership of the proposed Local Government Act subsidiary to be formed by the councils within the project catchment, but maintains a strong interest in the project objectives and outcomes and anticipates continued active engagement with the subsidiary as the project proceeds.**

CARRIED

**15.2 Home and Community Care (HACC) Funding Agreement
(Report No: 70/08)**

Report No: 70/08 was presented informing Elected Members that following the recently completed Home and Community Care (HACC) funding round number 23, the City of Holdfast Bay received a direct allocation of minor capital funding of \$4,300.00. This is a one-off funding allocation, to be expended in the period 01/01/08 – 31/12/08.

The Workforce Development/Minor Capital allocation will be utilised for a much needed upgrade of the telephone PABX system at the Home Maintenance Office on Wilton Avenue.

The execution of the funding document requires the application of the common seal and the purpose of this report is to seek Council's endorsement of this.

C260208/057 Councillor Crutchett moved and Councillor Bouchée seconded that the Mayor and the Chief Executive Officer be authorised to sign and seal the Home and Community Care Program (HACC) Contract for Funding described in Report No: 70/08.

CARRIED

15.3 Election for the one Metropolitan Adelaide Representative on the LGA State Executive Committee (Report No: 81/08)

Report No: 81/08 was presented informing Elected Members that this report is to confirm Council's vote for a position of metropolitan Adelaide representative on the LGA State Executive Committee that is available as a result of a casual vacancy.

Councillor Crutchett moved that Council cast its vote for the LGA Executive Committee vacancy, as follows:-

1	STRAUSS, David	Councillor	Town of Gawler
5	LINSELL, Martin	Mayor	City of Playford
6	SMITH, Miriam	Mayor	City of Tea Tree Gully
4	BUCHANAN, Chad	Councillor	City of Salisbury
3	NASH, Sharon	Councillor	City of Onkaparinga
2	HILLIER, Andrew	Councillor	City of Burnside

THE MOTION LAPSED FOR WANT OF A SECONDER

C260208/058 Councillor Deakin moved and Councillor Bouchée seconded that Council cast its vote for the LGA Executive Committee vacancy supporting Miriam Smith.

CARRIED

16. RESOLUTIONS SUBJECT TO FORMAL MOTION

Attached is 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 General Manager Environment and Engineering Last Meeting**

The Chief Executive Officer informed members of the resignation of the General Manager Environment and Engineering and thanked him for his contribution to the City of Holdfast Bay over the past 9 years.

General Manager Environment and Engineering provided a response.

Councillor Lonie returned to the meeting at 10.32pm

Councillor Crutchett left the meeting at 10.33pm

Councillor Crutchett returned to the meeting at 10.35pm

17.2 New Mayor of Hayama Town, Japan

His Worship the Mayor informed Members of correspondence from Mayor Mori regarding the continuation of the Sister City relationship between Hayama Town and Holdfast Bay.

17.3 Discussion of Brighton Secondary School Performing Arts Centre proposal status.

Discussion on the extent and nature of Council support for the Brighton Secondary School Performing Arts Centre occurred and it was agreed that it be further explored at the Special Council meeting on 18 March 2008.

Councillor Beh left the meeting at 10.40pm

18. ITEMS IN CONFIDENCE**18.1 Minutes of the Southern Region Waste Resource Authority Meeting
(Report No: 67/08)**

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

C260208/059 Councillor Huckstepp moved and Councillor Clancy 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

Councillor Beh left the meeting at 10.38pm

Minutes of the Southern Region Waste Resource Authority Meeting (Report No: 67/08)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C260208/061 Councillor Clancy moved and Councillor Bouchée 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: 67/08 with the exception of Resolution No: 260208/059 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

Councillor Beh returned to the meeting at 10.42pm

18.2 Notice of Motion – Rescission (Report No: 79/08)

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

C260208/062 Councillor Clancy moved and Councillor Looker seconded that, 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 and any other visitors permitted to remain, 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

Notice of Motion – Rescission (Report No: 79/08)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C260208/065 Councillor Crutchett moved and Councillor Beh seconded that pursuant to Section 90(2), 90(3)(a) and 91(7) of the Local Government Act 1999:

- 1. The Council orders that the documents and minutes relating to Report No: 79/08 with the exception of Resolution No: C260208/062 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 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.**
- 2. This resolution will be reviewed on or before 31 December 2008 by the Council.**

CARRIED

19. RESUMPTION

Councillor Clancy moved and Councillor Bouchée seconded that Council resume as an open meeting of Council at 11.06pm.

CARRIED

20. CLOSURE

The Meeting closed at 11.07pm

CONFIRMED Tuesday 11 March 2008

MAYOR