

CITY OF HOLDFAST BAY

**Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay
held in the Council Chamber, 27 September 2011 at 7:01pm.**

PRESENT

His Worship the Mayor	A K Rollond
Deputy Mayor	R A Clancy
Councillor	R M Bouchée
Councillor	P W Dixon
Councillor	K M Donaldson
Councillor	L R Fisk
Councillor	J D Huckstepp
Councillor	S C Lonie
Councillor	T D Looker
Councillor	S Patterson
Councillor	R C Patton
Councillor	A P Roe
Councillor	L J Yates
Chief Executive Officer	J P Lynch
General Manager Alwyndor Aged Care	G Potter
General Manager City Assets	S G Hodge
Acting General Manager City Services	P E Aukett
General Manager Corporate Services	I S Walker

1. Opening

His Worship the Mayor declared the meeting open at 7:01pm.

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 Nil

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

C270911/282

Councillor Huckstepp moved and Councillor Patton seconded that the minutes of the Ordinary Meeting of Council held on 13 September 2011 be taken as read and confirmed.

CARRIED

8. Questions by Members

8.1 Without Notice Nil

8.2 With Notice

8.2.1 Proposal to Relocate Bus Layover Areas from Moseley Street to Anzac Highway and Partridge Street, Glenelg

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

1. Origins of request/and copy if written.
2. What and with whom have discussions taken place in relation to the above.
3. Were Traffic study reports carried on these streets, Moseley Street/Partridge St and Pier Street prior to consultation and presentation of report.
4. What information has been collected as per statement:
“detailed investigation has been conducted to relocate the layover areas to nearby locations, without compromising access to the public transport service”.
5. What impacts on the residential amenity adjacent to new location on Partridge Street were identified.
6. Reasons why the buses are being pushed into a residential zone.
7. What traffic/parking issues were identified to re location to Partridge Street, Glenelg.
8. Who/what department prepared the survey.

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

- 1. A phone call was received from the Public Transport Services Division requesting a meeting with the Mayor and Chief Executive Officer.**
- 2. Initial discussions with the Public Transport Services Division Senior Managers with the Mayor and Chief Executive Officer followed by on the ground discussions with Public Transport Services Division Staff and Council Traffic and Transport Officers to**

discuss logistics of any proposed changes which was then discussed with Elected Members in a Council workshop followed by a report to council.

3. Yes

Moseley Street, Glenelg (7672 Vehicles Per Day), Partridge Street, Glenelg (10201 VPD), and Pier Street (8440 VPD).

4. Sorry I don't really understand the statement. But the tram and buses are still accessible and this would be part of the logic applied by the Public Transport Services Division in their origin and destination studies prior to their current proposal to relocate the services.

5. There may be an impact from the loss of car parks in front of the Bowling Club but the positive trade off would be that the Club is now accessible by those wishing to arrive by public transport which could result in a significant elevation in membership and subsequent bar trade.

6. Moseley Street, Pier Street, Partridge Street, High Street and Gordon Street, Glenelg are all residential Zones.

7. The major issue was the loss of parking adjacent to the Bowling Club; however it should be acknowledged that Gordon Street and a section of Partridge Street is already a bus route.

8. Council's Traffic and Transport Officers in conjunction with Officers from the Public Transport Services Division.

8.2.2 Location of Bike Racks in Holdfast Bay

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

Where are there bike racks/rails in Glenelg (expand to Holdfast Bay if there aren't many) and are these advertised anywhere? Are there plans to put in more?

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

Mr Hodge tabled a diagram for Members information.

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 Status of the Jetty Road Mainstreet Management Committee

In accordance with her notice:

Councillor Bouchée moved and Councillor Fisk seconded that following

the resignation of the Jetty Road Mainstreet Manager, could the Chief Executive Officer report on an initiative that may allow the Jetty Road Mainstreet Management Committee to become an Advisory Committee of Council rather than a Section 41 Committee.

