

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 8 June 2010 at 7:02pm.

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	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 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 7:02pm.

2. Kurna Acknowledgement

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

We acknowledge Kurna 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 Kurna 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 P D H Heysen and
Councillor R D Beh |
| 4.2 Absent | Nil |

5. Items Presented to Council Nil**6. Declaration of Interest**

Members were reminded to declare their interest before each item.

7. Confirmation of Minutes**C080610/890**

Councillor Lonie moved and Councillor Clancy seconded that the minutes of the Ordinary Meeting of Council held on 25 May 2010 be taken as read and confirmed.

CARRIED

Alteration of Minutes of the Ordinary Council Meeting held 25 May 2010, Item 11.2 Partridge Street Properties, motion was clarified as the intent was for the, current tenants or any other youth service providers may become involved there.

8. Questions by Members

8.1 Without Notice

8.1.1 Order of Questions on Notice

Councillor Looker asked a question regarding the rationale for the order of Questions on Notice on the Council Agenda.

The Manager Governance and Policy, Ms T Aukett provided a response.

8.1.2 Tree Planting Along Oaklands and Diagonal Roads

Councillor Looker asked a question regarding the plans for street tree planting along Oaklands and Diagonal Roads.

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

8.1.3 Funding for the King Street Bridge

Councillor Looker asked a question regarding the possible change of Federal Government and if the Nation Building Projects are reprioritised.

His Worship the Mayor provided a response regarding the funding for this project.

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

8.1.4 Tree Planting Along the Sturt River Corridor

Councillor Huckstepp asked a question regarding the progress which Administration has made for planting trees along the Sturt River Corridor.

The General Manager City Assets, Mr S Hodge provided a response and took the question on notice

8.1.5 Methodology for Minute Taking

Councillor Bouchée asked a question regarding the way the minutes of the meeting are recorded as they are not a word for word record of what is being spoken in the chamber.

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

8.2 With Notice

8.2.1 Dog Bag Dispensers

In accordance with her notice, Councillor Lonie asked the following questions:

1. **How many dog bag dispensers are there in the City?**
2. **How are the locations chosen and how close together are they placed?**
3. **How often are they checked and restocked?**
4. **Is there any scope to improve this service?**

Background

I have personally observed people drive up and nearly empty these containers by taking lots of bags at once. A resident has asked me who often walks their dog and finds them always empty, whereas when they walk there dog in neighbouring councils, they find this less often. Is there any scope to improve this service?

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

The current dog poo bag dispensers were first installed as an educational/trial program by the then Stormwater Pollution Prevention Program in 2003. Our web page lists the location and currently there are 12 dog poo bag dispensers installed across the city in the following locations:

- **Wigley Reserve**
- **Glenelg Jetty**
- **Pier Street / Jimmy Melrose Walkway**
- **Broadway Kiosk**
- **Wattle Reserve**
- **Brighton Jetty**
- **Dover Square Park**
- **Seacliff Yacht Club Boat Ramp**
- **Kingston Park Caravan Park Kiosk**
- **Bowker Street Oval**
- **Pine Avenue / Kingston Coastal Reserve**
- **Council Civic Centre, Jetty Road, Brighton**

These locations were initially chosen based on areas frequented by dog walkers and identified as common areas for dog faecal pollution.

The dog poo bag dispensers hold a roll of 200 dog poo bags and are routinely checked three times a week (Monday, Wednesday and Friday) by Field Staff. Additional restocking occurs if the dispensers are noticed empty.

Council has purchased on average 180,000 biodegradable bags per year (this equates to 41 bags per dispenser, per day) at a cost of approximately \$3,500 for the last two years and refilling rates indicates this number is on the rise.

Currently there are 4,293 dogs registered in the City of Holdfast Bay.

In 2006 a by-law was introduced (No: 41) requiring all people walking a dog to carry an instrument to pick up dogs droppings in a public place. Since January 2010, 12 warnings and no fines have been issued.

