

CITY OF HOLDFAST BAY

Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton, on Tuesday 12 June 2007 at 7:00pm.

PRESENT

His Worship the Mayor
Deputy Mayor
Councillors

A K Rollond
R A Clancy
R D Beh
P N Crutchett
J L Deakin
L R Fisk
P D H Heysen
J D Huckstepp
S C Lonie
T D Looker
A C Norton
L van Camp
R T Donaldson
C A Sheffield
C E Umapathysivam
R A Thomas
I S Walker

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

1. OPENING

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

His Worship the Mayor advised the meeting of the passing of Mr Tom Swanson, resident of Partridge Street Glenelg and Mr Alan Smedley, former Mayor of Glenelg.

2. APOLOGIES

2.1 For Absence Councillor R M Bouchée

2.2 Leave of Absence

3. PRESENTATION**3.1 Gifts from the Town of Hayama**

His Worship the Mayor presented gifts received from the Town of Hayama at the 10th Anniversary Celebration held on 27 May 2007.

His Worship the Mayor also presented the Renewal of Friendship documents in Japanese and English which were signed at the 10th Anniversary Celebration.

Each Elected Member was also presented with a gift from the Mayor of Hayama, Mayor Moriya.

His Worship the Mayor noted the donation from Mayor Moriya for bricks in his name to be included in the Memories and Milestones Pathway.

3.2 Presentations by Ratepayers

As part of the community consultation process for the Draft 2007/08 Annual Business Plan and Budget, an invitation was made to residents, ratepayers and stakeholders, to address the meeting.

No residents, ratepayers or stakeholders attended the meeting to take advantage of the opportunity to address the Council.

4. CONFIRMATION OF MINUTES

Councillor Crutchett moved and Councillor Huckstepp seconded that the minutes of the Ordinary Meeting of Council held on 22 May 2007 be taken as read and confirmed.

CARRIED

5. QUESTIONS BY MEMBERS

5.1 Without Notice Nil

5.2 With Notice

5.2.1 Fringe Benefit Tax liability per Employee

At the meeting of Council on 8 May 2007 Councillor Fisk asked:

Can Administration please provide a spreadsheet of the Fringe Benefit Tax liability per employee stating the FBT amount and the reason, on a monthly basis for the last 18 months?

Background

We are approaching budget deliberations time and this report would be helpful to establish some of the standard FBT costs.

This report should already be available as it is required for payment of the FBT liability.

Executive Manager Finance and Corporate response

FBT is payable by Council on the provision of fringe benefits to employees. Primarily this comprises:

- **provision of a fully-maintained motor vehicle to the Chief Executive Officer and senior management team pursuant to their contracts of employment;**
- **provision of a fully-maintained motor vehicle to other managers for which the recipient makes a contribution of \$3,120 per annum after tax, and such vehicles are available for Council use by other employees through a 'pool' system;**
- **provision of home internet access to employees who require access to Council's email and servers from home; and**
- **provision of 'entertainment' generally in the form of meals.**

For the FBT years ended 31 March 2006 and 31 March 2007, Council paid FBT of \$60,424 and \$58,546 respectively. For budget purposes the following table summarises the amounts paid for the past 2 FBT years by department, along with what is contained in the draft 2007/08 budget (number of vehicles and estimated FBT payable):

Department	2005/06 Actual \$	2006/07 Actual \$	2007/08 Budget	
			Vehicles	\$
City Management	9,262	8,503	1	11,500
Social & Organisation	6,078	6,001	1	5,200
Strategy & Development	14,234	13,046	4	9,000
Finance & Corporate	10,841	10,651	3	11,500
Environment & Engineering	10,246	9,875	5	10,000
Corporate Entertainment	9,761	10,471	-	10,000
Total	60,422	58,547	14	57,200

The amount of FBT payable in relation to a motor vehicle depends on distances driven in an FBT year – the higher the distance, the lower the FBT. Council adopts a practice of rotating vehicles between employees, where practicable, to spread the distances driven and reduce the FBT. As such, the apportionment of FBT attributable to each employee is not particularly helpful.

Note that the provision of entertainment (ie. meals etc) applies across the organisation and is not apportioned by department.

6. REPORTS BY DELEGATES OR REPRESENTATIVES Nil
7. PETITIONS AND DEPUTATIONS Nil

Councillor Beh left the meeting at 7:10pm.