LOST

Background

This would allow the Mainstreet Representatives to develop a Strategic Plan/Budget with input from Council staff who are experienced in this area, and following this the expenditure of the Separate Rate could be programmed in an Annual Business Plan that could be endorsed by Council and administered/delivered by Council Managerial staff in conjunction with the Mainstreet Representatives.

Administration Comment:

The Jetty Road Mainstreet Management Committee (JRMMC) currently operates under Section 41 of the Local Government Act.

Council has given it delegated authority to the JRMMC to control its own budget and to make operational decisions within its Strategic Plan and Terms of Reference.

JRMMC's budget, Strategic Plan and Terms of Reference are endorsed by Council. The working relationship between the Chair of the JRMMC and the Manager, Business and Visitor Marketing is being strengthened to ensure a stronger link between the goals of the Committee and the goals of Council.

The JRMMC has commenced a review of its strategic plan, as is required by legislation and part of that review includes consideration of its current structure.

11.2 Council Logo Change Presentation

Councillor Bouchée withdrew her Motion on Notice.

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: 340/11)

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, are attached and presented for Councils' information.

It should be noted that Council is considering a range of options to assist with the perceived parking issues in Glenelg and further report will be presented to Council on this issue.

C270911/283

Councillor Fisk moved and Councillor Looker seconded that the following minutes of the Jetty Road Mainstreet Management Committee held 7 September 2011 be received and the following recommendations numbered 1 - 5 be noted

5.1 FOD

- 1 That the JRMMC financially support TropFest Junior 2012 to the value of \$2,000.**

5.3 Manager's Report (Report No: 311/11)

- 2 That the Manager's Report, Report No 271/11, be received and noted.**

5.5 Mural/Mosaic Artwork in Moseley Square

- 3 That the Mrs G Higgins, The Changing Canvas, be approached to scope the project and come back to the JRMMC with a proposal of direction, draft design and estimated budget for consideration at the October JRMMC meeting.**

5.7 Extension to Free Parking Trial in Jetty Road

- 4 That the City of Holdfast Bay considers implementing free parking on Mondays, Tuesdays and Wednesday from Easter to September inclusive in 2012.**

CARRIED

14. Reports by Officers

14.1 Monthly Financial Report – August (Report No: 341/11)

This report provides Elected Members with financial reports as at 31 August 2011. It comprises a Funds Statement and a Capital Expenditure Statement for Council (municipal activities) and Alwyndor for the year to date compared with the 2011/12 budget.

For the financial year to 31 August 2011, Council's operating surplus from municipal activities is \$824,000 above budget, as a result of timing of some income and expenditure as well as some successful grant funding applications not budgeted.

Alwyndor's operating result is \$137,000 less than budget, mostly due to some timing issues and interest paid and received.

C270911/284

Councillor Looker moved and Councillor Huckstepp seconded that the financial reports to 31 August 2011 be received and noted.

CARRIED

14.2 Tasca Viva – Restaurant Licence Application and Extended Trading Authorisation (Report No: 336/11)

The premises formerly known as "Taiyangdao Chinese Restaurant" located at 18 Jetty Rd Glenelg has recently been leased to A & H Morrissy Pty Ltd. This company is currently undertaking a fit-out of the premises to open a restaurant known as 'Tasca Viva'. In leasing the property Tasca Viva also secured the existing corresponding Restaurant Liquor Licence for the premises.

As part of the development and transfer an application has been lodged with the Office of the Liquor and Gambling Commissioner for an extended trading authorisation requesting that the permissible existing hours in which the

licensee can provide alcohol without a meal [under its section 34(1)(c) exemption] be increased on Monday to Saturday between the hours of 5:00am and 2:00am the following day, and Sunday between the hours of 8:00am and 2:00am the following day.

The purpose of this report is to seek Council's endorsement of the application subject to the recommendations outlined within prior to formally advising the Office of the Liquor and Gambling Commissioner.

