

## CITY OF HOLDFAST BAY

**Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg, on Tuesday 23 March 2010 at 7:00pm.**

### PRESENT

His Worship the Mayor	A K Rollond
Deputy Mayor	R A Clancy
Councillor	R M Bouchée
Councillor	P N Crutchett
Councillor	J L Deakin
Councillor	L R Fisk
Councillor	P D H Heysen
Councillor	J D Huckstepp
Councillor	S C Lonie
Councillor	T D Looker
Councillor	A C Norton
Councillor	L van Camp
Chief Executive Officer	J P Lynch
General Manager Alwyndor Aged Care	G Potter
General Manager City Assets	S G Hodge
General Manager City Services	R A Thomas
General Manager Corporate Services	I S Walker

### 1. Opening

His Worship the Mayor declared the meeting open at 7:00pm.

### 2. Kaurna Acknowledgement

With the opening of the meeting His Worship the Mayor stated:

We acknowledge Kaurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kaurna People today.

### 3. Prayer

His Worship the Mayor requested all present to pray and read the following Prayer:

Heavenly Father, we pray for your presence and guidance at our Council Meeting.

Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.

### 4. Apologies

4.1 Apologies Received Councillor R D Beh

4.2 Absent Nil

**5. Items Presented to Council**

5.1 Carter House Native Garden

The Carter House Native Garden has won a silver medal in the 'Public Gardens' category of the inaugural Sustainable Landscapes Native Garden Awards. The excerpt from the results statement reads: *"The judging panel was deeply impressed by the City of Holdfast Bay's commitment to interpreting the landscape both ecologically and culturally. The Carter House native garden involves the local indigenous community and an enthusiastic band of volunteer gardeners so that the site has developed a unique sense of place. They have paid close attention to conserving remnant plant populations and the garden has now become an important seed bank for the local community of coastal gardeners"*.

The medal for Carter House Native Garden complements the national recognition that the garden received in Issue 4 of Backyard and Garden Design Ideas: *Waterwise Gardens* (2009).

5.2 Channel 9 Young Achiever of the Year

Biodiversity and Coastal Officer, Jason Tyndall was the recipient of two very significant awards on Saturday 13 March. Jason was the recipient of the *Young Achiever of the Year - Environment* Category, and later beat over 200 nominees and 8 other category award winners to be awarded the overall *2010 Young Achiever of the Year*. The outstanding achievements that Jason has made in his role at the City of Holdfast Bay formed a significant part of his success.

**6. Declaration of Interest**

Members were reminded to declare their interest before each item.

**7. Confirmation of Minutes**

C230310/756

**Councillor Clancy moved and Councillor Heysen seconded that the minutes of the Ordinary Meeting of Council held on 9 February 2010 be taken as read and confirmed.**

**CARRIED**

**8. Questions by Members**

8.1 Without Notice

8.1.1 Cars Parked in front of The Beachouse

Councillor Fisk asked if Administration has been in contact with the operators of The Beachouse Entertainment complex regarding the parking of vehicles on the forecourt.

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

8.1.2 Agreement with Glenelg Football Club

Councillor Bouchée asked a question regarding the execution of the various agreements with the Glenelg Football Club.

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

8.1.3 Parking at the Brighton RSL

Councillor Huckstepp asked a question regarding totally and permanently incapacitated members at the Brighton RSL and extended parking.

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

8.1.4 Resident Parking Permits

Councillor Fisk asked a question regarding the status on the report on the Residential Parking Permit Scheme.

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

8.2 With Notice Nil

**9. Member's Activity Reports** Nil

**10. Public Presentations**

10.1 Petitions Nil

10.2 Presentations Nil

10.3 Deputations Nil

**11. Motions on Notice**

11.1 Production of Holdfast Bay Views

In accordance with his notice:

**C230310/757**

**Councillor Looker moved and Councillor Clancy seconded that the production of Holdfast Bay Views in its current magazine form be suspended pending a report to Council exploring better and more cost effective ways to communicate with residents.**

**LOST**

**Background**

Holdfast Bay Views is a prestige magazine containing Council information and good news. The high cost and problems with distribution signal that it is time to review this method of communication and explore more successful and cost effective ways to keep our citizens informed.

