

## 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 10 February 2009 at 7:00pm.**

### PRESENT

#### Elected Members:

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  
L R Fisk  
P D H Heysen  
J D Huckstepp  
S C Lonie  
T D Looker  
A C Norton

#### Administration:

Chief Executive Officer  
General Manager City Assets  
General Manager City Services  
General Manager Corporate Services  
Manager Governance and Policy

R T Donaldson  
S G Hodge  
R A Thomas  
I S Walker  
P E Aukett

### 1. OPENING

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

### 2. APOLOGIES

- |     |                    |                       |
|-----|--------------------|-----------------------|
| 2.1 | Apologies received | Councillor L van Camp |
| 2.2 | Absent             | Nil                   |

### 3. ITEMS PRESENTED TO COUNCIL

### 4. CONFIRMATION OF MINUTES

**C100309/096** Councillor Deakin moved and Councillor Huckstepp seconded that the minutes of the Ordinary Meeting of Council held on 24 February 2009 be taken as read and confirmed.

**CARRIED**

### 5. CHIEF EXECUTIVE OFFICER'S ACTIVITIES REPORT

From 1 February 2009 to 28 February 2009.

**C100309/097** Councillor Beh moved and Councillor Clancy seconded that the report be received and noted.

**CARRIED**

## **6. QUESTIONS BY MEMBERS**

### **6.1 Without Notice**

#### **6.1.1 Cessation of Plastic Shopping Bags**

Councillor Bouchée asked a question regarding why shoppers do not use two reusable shopping bags and why this is a matter for Council.

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

#### **6.1.2 Graffiti on Telstra Building, Glenelg**

Councillor Beh asked a question regarding graffiti on the Telstra Building at the corner of Brighton and Jetty Roads, Glenelg.

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

#### **6.1.3 King Street Bridge**

Councillor Beh requested a status update on the King Street Bridge funding applications.

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

#### **6.1.4 Public art proposal for Telstra Building**

Councillor Crutchett asked a question regarding the possible Public Art Proposal for the "Telstra Building", which requires development approval and careful consideration in light of the Local Heritage listing.

**The General Manager City Services, Ms R Thomas provided a response.**

#### **6.1.5 Graffiti Resistant Coatings**

Councillor Bouchée asked a question regarding Administration's awareness of graffiti resistant coatings and if Administration is aware of a Telstra operational unit interested in these kinds of building improvements.

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

### **6.2 With Notice**

#### **6.2.1 Cessation of Plastic Shopping Bags**

On 24 February 2009 Councillor Huckstepp asked a question regarding the cessation of plastic shopping bags and whether the Council's Environmental Health Officers had any concerns about the carrying of poisonous items with food stuffs.

The General Manager, City Assets, Mr S Hodge took this question on notice at the meeting.

**The General Manager, City Assets, Mr S Hodge's response.**

**South Australia leads the nation with the phasing out of lightweight, checkout-style plastic bags.**

With this South Australian Government initiative there will be almost 400 million less plastic bags in South Australia. While South Australia cannot solve the plastic bag problem of the entire nation, we can show leadership in our own backyard by being the first to crack down on plastic bag pollution.

Since 2006 the Government has worked with retailers and unions to promote a smooth phase-out of the bags and to ensure risks for the community and retail workers are minimised. Zero Waste SA has been working with a task force comprising major retailers, the State Retailers Association of South Australia, Hardware Association of SA Inc., Restaurant & Catering SA, Consumers' Association of South Australia, Conservation Council, Local Government Association, KESAB environmental solutions, and the Shop Distributive & Allied Employee's Association.

#### Critical dates for shoppers

##### *1 January 2009*

- Retailers are starting to phase-out stocks of lightweight plastic bags in preparation for the ban starting on 4 May 2009.
- The ban applied to lightweight, checkout-style plastic bags only.
- Bags which are not banned include heavier department store bags, 'barrier' bags used for fruit and vegetables, compostable bags (which meet the Australian Standard) and paper bags.

##### *4 May 2009*

- Fines will apply to retailers who either sell or give away the banned plastic bags.
- Customers cannot be fined if a retailer supplies a banned plastic bag to them.

#### Poisonous Items and Food being Packed

The State Health Department does not consider that there are any health concerns about the carrying of poisonous items with food stuffs, on the following basis:-

- All poisonous products are well packaged to overcome spillage when in transit.
- Should any poisonous products be found faulty or leaking at the supermarket, it is a "duty of care" of the supermarket management not to sell the product to the public.
- The only plastic bags being banned are lightweight "checkout" style plastic bags.

The following bags will still be in use for multiple carrying purposes:-

- Barrier Bags - these are the type dispensed from a roll, typically for items such as loose fruit and vegetables.
- Paper Bags.
- Compostable Bags.