8. NOTICES OF MOTION

8.1 Use of the name Broadway Kiosk

In accordance with his notice:

- C120607/188** Councillor Crutchett moved and Councillor Heysen seconded that Administration report on the most cost effective way of maximising Council's financial return on the brand name "Broadway Kiosk" which is owned by the Council.

CARRIED

Background

Elected Members have a responsibility to ensure that we manage Council assets to the full benefit of the community.

I understand accounting practices now allow brand names to be considered as a business asset.

I believe Council has previously initiated efforts to protect the integrity of the Brand name "Broadway Kiosk"

I believe it is important to establish the net worth of this brand name "Broadway Kiosk" prior to the completion of a facility that may wish to express an interest in using the brand name and remunerate Council accordingly.

8.2 Grant funding to improve energy saving devices

In accordance with Councillor Bouchée's notice:

- C120607/189 Councillor Fisk moved and Councillor van Camp seconded that Council set in place a budget and pursue vigorously, potential Federal/State Grants to enable the progressive installation of energy saving devices, such as rain water tanks and solar panels, for Council owned buildings and sites.**

CARRIED

8.3 Availability of the Draft Budget

In accordance with Councillor Bouchée's notice:

- C120607/190 Councillor Fisk moved and Councillor Crutchett seconded that a copy of the Draft Budget be made available to stakeholders of City of Holdfast Bay as part of the Consultation process for the 2007/2008 Budget.**

CARRIED

8.4 Discussion of items in confidence

In accordance with his notice:

- C120607/191 Councillor Deakin moved and Councillor Norton seconded that Council only discuss items in confidence, when they have been listed in the agenda or when Council resolves under urgent business that the matter be discussed.**

CARRIED

Background

This addition to Council's meeting procedure ensures transparency, in that the public are given an opportunity to know what is being discussed in confidence by Council.

8.5 Limiting the number of cats per property

In accordance with Councillor Bouchée's notice:

- C120607/192 Councillor Looker moved and Councillor Norton seconded that Administration investigate the feasibility of limiting the number of cats on any one property within the City of Holdfast Bay.**

CARRIED

Background

A residence in Turner Street has numerous cats and a constant influx of new kittens, they are not controlled and Council Officers have had on numerous occasions complaints from adjoining neighbours, not only in relation to the cats but also the rubbish which accumulates on the front garden/driveway. The owners have on several occasions at the request of Council Officers tidied this up but, the cats continue to create havoc in the area and I believe a new generation of felines have now extended the group.

I have advised our Council Officers and caging of the roaming cats will also be done but...this issue will be repeated as records show.

Many residents of Rymill Road and Turner Street have had a constant problem with up to 4-5 cats moving around/fouling and creating conflict with their pets. I believe it is now at a stage where Council Policy needs to be re assessed, I am not sure if we can insist on eg only 4 cats per residence and these must be neutered if not registered as a breeding line.

8.6 Glenelg Town Hall

In accordance with his notice:

C120607/193 Councillor Crutchett moved and Councillor Norton seconded that Administration report on initiatives that could be implemented to ensure the Glenelg Town Hall including the Bay Discovery Centre is revenue neutral within 3 years, including among other things:

- **Additional tenancy options**
- **Fixed entry fee to the Bay Discovery Centre**
- **Opportunities to run a SA Tourism Information Service, including the likely Income & Expenditure.**
- **The risk management issues associated with volunteers handling cash, donations and selling souvenirs.**
- **The identifiable tangible benefits The Bay Discovery Centre offers to History preservation and the general tourism experience in the City of Holdfast Bay.**
- **Opportunities to engage the local community more by combining the Bay Discovery Centre with the Library or History Centre. i.e. using the Glenelg Town Hall Balcony as a papers/magazine reading room, internet café etc.**
- **The cost effectiveness and benefit of running short term displays on the mezzanine floor.**
- **Obtaining the views of the Jetty Road Main Street Committee as to whether opportunities exist to combine resources with the traders to enhance the tourism spend whilst in the area. i.e. a meal deal: visit the Bay Discovery centre and get a meal deal. Target market school tours and bus tours.**
- **Obtaining a consensus view from the volunteers at the Bay Discovery Centre on how they see the best method of increasing the revenue from this facility.**

If revenue neutral performance cannot be achieved: report on any constraints that may prevent rebirth of the Glenelg Town Hall Facility for greater community benefit.