11.2 Visitor Information Centre/ Dolphin Cafe

In accordance with his notice:

**C230310/758**

**Councillor Fisk moved and Councillor Heysen seconded that**  
**1. Council deletes part 2 of Resolution No. C1312009/534 being "Given**

*that the Strategic Property review is underway no final decision in relation to the premises be made until the Strategic Property Review has been completed and its recommendations considered by Council,”*

**CARRIED**

**C230310/759**

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

1. Council further resolves that, in order to provide the lessee and sub-lessee of the Visitor Information Centre and Dolphin Cafe with certainty about lease arrangements, Council Administration will commence the process for formal Expressions of Interest (EOI) for the tenancy, with the expectation that tenants will be in place by 1 July 2010. Existing tenants of the property are encouraged to participate in the EOI process.
2. The current tenants of the lease space will be able to continue to occupy the tenancy, extending current terms and conditions, until the 25 June 2010.

**CARRIED**

#### **Background**

In October 2009, all tenants of the building were given six months notice, in accordance with Council resolution C131009/534, that their leases would not be renewed.

The expiry of the current lease falls on 20 April 2010. The resolution of Council assumed that the Strategic Property Review would have concluded its business in time to provide certainty to tenants (and Council) about the future of the property.

Unfortunately the Review is not yet in a position to make a recommendation. Proprietors of businesses in the building are understandably concerned about their future and have sought information from Council.

The proposed resolution will enable staff to commence seeking expressions of interest for long term lease of the property, and ensure continued income to Council in the process. Administration has provided an 'Items in Brief' report in this Agenda which provides additional details.

11.3 Memorial Seat - Gilbertson Gully in Memory of the Late John Mathwin

In accordance with his notice:

**C230310/760**

**Councillor Huckstepp moved and Councillor Deakin seconded that Council endorses the installation of a seat in memory of John Mathwin at Gilbertson Gully at no cost to Council, except for the installation of the concrete plinth on which the seat will be placed.**

**CARRIED**

#### **Background**

The late John Mathwin, OAM was a well known resident of Seacliff Park, serving on both City of Brighton and the City of Holdfast Bay Council with

terms as Mayor, Deputy Mayor and Councillor and also a State Member of Parliament for several years.

Prior to emigrating to Australia John served in the British army with a Scottish Assault Engineer Unit whose task was to form a bridge head on the beaches at D Day 6 June 1944 and then over the River Seine Elbe the River Rhine.

The bridge head formed over the Rhine suffered horrific casualties with the German Army desperately defending their homeland with armour piercing cannon.

John described his landing craft as resembling a salt and pepper shaker – so many holes – with the majority of his mates killed with blood ankle deep in the landing craft. Finally the bridge head was established but suffering massive casualties.

After the war John Mathwin a house painter by trade, emigrated to Australia and settled in Adelaide but possessing very little money settled in Arthur Street, Seacliff Park as land was cheap at this location because no-one wishing to live there due to the choking asphyxiating dust produced by the nearby Brighton Cement Works. In addition to his painting trade, a successful career with the Brighton Council and State Parliament followed. Living close to Gilbertson Gully, which was formerly a rifle range and military training area. John was the first person to take an interest to preserve the Gully for conservation and environmental purposes. He was a lone supporter of the project for many years. Recent times the area has been bought within the auspices and control of Council.

In recognition of his involvement in and representation of the community, the John Mathwin Reserve was dedicated in 2001. Council resolved on 13 July 2004 to endorse the formation of a sub-committee to investigate and report on a memorial to be placed in Gilbertson Gully. A sub-committee was later formed to investigate and report on an appropriate memorial which would be placed at Gilbertson Gully Reserve. Council on 13 July 2004 resolved (C04/245) to investigate and report on the most appropriate type of memorial to be placed in Gilbertson Gully Reserve in memory of former Councillor John Mathwin.

Finally a report was presented to Council in August 2007 recommending a large monument seat and granite rock costing \$10,000.