While the bags were introduced as an educational and positive community program, the numbers above demonstrate that it is being exploited.

Following a previous request, Administration is in the process of creating and installing signs to inform users that the bags are to be used for emergency use only, however this is unlikely to impact recalcitrant users.

To improve the service additional routine checking of the dispensers could be programmed in, however this is likely to have a service level impact on other Field Staff functions. Additional dispensers could be installed; however this will also increase the annual servicing and bag costs.

As with any program of compliance the best results are achieved with a 'carrot and stick' combination. The installation and servicing of the dog bag dispensers over the past 7 years, along with signage and advice to dog owners highlights the work Council has undertaken in supporting dog owners to do the right thing and pick up after their dogs. With the by-law in place it is now appropriate for Council Inspectors to increase vigilance and enforcement of the by-law, with a view to reducing the number of dog bag dispensers in coming years.

8.2.2 Planting of Trees

In accordance with his notice, Councillor Looker asked the following question:

With the planting season underway have any trees, which may grow into "significant trees", been planted in our parks or reserves?

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

Tree planting is undertaken under two separate programs. Street Tree and Open Space Reserve Plantings (by Field Staff) and Natural Reserve plantings through the Environmental Program.

Open Space Reserve Plantings

The street tree and open space reserve planting program focuses on the planting of street trees first. As such no reserve plantings have yet been undertaken. The program however has 12 trees earmarked for planting in this current season. It is expected that all these trees will in the future, grow into significant trees as prescribed in the description of a significant tree (a trunk circumference of 2.0m or more measured at a point 1.0m above natural ground level) in the Development Act 1993. Any of these trees that die in the near future will be replaced with the same species.

Natural Reserve Plantings

In natural reserve areas a tree may result in being a significant tree through the biodiversity value that it provides the area, regardless of the size of its trunk at a point in the future. As such, two figures are provided below.

Biodiversity plantings have to date, focussed on sand dune plantings and as such no tree species have been planted.

Orders for plantings this year will see:

- **200 trees that will grow into significant trees as per the requirements of the Development Act 1993;**
- **An additional 205 trees that will be deemed to have high biodiversity significance once established; these trees will be planted before the end of the season.**

8.2.3 Provision of Exercise Equipment in Parks and Reserves

In accordance with her notice, Councillor Lonie asked the following question:

Can Administration report on the opportunities which have been investigated to install outdoor exercise equipment for the use of the community, and in particular elderly (and those physically restricted and injured) in Holdfast Bay's parks and reserves.

The General Manager, City Services, Ms R Thomas's response.

Council established a community gym in Wigley Reserve several years ago and it has been well patronised since being constructed on that reserve. Consideration of future provision of similar community fitness stations through gym equipment has been considered in Master Plan consideration for a range of local parks and reserves for residents to use in an unsupervised way. Locals parks and reserves currently considered suitable for community gyms include those along and form part of the Coast Park corridor (i.e. John Miller Park Reserve.), Mawson Oval as a joint facility with Marymount College and the community and as part of the Brighton Oval Master Plan currently being undertaken.

A community gym has been mooted as part of the Brighton Oval Master Plan review and would take the form of a controlled/supervised community gym sponsored by at least one of the local user Clubs within their leased areas. This type of facility would be more suited to community members that have a physical restriction and may need supervision during their time within such a facility depending on the nature of their injury.

9. Member's Activity Reports

9.1 Delegates Report – History Week Activities (Report No: 281/10)

Presented for the information of Elected Members is a delegates report by Councillor Crutchett on the activities he attended during History Week.

C080610/891

Councillor Lonie moved and Councillor Clancy seconded that the Delegates Report from Councillor Crutchett on his History Week Activities be received and noted.

CARRIED

9.2 Jetty Road Mainstreet Management Committee Annual Traders Dinner

Councillor Looker reported that he had attended the Jetty Road Mainstreet Management Committee Annual Traders Dinner.