CARRIED

Background

It has been estimated that the dedicated volunteers contribute in excess of \$234,000 worth of hours to this tourism facility. Council also makes a major contribution to its operation.

Of the visitor numbers only 12% are estimated to be return visits and this figure indicates that the focus needs to be on first time visitors.

I am optimistic that with a concerted effort we can make the Glenelg Town Hall not only a great tourism experience but a very positive financially performing facility.

**9. ADJOURNMENT (TO ENABLE PERMANENT COMMITTEES TO MEET)
(7:31PM)**

Councillor Deakin moved and Councillor Clancy seconded that Council stand adjourned to enable the permanent Social and Organisation and Strategy and Development Committees to meet.

CARRIED

10. RESUMPTION

Councillor Deakin moved and Councillor Clancy seconded that Council resume at 8:22pm.

CARRIED

11. COMMITTEE RECOMMENDATIONS FOR CONSIDERATION**11.1 Social and Organisation Committee**

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

Councillor Clancy moved and Councillor Heysen seconded:

- 1. That the report of the Chairman of the Social and Organisation Committee, and the Committee agenda documents together with Administration recommendations be received.**
- 2. That the recommendations of the Social and Organisation Committee be adopted.**

CARRIED

11.2 Strategy and Development Committee

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

Councillor Crutchett moved and Councillor Norton seconded:

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

CARRIED

12. DEVELOPMENT ASSESSMENT PANEL

C120607/194 Councillor van Camp moved and Councillor Clancy seconded that the minutes of the Development Assessment Panel meeting held on Wednesday 23 May 2007 be received.

CARRIED

Councillor Lonie left the meeting at 8:23pm.

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

Alwyndor Aged Care Board of Management Meeting held 16 April 2007.

Executive Committee of Council Meetings held 24 April 2007 and 22 May 2007.

C120607/195 Councillor Clancy moved and Councillor Heysen seconded that the minutes of these committees be received.

CARRIED

14. REPORTS OF REGIONAL SUBSIDIARIES

Nil

15. REPORTS BY OFFICERS**15.1 Items in Brief (Report No: 285/07)**

Report No: 285/07 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

C120607/196 Councillor Clancy moved and Councillor Deakin seconded that the report be noted and items of interest be discussed.

CARRIED

Councillor Lonie returned to the meeting at 8:25pm.

15.2 Audit Committee Recommendations (Report No: 275/07)

The Audit Committee met on 30 May 2007 and has made recommendations to Council in respect of the Draft 2007/08 Annual Business Plan.

C120607/197 Councillor Looker moved and Councillor Clancy seconded:

- 1. That the minutes of the Audit Committee held on 30 May 2007 be received and noted.**
- 2. That Council:**
 - 2.1 include a complete list of capital expenditure in the adopted 2007/08 Annual Business Plan;**
 - 2.2 consider further service evaluation proposals;**
 - 2.3 examine other sources of revenue;**
 - 2.4 monitor its financial performance and position on a monthly basis, including both capital and operating items; and**
 - 2.5 in making decisions examine and consider the impact on its financial position and performance.**

CARRIED

15.3 Somerton Bowling Club – Lease and Renovations (Report No: 281/07)

This report provides Elected Members with further information in regard to a request made by Somerton Bowling Club Inc to access Council loan funds to assist with redevelopment of the Club's facility leased from Council at Harrow Road, Somerton Park.

C120607/198 Councillor Crutchett moved and Councillor van Camp seconded:

1. That the supporting documentation provided by the Somerton Bowling Club be received.
2. That the Somerton Bowling Club be advised after 13 June 2007 that, providing there are no responses of a material nature received from the public or groups representing the public by close of business 13 June 2007, Council consents to the request of the Club for the current lease to be surrendered and a new lease to be granted for a period of 20 years at a commencing rental of \$2,400pa plus GST from the date of drawdown of the loan (refer recommendation 3).
3. That the Somerton Bowling Club be advised that Council has considered its request to access loan funds from Council and that Council has agreed to provide loan funds to a maximum of \$300,000 to be fully repaid over a period of 15 years and tied into the new lease.
4. That His Worship the Mayor and the Chief Executive Officer be authorised to sign and seal any necessary documentation associated with (2) and (3) above.