#### 7. REPORTS BY DELEGATES OR REPRESENTATIVES

Nil

**8. PETITIONS, DEPUTATIONS AND PRESENTATIONS****8.1 Deputation from Marymount College Regarding the Development of a Multipurpose Hall.**

Mr David Ey from Studio Nine and Ms Mary Camilleri from Marymount College made a deputation to Council regarding options for the proposed development of a multi purpose hall on Council land.

**C100309/098 Councillor Deakin moved and Councillor Fisk seconded that Administration reports as soon as possible on the request contained in the College's letter dated 26 February 2009 including constraints on process and funding issues associated with the Commonwealth Government Education Revolution funding.**

**CARRIED**

**9. NOTICES OF MOTION****9.1 Electronic Sign at Brighton Secondary School**

In accordance with his notice:

**C100309/099 Councillor Looker moved and Councillor Fisk seconded that Administration contact the Principal of Brighton Secondary School requesting that they consider relocating the electronic sign on the Brighton Road frontage.**

**CARRIED**

**Background**

Brighton Secondary school has installed an electric sign on the Brighton Road side of their property adjacent to the Heritage listed cemetery. With yellow lights flashing messages day and night in an area where no other commercial signage is present, it is an unwelcome addition. I have had complaints from community members about the inappropriateness of this sign as an offensive visual intrusion and as a traffic hazard due to the flashing distraction it causes. The sign is on crown land and therefore bypassed Councils own development process and DAP who I believe would have had good grounds to refuse such an application. It was considered by the State Development Assessment Commission (being on Crown land) some time ago and approved without the views of Council.

**9.2 Review of Governance Functions – Redevelopment of Bay Junction Shopping Centre**

In accordance with his notice:

**C100309/100 Councillor Deakin moved and Councillor Clancy seconded that Council conducts a review of its Governance functions to ascertain why, with the redevelopment of the Bay Junction Shopping Centre, the opportunity to establish an additional turning lane at the intersection of Jetty Rd, and Brighton Rd, Glenelg was forgone.**

**CARRIED**

**Background**

With the redevelopment of the Bay Junction Shopping Centre, Council appears to have missed the opportunity to create an additional turning lane at the Jetty Rd/Brighton Rd intersection and deprived the community of the benefits of such an improvement for at least the next 50 years. The value of such a critique, perhaps by the Audit Committee, could be the identification of any impediments to good governance, which in turn should lead to improvements in processes and decision making.

**10. ADJOURNMENT (TO ENABLE PERMANENT COMMITTEES TO MEET)  
(7:55PM)**

**C100309/101 Councillor Beh moved and Councillor Fisk seconded that Council stand adjourned to enable the permanent Social and Organisation and Strategy and Development Committees to meet.**

**CARRIED**

**11. RESUMPTION**

**C100309/102 Councillor Heysen moved and Councillor Fisk seconded that Council resume at 9:38pm.**

**CARRIED**

**12. COMMITTEE RECOMMENDATIONS FOR CONSIDERATION**

**12.1 Social and Organisation Committee**

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

**C100309/103 Councillor Beh moved and Councillor Lonie 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 as follows:**

**Council Policy 1.5 – Elected Members Recognition of Long Service**

**C100309/103.1 That Council Policy 1.5 - Elected Members – Recognition of Long Service be amended to provide tickets to the Glenelg Oval football matches twice each year and an invitation to Proclamation Day every second year.**

**Background**

This policy was discussed at Council on February 24<sup>th</sup> and no motion was put up for discussion. It is a matter of great community interest and feedback to me has been passionate and supportive of elimination what the public see as “self awarded perks”. Many bodies recognise long service by such devices as ‘Life Membership’ or other honours that inflict no ongoing cost to the organisation. It is widely considered that service is an end in itself and community spirited individuals are happy to enjoy recognition but this is diminished when it becomes a ‘perk’. In a recent conversation with one of Council’s community service arms I was told that some of the clients would greatly enjoy the Mayor’s hospitality at the football but spaces are very hard to get. It is a shame that members of our community are displaced by former Elected Members who are no longer serving.

**Items in Brief (Report No: 87/09)**

Report No: 87/09 was presented detailing items which were presented for the information of Members.

**C100309/103.2 that the report be noted and items of interest be discussed.**

**HACC Funding Update Round 24 (Report No: 95/09)**

This report provides Elected Members with information related to the successful acquisition of Home and Community Care funding to expand existing services to HACC eligible residents within the City of Holdfast Bay.

The results of the Home and Community Care (HACC) funding round No. 24, which was due to be announced in July 2008 but delayed at Federal Government level, were subsequently announced in January 2009.

The City of Holdfast Bay was successful in acquiring an additional \$100,000 recurrent funding to provide basic services such as domestic assistance, home maintenance and social support to older and frail residents of the City of Holdfast Bay.