9.3 Seacliff Surf Life Saving Club Annual Presentation Dinner

Councillor Clancy reported that she had attended the Seacliff Surf Life Saving Club Annual Presentation Dinner with Councillors Lonie, Deakin and Huckstepp.

10. Public Presentations

10.1	Petitions	Nil
10.2	Presentations	Nil
10.3	Deputations	Nil

11. Motions on Notice

11.1 Recision – Draft 2010-11 Annual Business Plan

In accordance with her notice:

Councillor Lonie moved and Councillor van Camp seconded that Council rescinds Part E of Resolution No: C270510/840:

“Rate revenue set at a flat 4% i.e. including the HEAT fund”

and that Council reinstates the HEAT fund on top of the 4% rate increase.

TIED VOTE

HIS WORSHIP THE MAYOR USED HIS CASTING VOTE AGAINST THE MOTION AND DECLARED THE MOTION LOST

A division was called.

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

HIS WORSHIP THE MAYOR DECLARED THE MOTION TIED

HIS WORSHIP THE MAYOR USED HIS CASTING VOTE AGAINST THE MOTION AND DECLARED THE MOTION LOST

11.2 Investigation into a Multi Storey Car Park Jetty Road, Glenelg

Councillor van Camp left the chamber at 7:45pm.

Councillor van Camp rejoined the chamber at 7:46pm.

In accordance with her notice:

C080610/892

Councillor Lonie moved and Councillor Clancy seconded that Council investigates within the strategic property review the construction of a council owned, or joint council/private owned multi-storey car park to service the Jetty Road precinct at Glenelg, with the aim to begin construction within a reasonable, appropriate time frame.

CARRIED

Councillor Bouchée moved and Councillor Fisk seconded that this matter be adjourned until consideration of the 2011/2012 budget.

LOST

C080610/893

Councillor van Camp moved and Councillor Looker seconded that the motion be put.

CARRIED

A division was called.

Voted For

R A Clancy

P N Crutchett

J L Deakin

L R Fisk

J D Huckstepp

S C Lonie

T D Looker

A C Norton

L van Camp

Voted Against

R M Bouchée

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

Councillor Clancy left the chamber at 7:50pm.

Councillor Clancy rejoined the chamber at 7:51pm.

Background

Demand exceeds supply at peak summer times and for events particularly in areas in proximity to the foreshore, and in the core retail area. There is a general perception that there is insufficient parking in Glenelg.

At peak tourist periods, visitors to Glenelg are using some off-street car parks close to the foreshore, for example the Coles car park, which are being provided mainly for shoppers. This reduces the amount of convenient parking available for shopping at these times.

In general, short stay parking of 2 or 3 hours is allowed in residential zones on all residential streets in Glenelg. This provides convenient parking for users but causes an impact on amenity to residents in those locations. This problem becomes acute during peak parking demand periods.

There is some concern that apartment development does not cater for the full parking demand generated by the units and therefore overspill parking occurs in publicly available spaces.

The provision of on-street parking is effectively at a maximum level. Enhancing streetscapes, which continues to occur, reduces on-street spaces. On-street parking supply represents about 50% of total car park spaces available in central Glenelg.

There is no such limit to the provision of off-street car parks. Off-street car parks are limited by a number of factors including cost, availability of suitable land parcels, visual amenity, accessibility and traffic impact, amongst others. Off-street car parks on private property are in general not optimally configured because much of it is restricted to single properties. The Council has been continuing to discuss ideas to seek and develop opportunities for consolidation.

Essentially Glenelg may be described as a community activity centre. It is a traditional strip centre with two major supermarkets. One of the strengths of

Glenelg is its strong tourism role. However, the growth of regional centres such as Marion and Harbourtown which provide in general very good access, free and adequate parking, a large range of speciality/comparison shops and entertainment, have had significant impact on the competitiveness of community-based centres such as Glenelg. These competitive impacts require innovative positioning and counter measures to ensure Glenelg's role is not weakened or further compromised. Providing adequate parking can only assist this goal.