Council refused to fund the project due to no budget allowance being made and others considering enough John Mathwin memorials existed in the Council area. I voted against the proposal purely on budget constraints. Personally I believe Council missed two relevant points which now can be rectified.

1. John Mathwin was the first conservationist to take an interest in the Gilbertson Gully Reserve and this should be recognised at the location.
2. There is a need for public seating in the area.

Recently whilst I was on a works related inspection tour I was shown two almost brand new high quality garden seats found in the groundsman's shed at Glenelg Oval (as shown below). These seats were originally housed within the Brian Nadilo Reserve - Ngutinilla and replaced with the new memorial type seat as the plaques we use do not fit the slats on this older type of seat.



A memorial rock nearby would cost nothing as Council is a customer of Borals' Quarry and Boral has historically supplied memorial rocks free of charge to Council. Further, the Mathwin family have advised they will fund the cost of an aluminium memorial plaque to be fixed to the rock.

I therefore request Elected Members approve of this proposal which would cost very little. Mr Steve Hodge, General Manager City Assets has suggested the only cost to Council would be approximately \$500 for a concrete plinth to affix seating.

Implementation of a memorial seat for the late John Mathwin, will pay tribute to a man and former soldier of note, who dedicated his time and passion to conserve the Gilbertson Gully Reserve ensuring it remained in the natural state that we see today.

**12. Adjournment for Permanent Committees to meet**

**C230310/761**

**Councillor Deakin moved and Councillor Heysen seconded that Council stand adjourned to enable the following committees to meet:**

- **Economic and Corporate Committee; and**
- **Environment and Engineering Committee**

**CARRIED**

**13. Economic and Corporate Committee**

**14. Environment and Engineering Committee**

**15. Resumption**

**Councillor Clancy left the Chamber at 8:56pm.**

**C230310/762**

**Councillor Lonie moved and Councillor Looker seconded that Council resume at 8.58 pm.**

**CARRIED**

**16. Minutes - Economic and Corporate Committee**

**Councillor Clancy rejoined the Chamber at 8:58pm.**

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

**C230310/763**

**Councillor Fisk 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.**

*13.7.1 Item in Brief (Report No: 141/10)*

These items are presented for the information of Members and do not require a decision.

**C230310/763.1**

**That the Committee recommends that Report No 141/10 be noted.**

*13.7.2 Monthly Financial Reports – February 2010 (Report No: 142/10)*

This report provides Elected Members with financial reports to 28 February 2010. It comprises a Funds Statement and a Capital Expenditure Statement for the year-to-date compared with the 2009/10 budget.

Council's year-to-date (YTD) operating result is \$684,000 higher than YTD budget due to a mixture of factors, primarily the timing of some large invoices for waste collection and processing and cleaning of GPTs. Capital expenditure is \$232,000 lower than YTD budget, largely due to timing.

**C230310/763.2**

**That the Committee recommends that the financial reports to February 2010 be received and noted.**

*13.7.3 Adjourned Item – [482/09] Broadway Kiosk Air-conditioning Plant (Report No: 143/10)*

Council's Economic and Corporate Committee at its meeting held on 27 October 2009 resolved to adjourn consideration of Report Number 482/09, and sought further information in relation to the impact on residents and outdoor diners.

Report Number 482/09 outlined the correspondence received from the lessee of the Broadway Kiosk seeking to relocate the internal air-conditioning plant to the northern end of the kiosk within the existing lease area. Council approval for the works is required in accordance with the terms of the lease agreement.

The matter is now presented with no change to the recommendations for further consideration.

**C230310/763.3**

**That:**

1. **The Committee recommends that the report be received and the adjourned item [482/09] Broadway Kiosk Air-conditioning Plant be reconsidered.**
2. **Council provide its consent as lessor for the lessee to relocate the air-conditioning plant within the leased area on the western side of the building, in accordance with, and to a location immediately adjacent to and south of the location specified in, the plans and drawings provided subject to the following conditions:**
  - a) **the existing air extraction plant which assists with elimination of waste air generated by the air-conditioning plant be rendered inoperable and removed;**
  - b) **the opening on the western wall where the current extraction fan is located be made good;**
  - c) **the structure which is proposed to be built to house the air-conditioning plant be made adequately sound-proof to ensure that no sound shall be emitted from any machinery, equipment**

or device, or from any other source whatsoever on the subject land, in such a manner as to contravene the Environment Protection Act and Regulations.