However, due to the delay in the announcement of the funding round, the allocation has been adjusted for the first year, with no payment to be made for the quarter July to September 2008. Quarterly payments commence from October 2008 and will be back paid once the contract document has been finalised.

A "Variation to Service Agreement" document which outlines the expected service outputs and accountability requirements has been sent to the City of Holdfast Bay from the Department for Families and Communities in order to receive the funding it is necessary for the 'Agreement'.

**C100309/103.3 That His Worship the Mayor and the Chief Executive Officer be authorised to sign and seal the Variation of Service Agreement, Project No 1614 – Holdfast Bay Home assist and Community Care Program for the term 1 October 2008 to 30 June 2009.**

**Volunteer Advisory Committee (Report No: 89/09)**

The Volunteer Advisory Committee (VAC) met on 12 February 2009 to discuss and short list nominations for new and replacement appointments to the VAC and to recommend to Council the selected nominees to be appointed. The VAC also examined volunteer recruitment and travel reimbursements practices for volunteers.

**C100309/103.4 That the Minutes of the Volunteer Advisory Committee meeting held on 12 February 2009 be received and noted.**

**Library Services Review (Report No: 90/09)**

The Holdfast Bay Library Service was reviewed in the final report completed in April 2008 by CAVAL Collaborative Solutions. The consultant, Roger Henshaw, reported to Elected Members at a workshop held on 19 August 2008. At the workshop a number of Elected Members requested:

- (a) a response from library staff to the findings of the review; and
- (b) statistics relating to Council expenditure on library services.

Following the workshop, copies of the Service Review Report were circulated to all library staff. Staff meetings were held at both libraries at which staff were invited to comment on the Service Review and its recommendations.

In general the Library staff agree with the findings of the Service Review Report, particularly its critique of current building facilities and the limitations placed by these on library services offered to the community. The Library Service has an alternative view on some of the proposed strategies for improvement, in particular the proposed relocation of Brighton and Glenelg libraries.

This report summarises the Library Service's response to the recommendations and provides statistics requested at the Elected Members' workshop

**C100309/103.5** That Council receives and notes Report No 90/09 together with Attachment 1 'Key Findings of the Library Review undertaken by CAVAL', Attachment 2 'Photographs of Findon Library' and Attachment 3 'Expenditure Statistics for Library Services' and that the Friends of Holdfast Bay Library Service be advised.

**25 Moseley Street, Glenelg – Development Plan and Library Guidelines Assessment (Report No: 91/09)**

On 20 January 2009, Council resolved that the suitability of the building at 25 Moseley Street, Glenelg for use as a public library be assessed internally by Council staff using the "People Places" guidelines for public libraries and Council's Development Plan. Accordingly, senior library staff have applied the guidelines to the Moseley Street building and planning advice has been provided by relevant Council staff.

"People Places – a guide for public libraries in New South Wales" is produced by the State Library of New South Wales. It is regarded as an Australian standard for library buildings and facilities and is used Australia-wide for establishing and maintaining construction and design standards for new and renovated library buildings. In April 2008 the Council's Library Service was reviewed by CAVAL Collaborative Solutions. CAVAL recommended that "People Places" guidelines should be applied to any future library project.

In summary, the "People Places" assessment concludes that the suitability of the building for use as a public library is questionable, for reasons of useable space, internal layout and location limitations. In terms of planning merit, a range of issues will need to be considered, as outlined in the report, but without more detailed information on the proposed configuration and use of the site, advice on the suitability of the site as a library from a planning perspective cannot be definitively concluded.

**C100309/103.6** That:

- 1. Council receives and notes Report No 91/09 together with Attachment 1 "Floor Plan and Property Details 25 Moseley Street, Glenelg", Attachment 2 "Site Criteria for a Public Library" and Attachment 3 "Locational Matrix Assessment for 25 Moseley Street, Glenelg".**
- 2. Administration advise the Friends of the City of Holdfast Bay Libraries that Council has determined that when assessing the acquired church at 25 Moseley Street, Glenelg against the "People Places – a guide for public libraries in NSW" the church would offer a compromised library both in facilities offered and location.**
- 3. Administration ask the Friends of the City of Holdfast Bay Libraries whether they would like Council to further pursue conversion of the church to a library by obtaining a cost estimate from an architect experienced in the design of libraries.**
- 4. The submission from the President of the Friends of the City of Holdfast Bay Libraries be provided to Council Members together with the Friends of the City of Holdfast Bay Library group's responses to (2) and (3)above.**

**LGA General Meeting – Appointment of Voting Delegate and Notices of Motion (Report No: 93/09)**

The Local Government Association has issued a call for Notices of Motion for the General Meeting to be held at the Adelaide Convention Centre on 23 and 24 April 2009.