Council developed the Glenelg Access Strategy, with one of the major aims being to provide adequate off street parking for residents and visitors and the reserve fund set up for this purpose; the time is now right to progress the decked parking initiative.

11.3 Bus Zone at the Eastern End of Jetty Road, Glenelg

Councillor Bouchée left the chamber at 8:25pm.

In accordance with his notice:

Councillor Bouchée rejoined the chamber at 8:26pm.

C080610/894

Councillor Looker moved and Councillor Fisk seconded that Administration reports on the possibility of providing a Bus Zone at the eastern end of Jetty Road, Glenelg to allow buses to drop off passengers to encourage them to walk the length of Jetty Road and be picked up at the Bus Zone on Colley Terrace, subject to the bus operators and traders approval .

CARRIED

Background

A request for this has come informally from traders who see value in Tourist busses dropping passengers at one end of Jetty Road to allow them to walk the length and hopefully shop along the way. Such a bus zone would best be on the southern side to allow buses to continue the length of Jetty Road, Glenelg and park in Colley Terrace without the need for manoeuvring around side streets. The report would determine support for the idea plus practical suggestions for its possible implementation.

12. Adjourned Matters Nil

13. Reports of Management Committees, Subsidiaries and the Development Assessment Panel

13.1 Minutes – Jetty Road Mainstreet Management Committee (Report No: 271/10)

The Jetty Road Mainstreet Management Committee (JRMMC) has been established to undertake work to benefit the traders on Jetty Road, Glenelg, using the separate rate 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 meeting held 12 May 2010, are attached and presented for Councils' information.

Presented at Attachment 1 for Consideration by Council are new Terms of Reference for the Jetty Road Mainstreet Management Committee which were considered and endorsed by the Committee at their meeting held 12 May 2010.

Councillor Lonie left the chamber at 8:35pm.

Councillor Crutchett left the chamber at 8:35pm.

C080610/895

Councillor Fisk moved and Councillor Looker seconded

1. **That the draft Terms of Reference, as presented as Attachment 1 to Report Number: 271/10 for the Jetty Road Mainstreet Management Committee be endorsed by Council following the Jetty Road Mainstreet Management Committee's consideration and endorsement at its meeting held 12 May 2010 to take effect from the start of the new Council in November 2010.**

2. **That the following minutes of the Jetty Road Mainstreet Management Committee held 14 April 2010 be received and the following recommendations numbered 1 - 4 be noted:**

5.2 Manager's Report

1. **That the Manager's Report be received and noted and items of interest discussed.**

2. **That the Jetty Road Mainstreet Management Committee engage Mr P Keane to carry out the trial of an alternative street lighting option in one tree in Jetty Road.**

3. **That the Artscape Corridor Report be received and noted and that the Jetty Road Mainstreet Management Committee in principle supports the concept but would like more information on the project brief.**

5.3 Finance Report

4. **That the Finance Report be received and noted.**

5.6 Annual Dinner

5. **That the budget for the Jetty Road Traders Annual Dinner be increased to \$12,000.**

CARRIED

13.2 Minutes – Volunteer Advisory Committee (Report No: 272/10)

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 May 2010, are attached and submitted to Council for information and endorsement.

Members should take particular note of the two recommendations which propose the adoption of a new Volunteer Policy and the dissolution of the existing Committee.

C080610/896

Councillor Clancy moved and Councillor Fisk seconded that the minutes of the Volunteer Advisory Committee meeting held 12 May 2010 be received and recommendations numbered 1 and 2 be endorsed by Council:

5.1 Approval of Volunteer Policy

1. **That the tabled Volunteer Policy be endorsed by the Committee and**

forwarded to Council for adoption.