CARRIED

15.4 Glenelg Oval – Licensed Club Redevelopment (Report No: 277/07)

The Glenelg Football Club has, following Council's request, provided further information for Council in relation to its proposal to redevelop its licensed club premises at Challenge Recruitment (Glenelg) Oval.

Councillor Deakin moved and Councillor Huckstepp seconded that the Glenelg Football Club be advised that Council, as landlord, provides in principle endorsement and support for the Glenelg Football Club's proposal for redevelopment of the Club's licensed premises as detailed in its submission dated 4 May 2007, subject to all necessary consents (including resident consultation) being obtained.

AMENDMENT

C120607/199 Councillor Crutchett moved and Councillor Looker seconded:

1. That the Glenelg Football Club be advised that Council, as landlord, provides in principle endorsement and support for the Glenelg Football Club's proposal for redevelopment of the Club's licensed premises as detailed in its submission dated 4 May 2007, and subject to all necessary consents being obtained.
2. That this in principle support does not negate Council's statutory obligations to consult with adjoining neighbours and residents regarding these proposed changes.
3. That the Glenelg Football Club reports further to Council on its external source of funding for this project (including cash flow projections) to ensure any additional borrowings do not impact on existing financial obligations to the City of Holdfast Bay.

THE AMENDMENT WAS CARRIED

**THE AMENDMENT BECAME THE MOTION
AND WAS CARRIED ON THE CASTING VOTE OF THE MAYOR**

15.5 Adjourned Item – [216/07] Review of Alwyndor Aged Care Redevelopment Proposal (Report No: 273/07)

Council, at its meeting held on 22 May 2007, resolved to adjourn consideration of Report No: 216/07 pending a further progress report from the Alwyndor Aged Care Board. The matter is now presented for further consideration.

C120607/200 Councillor Clancy moved and Councillor Huckstepp seconded:

1. That Report No: 273/07, incorporating the progress resolutions of the Alwyndor Aged Care Board meeting of 21 May 2007, in relation to the Alwyndor site redevelopment proposal, be noted.
2. That the original recommendations of Report No: 216/07 be reconsidered by Council.

CARRIED

C120607/201 Councillor Clancy moved and Councillor Heysen seconded:

1. That Council thanks the representatives of the Alwyndor Aged Care Board of Management for their presentation on 24 April 2007.
2. That Council advises the Alwyndor Board of Management that it supports the Board's preferred redevelopment proposal for year 1, 2007/2008, subject to:-
 - a. the return of respite care services to full capacity at the earliest opportunity;
 - b. first priority being accorded to the hostel unit redevelopment component;
 - c. Independent confirmation that the redevelopment proposal is financially sustainable for the Alwyndor Aged Care operations.
3. That Council considers the allocation of once-off capital or short term operational funding to Alwyndor Aged Care, to support either the retention of more respite places during the redevelopment project, or the earlier than planned return of full respite services.
4. That Administration reports further on the development of a Directions Plan for services for "the ageing" of the City of Holdfast Bay community.

CARRIED

15.6 Rating Review Committee Recommendations (Report No: 280/07)

The Rating Review Committee met on 31 May 2007 and has made recommendations for the 2007/08 rate setting process. This report lists those recommendations for Council consideration to enable progress with rate setting in conjunction with consideration of Council's 2007/2008 Annual Business Plan and Budget.

C120607/202 Councillor Fisk moved and Councillor Crutchett seconded:

1. That the minutes of the Rating Review Committee held on 31 May 2007 be received and noted.
2. That, in setting its rates for 2007/08, Council:
 - a. Set the minimum rate at \$660 and the General Differential Rate for commercial/ industrial/vacant properties at 45% premium to residential/other properties;
 - b. Set the Council funded concession for eligible pensioners and self-funded retirees at a minimum of \$28 with a further \$1 for every \$10,000 in property valuation above \$280,000;
 - c. Set the residential rate capping percentage at 12.5%.
3. That Administration respond to a letter received from D L and K L Speight regarding the minimum rate to be levied from 2007/2008 for Patawalonga Marina Berth holders.