Further information regarding the 2009 LGA General Meeting will be available in late March.

Council also has the opportunity to appoint its voting delegates for the LGA General Meeting.

- C100309/103.7 That Mayor Rollond be appointed as the City of Holdfast Bay's Delegate and Deputy Mayor Clancy be appointed as the proxy Delegate in the event that the Delegate is unable to attend the Local Government Association General Meeting.**

**Election for the Position of LGA President 2009/2011 (Report No: 94/09)**

This report seeks the Committee's recommendation for Council's vote for the position of Local Government Association President 2009-2011.

- C100309/103.8 that the Council completes the ballot for Local Government Association President 2009-2011, in favour of Mayor Felicity-Ann Lewis of the City of Marion and that Administration returns the completed ballot paper to the Returning Officer.**

**CARRIED**

**12.2 Strategy and Development Committee**

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

- C100309/104 That :**

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

**Items in Brief (Report No: 84/09)**

Report No: 84/09 was presented detailing items which were presented for the information of Members.

- C100309/104.1 That the report be noted and items of interest be discussed.**

**Restaurant Licence – The Organik Store – 37 The Broadway, Glenelg South (Report No: 77/09)**

An application has been made to the Liquor and Gambling Commissioner for a Restaurant Licence by The Organik Store at 37 The Broadway, Glenelg South.

Council has the opportunity to provide its comments to the Office of the Liquor and Gambling Commissioner before a decision is made on the application.

- C100309/104.2 That the Council advise the Office of the Liquor and Gambling Commissioner that it does not object to the application by The Organik Store for a restaurant license at 37 The Broadway, Glenelg South subject to the following conditions:**

- 1. That the hours of the restaurant licence be in accordance with the hours proposed in the details submitted by the applicant, that being from:**
  - Monday to Sunday (except on Good Friday and Christmas Day) 8:00am – 8:00pm.**
- 2. That any proposed changes to the trading hours in the future will require further consideration and comments by Council before a decision is made by the Office of the Liquor and Gambling Commissioner.**
- 3. That, although entertainment does not form part of this application for a restaurant licence, any future proposal for entertainment will require careful consideration by Council with regard to potential impacts to**



**neighbouring properties before providing comments to the Commission.**

**Significant Tree Fund (Report No: 78/09)**

At its meeting held on 10 February 2009, Council resolved that the Administration report to Elected Members the feasibility of implementing a 'Significant Tree Fund' to provide the opportunity for landowners to contribute payments in lieu of removed trees, monies which can then be redirected to assist residents maintain significant trees and for the purchase of advanced sized trees for Council plantings. This report explores the opportunities for establishing such a fund.

The Council resolution also sought a methodology for the selection of arborists who are engaged to provide expert reports on the health of 'significant' trees. The latter sections of this report examine the criteria applied by the City of Holdfast Bay and the Environment, Resources and Development Court with respect to the selection of appointment of arborists.

**C100309/104.3 That the Council receive and note Report No 78/09.**

**C100309/104.4 That the Council confirm that the investigation and establishment of a significant tree fund (similar to Council's Heritage Fund Grant Scheme) has merit and request the Environment Advisory Committee investigate and report back to the Council benefits Urban Trees/forests to our community based on continual focus on Global warming.**

**Significant Tree Pruning (Report No: 79/09)**

At its meeting held on 20 January 2009, Council resolved that a report be prepared which provides measures for amending Council policy to include clear direction for maintenance pruning of 'significant' trees. In the absence of legislation which provides direction for the pruning of 'significant' trees, it is difficult to provide a singular quantitative standard because the extent of pruning is relative to the species and size of tree. Notwithstanding, "*maintenance pruning*" of 'significant' trees is deregulated under the Development Act and therefore cannot be overridden by a policy or by-law. Council can however provide guidance through amendments to its information sheet with reference to the relevant Australian Standard.

**C100309/104.5 That the Council notes the revised City of Holdfast Bay information sheet pertaining to 'significant' trees, as amended to include reference to pruning, and provided as Attachment 1 to Report No. 79/09.**

**Development Applications Register On-Line (Report No: 80/09)**

At its meeting held on 20 January 2009, Council resolved that Administration provide a report on the means by which the Development Applications Register could be made available on Council's website. All councils are required by legislation to maintain and make available to the public a register of all Development Applications. The City of Holdfast Bay currently meets its legislative requirements by providing a hard copy register of all Development Applications received for viewing at the Brighton Civic Centre. Council's Information Services Unit has investigated the possibility of making the Development Applications register available on-line and has advised that it is possible.