- d) the lessee refer the matter to the Development Assessment Commission so that it may determine the application from a planning /building perspective and the lessee meeting any requirements that may be imposed by the Development Assessment Commission in regard to the application.
- e) the adjoining neighbours, who previously received the dilapidation report, be advised of the decision prior to the commencing works.

*13.7.4 Marymount College – New Recycling Shed (Report No: 144/10)*

Marymount College has written to Council seeking its consent under the licence agreement to erect a new colorbond shed (to be used for recycling purposes) abutting the southern end of the existing groundsman's shed on the Mawson Oval.

**C230310/763.4 That this motion be adjourned pending a further exploration of options for the site.**

**CARRIED**

**17. Minutes – 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.

**C230310/764 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.**

*14. 7.1 Items in Brief (Report No: 132/10)*

Report No: 132/10 was presented detailing items which were presented for the information of Members.

**C230310/764.1 That the Committee recommends that the report be noted and items of interest be discussed.**

*14.7.2 Non-Significant Street Tree Removal – 6 Seaview Avenue, Kingston Park (Report No: 133/10)*

Council is requested to consider removal of one non-significant street tree located at 6 Seaview Avenue, Kingston Park. The 7m high mature *Langenaria patersoni* Norfolk Island Hibiscus is not significant under the Development Act 1993, and is not compliant with the Street Tree Strategy.

**C230310/764.2 That the Committee recommends that the *Langenaria Patersoni* (Norfolk Island Hibiscus) at 6 Seaview Avenue Kingston Park be tree be retained.**

*14.7.3 Non-Significant Street Tree Removal – 24 King George Avenue, Hove (Report No: 134/10)*

Council is requested to consider removal of one non-significant street tree



located at 24 King George Avenue, Hove. The mature *Robinia* is not significant under the Development Act 1993, and is not compliant with the Street Tree Strategy. Removal would give an opportunity to undertake streetscape renewal along this section of King George Avenue, Hove. However, Council's adopted policy dictates that the tree should not be removed based on the fact that it is in a healthy condition.

C230310/764.3

**That the Committee recommends that as the Robinia at 24 King George Avenue Hove is healthy, as per Council Policy 3.17, it be retained.**

14.7.4 *Street Tree Strategy Planting Guide – Streetscape Renewal As Part Of Eucalyptus Platypus Removal (Report No: 135/10)*

Council is requested to consider further utilisation of the new species in the Street Tree Strategy Planting Guide where removal of *Eucalyptus platypus* and an audit of gaps, presents an opportunity for streetscape renewal.

C230310/764.4

**That the Committee recommends that Council endorses the further use of its new species to provide greater street tree species diversity in Glenelg North, with streetscaping of the following streets to occur in the 2010 planting season:**

**Carnarvon Avenue, Glenelg North –**

- Under ETSA Utilities – *Pyrus Cleaveland Select*
- Non Utilities – *Cupaniopsis Anacardioides* Tuckeroo

**Golflands Terrace, Glenelg North –**

- Under ETSA Utilities – *Angophora hispida* Dwarf Apple Tree
- Non Utilities – *Eucalyptus torquata* Coral Gum

**Leane Avenue, Glenelg North –**

- Under ETSA Utilities – *Geijera parviflora* Australian Wilga
- Non Utilities – *Cupaniopsis Anacardioides* Tuckeroo

**Ronald Terrace, Glenelg North –**

- Under ETSA Utilities – *Geijera parviflora* Australian Wilga

**Noting that residents will be advised in writing of these changes.**

14.7.5 *Encroachment Permission Over Council Land (Report No: 136/10)*

Council has received a development application for a new office building at 698 Anzac Highway, Glenelg which incorporates an encroachment over the footpath in the form of a cantilevered awning protruding from the facade. In accordance with a previous Council resolution, approval is sought to allow the encroachment prior to resuming the assessment of the development application.