5.2 *Continuation of Volunteer Advisory Committee*

2. **That the Volunteer Advisory Committee be dissolved forthwith and that the Volunteering Development Officer should establish an informal working party, potentially comprising elected members, employees, volunteers and interested community members, in response to issues as they arise.**

CARRIED

13.3 Information Report – Southern Region Waste Resource Authority (Report No: 273/10)

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the “constituent councils”), pursuant to Section 43 of the Local Government Act, 1999.

Under its charter, SRWRA is responsible for providing and operating waste management services on behalf of the constituent councils and ensuring that a long term waste management strategy exists in the southern region of Adelaide.

Pursuant to its charter all agendas, reports and minutes remain confidential, unless the Board resolves that the document is to be available to the public. Presented for the information of Elected Members’ is the information which the SRWRA Board has released from its meeting held on 10 May 2010.

C080610/897

Councillor Bouchée moved and Councillor Clancy seconded that information reports of the Southern Region Waste Resource Authority for its meeting held 10 May 2010 be received and noted.

CARRIED

13.4 Minutes – Rating Advisory Committee, 26 May 2010 and 1 June 2010 (Report No: 278/10)

The Rating Advisory Committee was established to:

- Review Council’s rating policy and make recommendations for any changes to Council no later than 31 May each year.
- Monitor the Local Government Act as it impacts on Council’s Rating Policy.
- Investigate the appropriateness of special rates (such as Patawalonga Marina Separate Rate) and any others, from time to time

The Minutes of the Rating Review Advisory Committee meeting held 26 May 2010 and 1 June 2010, are attached and presented to Council for endorsement, noting in particular the Committee’s recommendations below.

C080610/898

Councillor Fisk moved and Councillor Huckstepp seconded that the minutes of the Rating Advisory Committee be received and the recommendations numbered 1 - 5 endorsed by Council:

7.1 *2010/11 Rating Policy (Report No: 226/10)*

1. **That the Committee recommends to Council that the adoption of the Rating Policy for 2010/11 subject to Council’s decisions on rate capping, Council concessions and the formal rate declaration,**

including valuation, minimum, differential general and separate rates adoptions and the NRM Levy.

7.2 *2010/11 Property Valuations, Rate Parameter Setting (Report No: 227/10)*

2. **That consideration of the minimum rate be adjourned to a meeting at 5.45pm on Tuesday 1 June 2010.**
3. **That, for the purposes of determining Council's pensioner and self-funded retirees' concession in 2010/11, the minimum amount be increased by the same percentage as the increase in rate revenue (ie. 4.0%) and the minimum property valuation be increased by the same percentage as the increase in the median property value.**
4. **That the Committee recommends that:**
 1. **The differential general rate for Commercial, Industrial and Vacant properties for 2010/11 be set at 50%**
 2. **The rate capping percentage applying to residential properties for 2010/11 be 10%**
 3. **That Council's concession for eligible pensioners and self-funded retirees be set at a minimum of \$42 plus \$1 for every \$10,000 in property valuation above \$350,000**
5. **That the Rating Advisory Committee recommends to Council that the minimum rate for 2010-11 be set at \$785.00**

CARRIED

14. Reports by Officers

14.1 Items in Brief (Report No: 274/10)

Report No: 274/10 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

Councillor Lonie rejoined the chamber at 8:37pm.

Councillor Crutchett rejoined the chamber at 8:37pm.

C080610/899

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

CARRIED

C080610/900

Councillor Deakin moved and Councillor Fisk seconded that the Council selects Option 1 presented at Attachment 2 of Report 274/10 for the Suburb Identification Signage.

CARRIED

14.2 Alwyndor Nil

14.3 Civic Nil

14.4 Corporate Development Nil

14.5 Finance Nil

14.5.1 *2010/11 Draft Annual Business Plan Consultation Outcomes (Report No: 280/10)*

The Draft 2010-11 Annual Business Plan endorsed by Council was released for community consultation on 28 April 2010. This report summarises the consultation process the submissions received, and proposes amendments to the 2010/11 Draft Annual Business Plan and Budget in response to the community consultation feedback.