**C100309/104.6 That:**

- 1. The City of Holdfast Bay Development Applications register is made available on Council's website from 16 March 2009 as per the format illustrated in Attachment 1 of Report No. 80/09.**
- 2. The availability of the Development Applications register on-line is publicised via the 'Latest News' section of the website and Council's regular column in the 'Guardian Messenger'.**

### **Planning System Reforms – Character Areas (Report No: 83/09)**

On 10 June 2008, the State Government released the draft Residential Development Code for consultation. Council formally considered the provisions of the draft Code on 9 September 2008 and forward its submission to the Government.

The Minister for Urban Development and Planning has now invited councils to identify any zones which it believes the Code should apply in full (ie. including new dwellings). The Minister has also requested that councils nominate areas of special character to which a modified version of the Code should apply in order to preserve identified character. Submissions are required to the Minister by 31 March 2009 for consideration.

#### **C100309/104.7 That:**

1. **The draft submission located at Attachment 2 to Report Number 83/09 be submitted to the Minister for Urban Development and Planning to confirm:**
  - a. **areas to which Council believes the draft Residential Development Code should apply in full and those areas where no version of the Code should apply;**
  - b. **areas identified by Council for further consideration as character areas within the City of Holdfast Bay which warrant application of a modified version of the Government's draft Residential Development Code, forming Part A of this process.**
2. **Administration reports further once a response is received from the Minister and to clarify requirements for Part B of the process.**

**CARRIED**

#### **13. DEVELOPMENT ASSESSMENT PANEL**

**C100309/105 Councillor Clancy moved and Councillor Looker seconded that the minutes of the Development Assessment Panel meeting held on Wednesday, 25 February 2009 be received.**

**CARRIED**

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

##### **14.1 Minutes – Alwyndor Aged Care Management Committee, 6 February 2009 (Report No: 98/09)**

The Minutes of the Alwyndor Aged Care Management Committee (AMC) are attached and submitted to Council for information, noting in particular the Committee's recommendation in relation to Item 6.4 - AMC Recruitment and the filling of a standing vacancy on the committee.

**C100309/106 Councillor Lonie moved and Councillor Heysen seconded that the Minutes of Alwyndor Aged Care Management Committee be received and the following recommendation endorsed by Council:**

##### **AMC Recruitment**

**C100309/106.1 That Mr Terry Evans be appointed to fill the vacancy on the Management Committee for a two year term to expire on 1 March 2011 (subject to the receipt of a satisfactory National Police Clearance).**

**CARRIED**

**14.2 Minutes – Glenelg Town Hall and Community Services Advisory Committee, 23 February 2009 (Report No: 99/09)**

The Glenelg Town Hall and Community Services Advisory Committee was established:

- To review and report to Council on the operation of the Glenelg Town Hall building, including the Bay Discovery Centre.
- The committee is to seek and consider submissions from interested stakeholders together with the Consultants Report.
- That the deliberations not exclude other Council properties in the vicinity of the Glenelg Town Hall.

The Minutes of the Glenelg Town Hall and Community Services Advisory Committee of its meeting held 23 February 2009, are attached and submitted to Council for information and endorsement, noting in particular the Committee's recommendations presented below for endorsement.

**C100309/107 Councillor Heysen moved and Councillor Lonie seconded that the minutes of the Glenelg Town Hall and Community Services Advisory Committee be received and the recommendations numbered 1,3,4 and 5 endorsed by Council:**

**C100309/107.1 1. That Administration prepare a Terms of Reference for the Committee including information regarding authorisation under Section 41 and 42 in relation to holding meetings in confidence.**

**Change in Land Use - 25 Moseley Street, Glenelg**

**C100309/107.2 3. That the Committee note the attached 'Discussion Paper - Change in Land Use - 25 Moseley Street, Glenelg', discuss items of interest and provide clear direction to Administration with respect to what further action should be taken to facilitate occupation of the subject building.**

**C100309/107.3 4. That the Discussion Paper – Change in Land Use – 25 Moseley Street, Glenelg be referred to Council for consideration.**

**Urgent Business**

**C100309/107.4 5. That Administration report to Council on a solution for the relocation of the pigeons from the Glenelg Town Hall building.**

**CARRIED**

**Councillor Beh left the meeting at 9:49pm.**

**C100309/108 Councillor Crutchett moved and Councillor Norton seconded that subject to an appropriate Terms of Reference endorsed by Council, the Bay Discovery Centre remains at its current location and the Glenelg Town Hall and Community Services Advisory Committee focus its deliberations on investigating the relocation of the History Centre into the area vacated by the Rodney Fox Museum; converting the Town Hall balcony into a reading room for the Library and display of tourism information, paid internet access and a coffee, café facility; use of the Council Chamber and the Mayor Parlour for tour groups, school children and public functions.**

**CARRIED**

**Councillor Lonie left the meeting at 9:54pm.**

**Councillor Lonie returned to the meeting at 9:56pm.**

**Councillor Beh returned to the meeting at 9:57pm.**

Councillor Bouchée left the meeting at 10:04pm.