C230310/764.5

**That the Committee recommends that pursuant to Section 221 of the Local Government Act 1999, Council allows the encroachment associated with Development Application Number 110/00962/09 at 698 Anzac Highway, Glenelg as described in Attachment 1 of this report and that Administration issue a permit with annual fees accordingly.**

14.7.6 *Road Funding – Roads to Recovery Program 2009/10 to 2013/14 (Report No: 137/10)*

Council's across Australia received unprecedented financial assistance of \$1.75 billion from the Federal Government to maintain and upgrade Council roads for the next five years. The City of Holdfast Bay will receive \$1.356 million over the next five years commencing 2009/10 to 2013/14. This financial year 2009/2010

\$271,000 was allocated to the Esplanade Somerton Coast Park project Stage 3, this amount has been acquitted with the Roads to Recovery funding unit.

C230310/764.6

**That the Committee recommends that the balance of funds remaining from the Roads to Recovery Program be placed towards the identified projects as shown in Table 1 at Report No. 137/10.**

*14.7.7 Street Tree Survey – Maturin Road, Glenelg (Report No: 138/10)*

Due to the narrowness of Maturin Road, Council's Street Tree Strategy Planting Guide currently specifies there is no room for trees.

In response to Council resolution (C190110/677) regarding a possible street tree planting program for Maturin Road Glenelg, Administration has conducted a survey of residents of this street. This report outlines the positive results from the survey of residents.

C230310/764.7

**That the Committee recommends**

- 1. That the results of the recent survey of Maturin Road, Glenelg, residents be noted.**
- 2. That Administration prepare and implement a planting program for the street with *Pyrus calleryana* 'Capital' Ornamental Pear as the adopted street tree species.**

*14.7.8 Street Tree Survey – Whyte Street, Somerton Park (Report No: 139/10)*

Following receipt of a petition and a subsequent deputation to Council on 15 December 2009, regarding the replacement of Oleander trees in Whyte Street, Somerton Park, Council resolved:

*"that the residents of Whyte Street, Somerton Park be contacted again regarding the Street Tree Strategy, the proposed Environmental Project and the removal of the Oleander trees and that a report be presented to Council for further consideration."*

This report outlines the results of the resident's survey undertaken in February 2010.

C230310/764.8

**That the Committee recommends**

- 1. That the results of the recent resident survey of Whyte Street, Somerton Park be noted and the head petitioner and residents be advised of the outcome.**
- 2. That Administration develops and implements a planting strategy for Whyte Street, Somerton Park to be commenced in the 2010 planting season.**
- 3. That the initial plantings be in the areas where there are currently no trees (gaps), followed by a staged removal of the unsuitable species.**

**CARRIED**

## **18. Reports of Committees, Subsidiaries and Development Assessment Panel**

### **18.1 Minutes – Environmental Advisory Committee (Report No: 113/10)**

The Environmental Advisory Committee was established to assist Administration to advise Council on environmental issues.

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23.03.2010

The Minutes of the Environmental Advisory Committee meeting held 8 February 2010, are attached and submitted to Council for information and endorsement.

**C230310/765 Councillor van Camp moved and Councillor Lonie seconded that the minutes of the Environmental Advisory Committee held 8 February 2010 be received and noted.**

**CARRIED**

**C230310/766 Councillor Looker moved and Councillor Huckstepp moved that the question be put.**

**CARRIED**

18.2 Minutes – Holdfast Bay History Centre Advisory Committee (Report No: 114/10)

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 17 February 2010, are attached and submitted to Council for information and endorsement noting in particular the Committee's recommendations

**C230310/767 Councillor Huckstepp moved and Councillor Lonie seconded that the minutes of the Holdfast Bay History Centre Advisory Committee be received and noted.**

**CARRIED**

18.3 Minutes – Arts Advisory Committee (Report No: 115/10)

The Arts Advisory Committee was established to:

- To hold discussions with all arts groups within the City to discuss future requirements and possible needs, to ensure that ratepayers/residents and tourists can maximise their cultural experience.
- Report to Council on recommendations for future Council expenditure.