C080610/901

Councillor Looker moved and Councillor Lonie seconded that:

- 1. The report on the outcomes of the Community Panel consultation presented at Attachment 1 be received and noted.**
- 2. The submissions from community members included in Attachment 2 be received and noted.**
- 3. Council endorses the responses to submissions contained in Attachment 3**
- 4. The 2010/11 Draft Annual Business Plan and Budget be amended to reduce the amount to be levied as a separate rate on Patawalonga marina berth owners from \$103,000 per annum over three years to \$87,000 per annum over three years.**

CARRIED

14.6 Governance

14.6.1 Independent Members Sitting Fees (Report No: 275/10)

This report is presented in response to a resolution of the Audit Committee in November 2009 and Council in January 2010 which called for a report reviewing the sitting fees paid to non-elected members of advisory and management committees.

C080610/902

Councillor Looker moved and Councillor Deakin seconded:

- 1. That the independent members of the Audit Committee be paid a sitting fee of \$400 for a presiding member and \$360 for an ordinary member for attendance at each committee meeting,**

CARRIED

C080610/903

Councillor Looker moved and Councillor Deakin seconded:

- 2. That the sitting fees for both the Audit Committee and the City of Holdfast Bay Development Assessment Panel be reviewed in 12 months.**

CARRIED

14.6.2 Appointment to Audit Committee (Report No: 276/10)

The term of appointment of Ms Vicki Brown to Council's Audit Committee has expired and it is recommended that she be re-appointed for a further term of 3 years.

C080610/904

Councillor Deakin moved and Councillor Looker seconded that Ms Vicki Brown be re-appointed to the Audit Committee for a further term of 2 years effective from 20 February 2010.

CARRIED

14.6.3 Election for One Metropolitan Adelaide Representative on the LGA State Executive Committee (as a Result of a Casual Vacancy) (Report No: 277/10)

The Local Government Association of SA (LGA) is holding an election for one Metropolitan Representative on the LGA State Executive Committee (as a result of a Casual Vacancy). The LGA has received ten nominations from councils and is conducting a ballot to elect a single Executive Member. Each metropolitan Council is entitled to vote.

C080610/905

Councillor Deakin moved and Councillor Huckstepp seconded:

- 1. That the City of Holdfast Bay participates in the election being conducted by the Local Government Association of South Australia for a Metropolitan Adelaide Representative on the LGA State Executive Committee.**
- 2. That the City of Holdfast Bay votes for Councillor Crutchett as its candidate for the election.**

CARRIED

14.7 Property Nil

14.8 Regulatory

14.8.1 Application to the Office of the Liquor and Gambling Commissioner for Extended Trading Authorisation of Existing Club Licence by the Glenelg Footballers' Club (Trial) (Report No: 247/10)

An application has been made to the Office of the Liquor and Gambling Commissioner seeking extended Friday and Saturday trading authorisation in the upstairs Function Room of the Glenelg District Cricket Club. The licence is held by the Glenelg Footballers' Club however the space in question is the function room within the separate building occupied by the Glenelg District Cricket Club.

C080610/906

Councillor Crutchett moved and Councillor Fisk seconded that the Council as owner and landlord of the subject land advise the Office of the Liquor and Gaming Commissioner that Council does not object to the application by the Glenelg Footballers' Club for an extension to its current trading authorisation at the Glenelg District Cricket Club, upstairs Function Room, Glenelg Oval, Brighton Road, Glenelg East subject to the following conditions:-

- 1. That the hours of the Club Licence be in accordance with the hours proposed in the details submitted by the applicant, that being from:
 - Friday and Saturday Midnight to 1:00am the following day**
- 2. That the extension of trading authorisation shall be issued subject to a trial period of twelve (12) months after which time licence conditions will be reviewed.**
- 3. Council shall monitor the operations during the trial and record any disturbances lodged by the community as a result of this extended authorisation.**
- 4. Council reserves the right to request that the Commission review the approval for the extended trading authorisation prior to the conclusion of the twelve (12) month trial period, should a number of complaints be received during this period which Council deems as an unreasonable detriment to the locality.**