Councillor Bouchée returned to the meeting at 10:06pm.

**C100309/109** Councillor Looker moved and Councillor Heysen seconded that:

1. In relation to the Community Land classification, Council commences the revocation process to exclude the land from the classification of 'Community Land'.
2. **That Council undertake an Expression of Interest process and then initiate a selection process to determine the future tenants or uses for the site.**
3. An estimate be prepared for all costs associated with the preparation of the Development Application, including the preparation of all plans, expert reports and consultant fees.
4. An estimate be prepared for all costs associated with any demolition, infrastructure, installations of amenities and facilities, structural changes and building work required to commence the use of a community centre on the subject site.
5. A project brief be prepared and an independent planning consultant engaged to prepare the change in land use application, including any supporting documentation and reports required to supplement the application.
6. A project time-line be established taking into account budget, resources and statutory requirements.
7. A Development Application for a 'Community Centre' be lodged with Council for an assessment by Council's Development Assessment Panel.
8. The Development Application detail the specific tenants and activities to be undertaken on the site.
9. An application for Building Rules Consent only be prepared and lodged following the granting of Development Plan Consent and confirmation from the Environment Resources and Development Court that no third party appeals have been lodged. In the event that an appeal has been lodged with the ERD Court, the application for Building Rules Consent should be delayed until an appeal outcome has been reached.

**CARRIED**

**14.3 Minutes – Jetty Road Mainstreet Management Committee,  
11 February 2009 (Report No: 100/09)**

The Jetty Road Mainstreet Management Committee has been established to undertake work to benefit the traders on Jetty Road, Glenelg, using the levy raised for this purpose. The Council has endorsed the committees Terms of Reference and given the committee delegated authority to manage the business of the committee.

The Minutes of the Jetty Road Mainstreet Management Committee of its meeting held 11 February 2009, are attached and presented for Councils' information.

Councillor Bouchée left the meeting at 10:10pm.

**C100309/110 Councillor Deakin moved and Councillor Fisk seconded that:**

1. the minutes of the Jetty Road Mainstreet Management Committee of 11 February 2009 be received.
2. the Chief Executive Officer respond appropriately to all of the requests for information from the Jetty Road Mainstreet Management Committee.
3. the Jetty Road Mainstreet Management Committee be asked to confirm for Council's information the relationship between the Guardian Messenger article of 11 March 2009 "Push to revive Jetty Road" and the Jetty Road Mainstreet Management Committee's minutes of recent meetings, reflecting current issues and priorities.
4. the Jetty Road Mainstreet Management Committee Chairman or delegated member, be asked to present to Council their Strategic Management Plan for the precinct demonstrating the commitment to manage the precinct in a cohesive manner for the collective benefit of the traders in the precinct prior to council setting the 2009-2010 levy.

**CARRIED****14.4 Minutes – Holdfast Bay History Centre Advisory Committee, 11 February 2009 (Report No: 101/09)**

The Holdfast Bay History Centre was established to assist Administration in the management of the Holdfast Bay History Centre at Ringwood House, Brighton.

The Minutes of the Holdfast Bay History Centre Advisory Committee Meeting held 11 February 2009, are attached and submitted to Council for information and endorsement noting in particular the Committee's recommendations

**Councillor Lonie left the meeting at 10:33pm.**

**Councillor Lonie returned to the meeting at 10:35pm.**

**C100309/111 Councillor Beh moved and Councillor Bouchée seconded that the minutes of the Holdfast Bay History Centre Advisory Committee be received.****CARRIED****14.5 Minutes – Volunteer Advisory Committee, 12 February 2009 (Report No: 108/09)**

The Volunteer Advisory Committee was established to assist Administration in achieving an approach to Volunteer programs that is consistent with the national standards and meets best practice.

The Minutes of the Volunteer Advisory Committee meeting held 12 February 2009, are attached and submitted to Council for information and endorsement, noting in particular the committee's recommendations presented below for endorsement. Recommendations numbered 1 - Advisory Committee Nominations and 3 - Travel Reimbursement for volunteers are not included for endorsement as they are subject to a further report.

**Councillor Crutchett left the meeting at 10:39pm.**

**Councillor Crutchett returned to the meeting at 10:40pm.**

**C100309/112 Councillor Deakin moved and Councillor Beh seconded that the minutes of the Volunteer Advisory Committee be received and recommendations numbered 1 and 3 be endorsed by Council.**

**Advisory Committee Nominations**

- C100309/112.1** 1. That:
1. the Committee recommends to Council the appointment of the following nominees to the VAC based on knowledge and diversity of experience:
    1. John Roughan , Environmental Volunteer
    2. Leon Spender, Home Maintenance Volunteer
    3. Henry Gissing, Life Links Volunteer (and past Bay Discovery Centre)
    4. Robert Flinnie, Community Bus Volunteer
  2. Administration write to all nominees to express the Committee's sincere thanks for participating and congratulating them on their involvement in Holdfast Bay's Volunteer Program.