The minutes of the Arts Advisory Committee meeting held 22 February 2010, are attached and submitted to Council for information and endorsement, noting in particular the Committee's recommendations presented below.

**C230310/768 Councillor Lonie moved and Councillor Heysen seconded that the minutes of the Arts Advisory Committee be received and the recommendations numbered 1 - 3 endorsed by Council:**

*5.1 Committee Vision Statement*

- 1. That the second Option "To create a vibrant city where artists, residents, businesses and visitors can enjoy all art forms year round" be endorsed as the Committee's Vision Statement.**

*5.5.2 Art Trail Brochure*

- 2. That the Art Trail Brochure be endorsed and that the Administration report further on the project after contacting local gallery owners about possible participation in the project.**

*5.6 Committee Resignations*

3. **That the Administration write to the outgoing members, Ms J Gaebler Smith, Ms J Barker, Ms J McDonald and Ms C Richards, on behalf of Council and the Arts Committee thanking them for their valuable contribution to arts development in Holdfast Bay.**

**CARRIED**

## 18.4 Minutes – Alwyndor Management Committee (Report No: 116/10)

The Alwyndor Aged Care Management Committee was established to manage the affairs of Alwyndor Aged Care Facility. The Council has endorsed the Committee's Terms of Reference and given the Committee delegated authority to manage the business of Alwyndor Aged Care Facility.

The Minutes of the Alwyndor Aged Care Management Committee for the meeting held on 15 December 2009 and 16 February 2010 are attached. The Confidential Minutes are circulated to Members under separate cover and for Council information.

The Comparison Budget presenting their year to date financial position is also distributed to Members under separate cover for Council information.

C230310/769

**Councillor Looker moved and Councillor Heysen seconded that the Confidential Minutes circulated under separate cover be retained in confidence.**

**CARRIED**

C230310/770

**Councillor Heysen moved and Councillor Clancy seconded that the Minutes of the Alwyndor Aged Care Management Committee meeting held 15 December 2009 and 16 February 2010 and the Comparison Budget for January 2010 be received and noted by Council.**

**CARRIED**

## 18.5 Minutes – Jetty Road Mainstreet Management Committee (Report No: 140/10)

The Jetty Road Mainstreet Management Committee (JRMMC) 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 committee's 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 meeting held 10 March 2010, are attached and presented for Councils' information.

C230310/771

**Councillor Bouchée moved and Councillor Heysen seconded that the following minutes of the Jetty Road Mainstreet Management Committee held 10 March 2010 be received and the following recommendations numbered 1 - 6 be noted.**

*5.1 Free STA Travel between Morphetville Tram Stop and Moseley Square for Jetty Traders*

1. **That the Jetty Road Mainstreet Management Committee ask Council what investigations have been undertaken to date, regarding the opportunity of free tram travel between Morphetville and Moseley Square for Jetty Road Mainstreet Traders, with the view to alleviate**

some of the parking issues faced in the Precinct, and can any reports or correspondence regarding these investigations be made available to the Jetty Road Mainstreet Management Committee.

5.2 *Tree Lighting in Jetty Road*

- 2. That the Jetty Road Mainstreet Manager convene a meeting at a mutually agreeable time to include Jetty Road Mainstreet Manager, interested Jetty Road Mainstreet Management Committee Members, Phil Keane – Adelaide City Council and Dave Bristow – Bristow Squared to look at the current tree lighting and discuss appropriate options to enhance the overall effect of the lights when the trees are in leaf.

6.2.5 *Christmas Decorations*

- 3. That the Jetty Road Mainstreet Management Committee authorise the Manager to purchase, appropriate discounted Christmas decorations up to the value of \$2,000.

6.5 *2010 Christmas Pageant Event Management*

- 4. That Jetty Road Mainstreet Management Committee approve the appointment of Big Fish Your Pond to manage the 2010 Glenelg Christmas Pageant and that the Manager be authorised to finalise the contract for the Chief Executive Officer to sign.