C270911/285

Councillor Dixon moved and Councillor Donaldson seconded that Council advise the Office of Liquor and Gambling Commissioner that it objects and will not support the Extended Trading Authorisation submission as it is currently set out in the application on the grounds that:

- 1. The hours requested in the application [under a section 34(1)(c) exemption] would permit the licensee to serve alcohol on the licensed premises on any day at any time until 2:00am without the purchase of a meal creating a 'bar' environment;**
- 2. Council believes the proposal contradicts the fundamental purpose of a Restaurant Category Licence (*the regulation of liquor consumption through ancillary service of alcohol with the purchase of a meal*);**

However, it is recommended that Council advise the Office of the Liquor and Gambling Commissioner that it will support and endorse the application ONLY subject to the following amendments and incurring the subsequent imposed conditions:

- 1. That the extended trading authorisation application be approved if the increase to the hours under the exemption under section 34(1)(c) occur ONLY on:
Sunday: between 8:00am and 11:00am; and 8:00pm and 11:30pm**
- 2. That a further condition be imposed upon the licence in accordance with the applicant's Holdfast Bay Outdoor Dining Permit Application stating:
"No alcohol is to be served or permitted in the external area(s) (Area 2) on any day after 12:00pm".**
- 3. The proposal be subject to a standard trial period of twelve (12) months from the date of the Licence Variation Grant, which at the end of this period an assessment and review of the amendment will be made.**
- 4. The City of Holdfast Bay, the Commissioner of Police and the licensee are granted liberty to apply to the Liquor and Gambling Commissioner to review the variation of hours and associated conditions prior to the conclusion of the twelve (12) month trial period.**

CARRIED

A division was called.

For	Against
R A Clancy	R M Bouchée
P W Dixon	
K M Donaldson	
L R Fisk	
J D Huckstepp	
S C Lonie	

T D Looker
 S Patterson
 R C Patton
 A P Roe
 L J Yates

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

14.3 Seacliff Surf Life Saving Club Liquor Licence (Redefined Area – Post Redevelopment) (Report No: 337/11)

Over the past twelve months the Seacliff Surf Life Saving Club has been undergoing redevelopment to update their facilities. As the development draws to a close (expected opening mid to late November 2011) the Seacliff Surf Life Saving Club has applied to the Office of the Liquor and Gambling Commissioner to update and 'redefine' the area for their existing Liquor Licence.

In addition to this redefinition of area, the Club would like to explore the possibility of expanding their licensed area to include a section of the lower level of the premises.

The purpose of this report is to seek the Council's comments and endorsement prior to advising the Office of the Liquor and Gambling Commissioner of Council's position.

C270911/286

Councillor Huckstepp moved and Councillor Lonie seconded:

- 1. That Council advise the Office of Liquor and Gambling Commissioner that it endorses the redefinition of the current licensed area.**
- 2. That Council also endorses the proposed expansion of the existing licensed area to include the lower levels of the premises.**

CARRIED

14.4 By Law Review (Report No: 339/11)

This report details proposed new City of Holdfast Bay Local Government Act 1999 by-laws and outlines the process which has to be followed to renew by-laws. Council has to review its by-laws pursuant to Section 251 of the Local Government Act 1999 every 7 years. All Council By-laws expire on 1 January of the year following the 7th anniversary of their gazettal. Council's consideration and endorsement is required for the by-law making process to proceed and allow public consultation to take place.

C270911/287

Councillor Bouchée moved and Councillor Clancy seconded that the Committee recommends:

- 1. That the Council endorse the following draft by-laws in principle for public consultation**
 - **By-law No 1 – Permits and Penalties;**
 - **By-law No 2 – Moveable Signs;**
 - **By-law No 3 – Local Government Land;**
 - **By-law No 4 – Roads;**
 - **By-law No 5 – Dogs;**
 - **By-law No 6 – Cats;**
 - **By-law No 7 – Foreshore; and**
 - **By-law No 8 – Lodging Houses**

as attached to the Report entitled (by-law review) and dated (27

September 2011) for the purposes of public consultation in accordance with Section 249 of the Local Government Act 1999.