**Volunteer Resource Centre Funding Application Outcome**

- C100309/112.2** 3. That the report be noted. **CARRIED**

- C100309/113** Councillor Clancy moved and Councillor Crutchett seconded that the existing Volunteer Policy pertaining to "travel reimbursement" be reaffirmed and through natural attrition of existing volunteers, the practice of travel reimbursement to the work place be phased out, subject to the Volunteer Advisory Committee defining a provision that will enable the Volunteer Coordinator to exercise discretion in the payment of travel reimbursements where circumstances require. **CARRIED**

**15. REPORTS OF REGIONAL SUBSIDIARIES** Nil

**16. REPORTS BY OFFICERS**

**16.1 Alwyndor Aged Care – Strategic Plan (2009 – 2012) (Report No: 82/09)**

The Management Committee of Alwyndor Aged Care has adopted its three year rolling Strategic Plan, for the period 2009 to 2012. The Alwyndor Aged Care Strategic Plan is presented for Council's information. The new Strategic Plan reflects Alwyndor's expected focus on the proposed major capital redevelopment project for this planning cycle, with little operational change forecast during this period, as significant resources are committed to the management of major physical improvements to the Alwyndor facility.

- C100309/114** Councillor Beh moved and Councillor Lonie seconded that Council notes the endorsement of the Alwyndor Aged Care Strategic Plan for 2009-2012 by the Alwyndor Management Committee, and congratulates the Committee on its work and vision in fulfilment of the Dorothy Cheater Trust on behalf of the City of Holdfast Bay. **CARRIED**

**16.2 Glenelg Town Hall – various Maintenance Works and Future Use Considerations (Report No: 103/09)**

Following various stages of repair works undertaken to the Glenelg Town Hall, the northern section of the Town Hall (in particular the two ground floor rooms, and first floor Mayor's Parlour and Council Chamber) will shortly be available for reoccupation. Unless Council decides otherwise, and in accordance with a standing resolution, Administration proposes to finalise arrangements to return the spaces to

their former uses, that being Council staff offices on the ground floor and Council meeting and civic functions on the first floor.

**C100309/115** Councillor Bouchée moved and Councillor Looker seconded that Administration finalises all outstanding arrangements to enable:

1. Council and Standing Committee meetings to recommence in the Glenelg Town Hall Chamber as soon as possible;
2. Council civic functions, appropriate meetings and events to occur within the Glenelg Town Hall Mayor's Parlour, subject to an appropriate booking system being implemented; and
3. The two northern ground floor rooms within the Glenelg Town Hall to be reoccupied as Council Administration offices and/or Council use, and the first floor balcony space to be vacated.

**CARRIED**

### **16.3 Organisational Capacity – 2009 Annual Update (Report No: 110/09)**

Since 2004, the Chief Executive Officer has reported annually on the organisation's capacity and 'hot spot' staffing needs. This forms part of the background information for consideration when setting the Annual Business Plan and budget. Any additional budget allocations will be applied by the Chief Executive Officer according to organisational priority needs and opportunities.

The status of current capacity and emerging hot spots is updated and discussed in this report. It is recommended that no additional organisational capacity be funded in the 2009/2010 budget.

**C100309/116** Councillor Clancy moved and Councillor Deakin seconded that Report No: 110/09 be received and noted.

**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.

**C100309/117** Councillor Deakin moved and Councillor Lonie seconded that Report No: 212/07 no longer lie on the table.

**CARRIED**

**C100309/118** Councillor Deakin moved and Councillor Bouchée seconded that Notice of Motion – Hiring of the Glenelg North Community Centre of 25 September 2007 no longer lie on the table and be presented to Council following a meeting between certain Elected Members and representatives of the Glenelg North Community Centre.

**CARRIED**

**C100309/119** Councillor Deakin moved and Councillor Bouchée seconded that Report No: 180/08, Additional Toilet Facilities – Jetty Road Glenelg, no longer lie on the table and be listed for inclusion in Council's 2009/2010 Budget deliberations.

**CARRIED**

**18. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING****18.1 Resignation from CEO Recruitment Committee**

Councillor Bouchée advised Council of her resignation from the CEO Recruitment Committee.

**18.2 Leave of Absence**

Councillor Bouchée advised Council that she will be absent from Council duties from 6 April 2009 for a likely period of six weeks, but subject to change.