6.7 *Sponsorship Requests*

6.7.1 *Sunday Mail City-Bay Fun Run*

- 5. That the Jetty Road Mainstreet Management Committee sponsor the City Bay Fun Run to the value of \$2,000 in cash and \$3,000 in Jetty Road Vouchers.

6.7.2 *Glenelg Football Club*

- 6. That the Jetty Road Mainstreet Management Committee sponsor the Glenelg Football Club by providing Jetty Road Gift Vouchers to the value of \$1,200.

**CARRIED**

A Division was called.

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Voted For  
 R M Bouchée  
 R A Clancy  
 J L Deakin  
 L R Fisk  
 P D H Heysen  
 J D Huckstepp  
 S C Lonie  
 T D Looker  
 A C Norton  
 L van Camp

Voted Against  
 P N Crutchett

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**HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED**

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**19. Reports by Officers**

19.1 Items in Brief (Report No: 117/10)

Report No: 117/10 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

**C230310/772**

**Councillor Clancy moved and Councillor Lonie seconded that the report be noted and items of interest be discussed.**

**CARRIED**

19.2 Review of Council and Committee Structure (Report No: 118/10)

Council's current decision making structure was last reviewed in May 2008, and substantive changes have not been made since April 2005.

Given that a local government general election will be held in November this year, it is timely to review Council's decision making structure to ensure it is as efficient and as effective as possible, while still meeting both legislative requirements and community expectations.

Three options for Council and Standing Committees are canvassed in this report, with a further two options for Council's advisory committees considered.

A structure which gives standing committees delegated power to make decisions and which is aligned with Council's strategic plan is preferred. Further, a structure which replaces advisory committees with informal working parties, encouraging community and specialist input, without the constraints and administrative burden of legislative requirements is also recommended. It is a stronger governance structure given the concerns over the number of existing advisory committees' decision making process.

**C230310/773**

**Councillor Crutchett moved and Councillor Fisk seconded that, reflecting the changing needs of Council, Council resolves to:**

1. **Trial Option 3 attached to this report, comprising the following elements:**
  - **Council to meet twice per month on a Tuesday, with responsibility for Finance, Governance, Civic Matters, Leasing, Corporate Development and Regulatory Matters;**
  - **Council will be followed by either one or two of the three standing committees, meeting on alternate fortnights;**
  - **Each standing committee will be broadly aligned to the City of Holdfast Bay Strategic Plan, being Community and Visitors (including Economic Prosperity), Infrastructure, Assets and Environment and Strategy and Planning with responsibility for decisions within these portfolios;**
  - **Each standing committee will have delegated authority to make decisions;**
  - **All Elected Members will be members of each standing committee;**
  - **Chairs and Deputy Chairs of the Committees will be appointed to the three committees during the trial period;**
2. **Conduct a trial of the new committees over a four month period, commencing June 2010, to allow all Members, members of the community, and employees an opportunity to comment on the**

effectiveness and efficiency of the changes.

3. **At the end of three months, Administration will begin a review of all key stakeholders and make a final recommendation for Council's committee structure in September 2010, for adoption by the in-coming Council in November 2010.**
4. **Phase out Advisory Committees (Option 2) during the remaining term of Council, with the aim of not reappointing any advisory committees at the first formal meeting of the new Council in November 2010, instead guidelines for the development of specialist informal working parties will be drafted and presented to Council for review and adoption.**
5. **Not to make any changes to the current structure of Alwyndor Management Committee and Jetty Road Mainstreet Management Committee.**
6. **The Chair of each of the standing committees be a representative from a different ward.**

**CARRIED**

#### **20. Resolutions subject to formal motions**

Presented for the information of Members 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.