5. Adequate security measures are to be taken by the management of the Club to ensure that the conduct of partons within the licensed area and the site's immediate surroundings is orderly and proper and does not result in undue offence, annoyance, disturbance, or inconvenience to adjoining land owners or occupiers.
6. No unreasonable sound levels shall be emitted from any source or device on the subject site so as to impair or impinge upon the enjoyment of occupiers or adjoining properties not exceeding 8dba above ambient for Williams Avenue (32dba).
7. The balcony shall be cleared of all people and locked at 10pm and shall remain closed until 8am the following day.
8. No part of the club premises shall be used for a discotheque, night club, or a dance club, or as a thrash venue.
9. No music (whether live or recorded) shall be played or presented within the function room between the hours of 12 midnight and 10am on any day.
10. All other conditions normally applicable to the current trading periods for the Club being imposed.
11. 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.
12. Subject to the surrounding residents be consulted on Williams Avenue, Rugless Terrace, Fortrose Street and Malcolm Street.

CARRIED

A division was called.

Voted For
 R A Clancy
 P N Crutchett
 J L Deakin
 L R Fisk
 J D Huckstepp
 S C Lonie
 T D Looker
 A C Norton
 L van Camp

Voted Against
 R M Bouchée

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

14.8.2 Variation to Entertainment Consent for Don Arturo Restaurant at 489 Brighton Road, Brighton

An application has been made to the Liquor and Gambling Commissioner for a variation to entertainment consent by Don Arturo Restaurant at 489 Brighton Road, Brighton. The purpose of this report is to provide Council's comments to the Office of the Liquor and Gambling Commissioner before a decision is made on the application.

C080610/907

Councillor Norton moved and Councillor Deakin seconded that Council advise the Office of the Liquor and Gambling Commissioner that it does object to the application by Don Arturo Restaurant for a variation to

entertainment consent at 489 Brighton Road, Brighton for Karaoke in Area 3 (function room at rear of restaurant) from Sunday to Monday until 12 midnight.

CARRIED

14.9 Encroachments

14.9.1 Options for Dealing with the Processing of Encroachment Applications
(Report No: 183/10)

The process for dealing with encroachment applications has to date, been undertaken based on Council's Encroachments Policy. Council has recently assumed responsibility for assessing all encroachment applications. Options are put forward by way of this report to amend Council's Encroachments Policy to acknowledge the different categories of encroachments and to assign the responsibility for assessing encroachments based on the scale and nature of the encroachment.

Councillor Huckstepp left the chamber at 9:14pm.

Councillor Huckstepp rejoined the chamber at 9:17pm.

Councillor Crutchett moved and Councillor van Camp seconded:

1. **Council endorses the options provided in Attachment 2 of Report No. 183/10 to form the basis for amendments to the Encroachments Policy.**
2. **A draft Encroachments Policy is prepared to include the options provided in Attachment 2 and is provided to Council for further consideration along with further consideration of delegations.**
3. **All encroachments are to be maintained to the satisfaction of council.**

C080610/908

Councillor Fisk moved and Councillor Bouchée seconded that this matter be adjourned until information regarding fees is presented for consideration.

CARRIED

15. 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.

16. Urgent Business – Subject to the Leave of the Meeting

16.1 Nomination for the Coast Protection Board

C080610/909

Councillor Deakin moved and Councillor Bouchée seconded that Councillor Looker be nominated for the vacancy on the Coast Protection Board.

CARRIED

17. Items in Confidence

Nil

18. Closure

The Meeting closed at 9:20pm

CONFIRMED Tuesday 22 June 2010

MAYOR