**C100309/120 Councillor Crutchett moved and Councillor Lonie seconded that Council grants Leave of Absence to Councillor Bouchée as and when required from 6 April 2009. CARRIED**

**18.3 Marymount College Proposed Multifunction Hall**

**C100309/121 Councillor Heysen moved and Councillor Norton seconded that Marymount College be advised that it is unlikely that Council will agree to the College's proposed Multi function Hall being built on Council land as proposed in its options 1 and 3. CARRIED**

**18.4 Caravan Park Advisory Committee**

**C100309/122 Councillor Heysen moved and Councillor Clancy seconded that Councillor Huckstepp be added to the membership of the Caravan Park Advisory Committee. CARRIED**

**19. ITEMS IN CONFIDENCE****19.1 Notice of Motion – Visitor Information Services (Report No: 88/09)**

**Council officers remaining: Mr Donaldson, Mr Walker, Mr Hodge and Ms Thomas**

**C100309/123 Councillor Heysen 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**

**Notice of Motion – Visitor Information Services (Report No: 88/09)**



**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C100309/126** Councillor Heysen 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: 88/09 with the exception of Resolution No: C100309/123 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 interestunder Section 90(2) and 90(3)(d) of the Act.
2. This resolution will be reviewed on or before 30 June 2010 by the Council.  
**CARRIED**

**19.2 Items in Brief – Alwyndor Aged Care (Report No: 81/09)**

Council officers remaining: Mr Donaldson, Mr Walker, Mr Hodge and Ms Thomas

**C100309/127** Councillor Heysen 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**

Councillor Looker left the meeting at 11:17pm.

Councillor Beh left the meeting at 11:18pm.

Councillor Looker returned to the meeting at 11:20pm.

Councillor Beh returned to the meeting at 11:21pm.

Items in Brief – Alwyndor Aged Care (Report No: 81/09)

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C100309/129** Councillor Heysen moved and Councillor Lonie 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: 81/09 with the exception of Resolution No: C100309/127 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 30 June 2010 by the Council.  
**CARRIED**

**19.3 Liberty Towers - Outstanding Encroachment Fees (Report No: 102/09)**

Council officers remaining: Mr Donaldson, Mr Walker, Mr Hodge and Ms Thomas

**C100309/130** Councillor Huckstepp moved and Councillor Looker seconded that, pursuant to Section 90(2) and 90(3)(h) 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:

- legal advice.

**CARRIED**

**Liberty Towers - Outstanding Encroachment Fees (Report No: 102/09)****ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C100309/132** Councillor Heysen moved and Councillor Clancy seconded that pursuant to Section 90(2), 90(3)(h) and 91(7) of the Local Government Act 1999:

1. The Council orders that the documents and minutes relating to Report No: 102/09 with the exception of Resolution No: C100309/130 for going into confidence be kept confidential and not available for public inspection on the basis that they deal with legal advice, under Section 90(2) and 90(3)(h) of the Act.
2. This resolution will be reviewed on or before 30 June 2010 by the Council  
**CARRIED**

**19.5 Lease – Squisito (Report No: 111/09)**

**Council officers remaining: Mr Donaldson, Mr Walker, Mr Hodge and Ms Thomas**

**C100309/133**

**Councillor Crutchett moved and Councillor Huckstepp 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) would 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**

**Lease – Squisito (Report No: 111/09)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE****C100309/135**

**Councillor Clancy moved and Councillor Heysen 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: 111/09 with the exception of Resolution No: C100309/133 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 30 June 2010 by the Council.**

**CARRIED**

**19.6 Items in Brief – Jetty Road Glenelg Car Parking Initiatives  
(Report No: 109/09)**

**Council officers remaining: Mr Donaldson, Mr Walker, Mr Hodge and Ms Thomas**

**C100309/136** 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**

**Items in Brief – Jetty Road Glenelg Car Parking Initiatives (Report No: 109/09)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C100309/138** Councillor Heysen moved and Councillor Beh 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: 109/09 with the exception of Resolution No: C100309/136 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 30 June 2010 by the Council.

**CARRIED**

**19.4 Minutes – CEO Recruitment Committee, 26 and 27 February 2009  
(Report No: 104/09)**

**Council officers left the meeting at 11:35pm.**

**C100309/139** Councillor Beh moved and Councillor Heysen 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**

**Minutes – CEO Recruitment Committee, 26 and 27 February 2009 (Report No: 104/09)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C100309/141** Councillor Heysen moved and Councillor Clancy 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: 104/09 with the exception of Resolution No: C100309/139 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 30 June 2010 by the Council.

**CARRIED**

**20. RESUMPTION**

**C100309/142** Councillor Heysen moved and Councillor Clancy seconded that Council resume as an open meeting of Council at 11:58pm.

**CARRIED**

**21. CLOSURE**

**The Meeting closed at 11:59pm.**

**CONFIRMED Tuesday 24 March 2009**

**MAYOR**