#### **21. Urgent Business – Subject to the Leave of the Meeting**

##### 21.1 Nominations to the Development Assessment Commission

Councillor Deakin sought leave of the meeting to seek Council's nomination to the Development Assessment Commission:

**C230310/774**

**Councillor Clancy moved and Councillor Fisk seconded that Councillors Bouchée and Deakin be nominated by the City of Holdfast Bay for the vacancy on the Development Assessment Commission.**

**CARRIED**

##### 21.2 Enforcement of Dog Regulations

**C230310/775**

**Councillor Norton moved and Councillor Heysen seconded that Administration and Regulatory Services conduct a campaign to police the dog regulations throughout our city with special attention to dog owners having direct control of their dogs off the leash.**

**CARRIED**

#### **22. Items in Confidence**

##### 22.1 Alwyndor Project Update 1 (Report No: 119/10)

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Mr I Walker, Mr G Potter, Mr G Sandford and Ms P Aukett

**C230310/776**

**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**

Alwyndor Project Update 1 (Report No: 119/10)

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C230310/778**

Councillor Lonie moved and Councillor Looker 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: 119/10 with the exception of Resolution No: C230310/776 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 2011 by the Council.

**CARRIED**

**C230310/779**

Councillor Looker moved and Councillor Crutchett seconded that we proceed to the next business.

**CARRIED**

22.2. Assignment of Lease – Squisito Italia Caffè Restaurant (Report No: 120/10)

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Mr G Potter, Mr I Walker Mr G Sandford and Ms P Aukett

**C230310/780**

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**

Assignment of Lease – Squisito Italia Caffè Restaurant (Report No: 120/10)

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C230310/782**

**Councillor Crutchett 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: 120/10 with the exception of Resolution No: C230310/780 for going into confidence be kept confidential, until the lease is assigned, 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 2011 by the Council.

**CARRIED**

**C230310/783**

**Councillor Looker moved and Councillor Lonie seconded that all senior management staff remain in the Chamber while Council considers the next items to be considered in confidence.**

**CARRIED**

22.3 Minutes – Audit Committee (Report No: 145/10)

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Mr I Walker, Mr G Potter and Ms P Aukett

**C230310/784**

**Councillor Crutchett moved and Councillor Clancy 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 – Audit Committee (Report No: 145/10)

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE****C230310/786**

**Councillor Crutchett moved and Councillor Lonie 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: 145/10 with the exception of Resolution No: C230310/784 for going into confidence be kept confidential and not available for public inspection, until such time as the candidates are advised, 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 2011 by the Council.**

**CARRIED**

22.4 LATE ITEM - Kingston Park Kiosk – Assignment of Licence (Report No: 146/10)

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Mr I Walker  
Mr G Potter and Ms P Aukett

**C230310/787**

**Councillor Heysen moved and Councillor Fisk 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**

LATE ITEM - Kingston Park Kiosk – Assignment of Licence (Report No: 146/10)

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE****C230310/789**

**Councillor Lonie moved and Councillor Crutchett 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: 146/10 with the exception of Resolution No: C230310/787 for going into confidence be kept confidential until the assignment is executed (with the exception of the solicitor's letter) 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 2011 by the**

**Council.****CARRIED**

22.5 LATE ITEM - King Street Bridge Replacement - Tender Wks13, Preparatory Works for Bridge Designs – Environmental Impact Statement – Geotechnical Investigation (Report No: 147/10)

Council Officers Remaining: Mr J Lynch, Mr S Hodge, Ms R Thomas, Mr I Walker  
Mr G Potter and Ms P Aukett

**C230310/790**

**Councillor Crutchett moved and Councillor Fisk 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**

LATE ITEM - King Street Bridge Replacement - Tender Wks13, Preparatory Works for Bridge Designs – Environmental Impact Statement – Geotechnical Investigation (Report No: 147/10)

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE****C230310/792**

**Councillor Crutchett moved and Councillor Fisk 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 minutes and motion will be released, but the report relating to Report No: 147/10 will 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 2011 by the Council.**

**CARRIED****23. Resumption****C230310/793**

**Councillor Looker moved and Councillor Deakin seconded that Council resume as an open meeting of Council at 9:52 pm.**

**CARRIED**

COUNCIL

3747

23.03.2010

**24. Closure**

The Meeting closed at 9:53pm.

**CONFIRMED Tuesday 13 April 2010**

**MAYOR**