- 2. That the Chief Executive Officer be authorised to submit the reports as attached to the Report entitled (by-law review) and dated (27 September, 2011) and the draft By-law No 5 – Dogs and draft By-law No 6 – Cats to the Dog and Cat Management Board for comment in accordance with Section 90(5) of the dog and Cat Management Act 1995.**
- 3. That, no less than 21 days after submitting the draft By-law No 5 – Dogs and draft By-law No 6 – Cats to the Dog and Cat Management Board for comment, the Chief Executive Officer be authorised to:**
 - Make copies of the draft by-laws available for public inspection without charge at the principal office of the council during ordinary office hours;**
 - Make copies of the draft by-laws available for public inspection without charge on the Council's website; and**
 - Publish notice informing the public of the availability of the draft by-laws for public inspection in the Guardian Messenger.**
- 4. That public consultation be conducted and a further report presented to Council for final approval of the by-laws.**

CARRIED

14.5 Assessment of Free Parking Trial in Glenelg (Report No: 338/11)

It is always a priority of the Council to support the businesses and residents within the city and to convey this commitment and its support, to this end, Council provided free parking Mondays (24 hours) and between the hours of 6 pm and 7 am Tuesday to Friday commencing the first week of July 2011 until 31 August 2011.

This report outlines the trial perspectives from traders and Council investigations to assess the effectiveness of the free parking trial campaign.

C270911/288

Councillor Bouchée moved and Councillor Clancy seconded that Council notes the information and data contained in this report.

CARRIED

14.6 H Class Tramcar no. 361 – Update (Report No: 342/11)

In July 2011, Council was advised that the St Kilda Tramway museum could no longer store the H Class Tramcar No 361 and resolved to find a temporary home for the tram to allow opportunities to explore returning the tram to Glenelg. If a temporary home could not be found, Council resolved to gift the tram to the St Kilda Tramway museum.

It has not been possible to find a temporary home in the available time; however community sentiment shows strong support to nonetheless return the tram to Glenelg. An alternative proposal, to develop a site on Wigley Reserve for the tram, is put forward in this report.

In order for this project to proceed, Council will need to allocate an additional \$65,000 from the current budget, or consider alternative funding options,

noting that a decision to find a permanent home now will remove the need for additional temporary storage costs.

C270911/289

Councillor Clancy moved and Councillor Bouchee seconded that Councillor Lonie places a motion on notice in its next agenda, the effect of which will be to amend/revoke Council's decision No. C120711/208; namely that Council

- 1. Subject to positive community feedback, approves a budget of \$65,000 from the 2011/12 budget, to construct an appropriate shelter on Wrigley Reserve and to return the H Class Tramcar No. 361 to Glenelg within the next six months.**
 - 2. The 2011/12 budget be adjusted at the first quarter review to accommodate this amount.**
 - 3. Seek advice on the best method of covering the tram and its structure.**
- CARRIED**

A division was called.

For	Against
R M Bouchée	T D Looker
R A Clancy	
P W Dixon	
K M Donaldson	
L R Fisk	
J D Huckstepp	
S C Lonie	
S Patterson	
R C Patton	
A P Roe	
L J Yates	

HIS WORSHIP THE MAYOR DECLARED THE MOTION 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 City of Holdfast Bay Logo

C270911/290

Councillor Looker moved and Councillor Clancy seconded Council implement a phased, no extra cost introduction of the modernised logo.

CARRIED

A division was called.

For	Against
R A Clancy	R M Bouchée
P W Dixon	S C Lonie
K M Donaldson	L J Yates
L R Fisk	
J D Huckstepp	
T D Looker	

S Patterson
R C Patton
A P Roe

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

17. Items in Confidence Nil

18. Closure

The Meeting closed at 7:43pm

CONFIRMED Tuesday 11 October 2011

MAYOR