CARRIED**16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS**

A listing of resolutions subject to formal resolutions to adjourn or lay on the table items of Council business, for the current term of Council were presented in the Agenda.

17. URGENT BUSINESS**17.1 Alwyndor Aged Care – Board Member Resignation**

The Chief Executive Officer informed members of Mr Peter Wright's resignation from the Alwyndor Aged Care Board.

17.2 Leaves of Absence

C120607/203 Councillor Crutchett moved and Councillor Huckstepp seconded that Councillor Fisk be granted leave of absence for the Special Meeting to be held on 19 June 2007.

CARRIED

C120607/204 Councillor Fisk moved and Councillor Huckstepp seconded that Councillor Clancy be granted leave of absence for the meeting to be held on 10 July 2007.

CARRIED**17.3 Significant Trees**

His Worship the Mayor referred Members' attention to the recent "significant tree" media coverage, and a current example in the City of Holdfast Bay, and indicated his concerns about this issue.

17.4 Seacliff Primary School

His Worship the Mayor referred to correspondence from the Seacliff Primary School relating to the walkway formerly known as Lipson Avenue. This was referred to Administration as part of ongoing discussions.

17.5 Correspondence from 1 Taylor Lane, Brighton

Councillor Deakin asked His Worship the Mayor to clarify that he had responded to the residents from 1 Taylor Lane, Brighton who wrote to him in February this year.

His Worship the Mayor confirmed that he had provided a response.

18. ITEMS IN CONFIDENCE**18.1 Alwyndor Aged Care – Site Development Opportunity
(Report No: 272/07)**

**Council Officers remaining: Mr Donaldson, Mr Sheffield, Mr Walker,
Mrs Umapathysivam, Ms Thomas and Mr Potter**

C120607/205 Councillor Fisk moved and Councillor Heysen seconded that, pursuant to Section 90(2) and 90(3)(d) of the Local Government Act 1999, the Council order that the public, with the exception of Council officers, be excluded from attendance at the meeting, after taking into account the relevant considerations under Section 90(3), on the basis that it will receive, discuss or consider the following:

- **commercial information of a confidential nature (not being a trade secret) the disclosure of which:**
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and**
 - (ii) would, on balance, be contrary to the public interest.**

CARRIED

Alwyndor Aged Care –Site Development Opportunity (Report No: 272/07)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C120607/208 Councillor Clancy moved and Councillor Heysen seconded that pursuant to Section 90(2), 90(3)(d) and 91(7) of the Local Government Act 1999:

- 1. The Council orders that the documents and minutes relating to Report No: 272/07, with the exception of Resolution No: C120607/205 for going into confidence, be kept confidential and not available for public inspection on the basis that they deal with information the disclosure of which:**
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and**
 - (ii) would, on balance, be contrary to the public interest**

under Section 90(2) and 90(3)(d) of the Act.
- 2. This resolution will be reviewed on or before 31 December 2007 by the Council.**

CARRIED

18.2 Tourist Information Building, Glenelg Foreshore (Report No: 276/07)

**Council Officers remaining: Mr Donaldson, Mr Sheffield, Mr Walker,
Mrs Umapathysivam and Ms Thomas**

C120607/209 Councillor Crutchett moved and Councillor Looker seconded that, pursuant to Section 90(2) and 90(3)(d) of the Local Government Act 1999, the Council order that the public, with the exception of Council officers, be excluded from attendance at the meeting, after taking into account the relevant considerations under Section 90(3), on the basis that it will receive, discuss or consider the following:

- **commercial information of a confidential nature (not being a trade secret) the disclosure of which:**
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and**
 - (ii) would, on balance, be contrary to the public interest.**

CARRIED

Tourist Information Building, Glenelg Foreshore (Report No: 276/07)

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

C120607/211 Councillor Crutchett moved and Councillor Fisk seconded that pursuant to Section 90(2), 90(3)(d) and 91(7) of the Local Government Act 1999:

- 1. The Council orders that the documents, with the exception of the minutes, relating to Report No: 276/07, and with the exception of Resolution No: C120607/210 for going into confidence, be kept confidential and not available for public inspection on the basis that they deal with information the disclosure of which:**
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and**
 - (ii) would, on balance, be contrary to the public interest under Section 90(2) and 90(3)(d) of the Act.**
- 2. This resolution will be reviewed on or before 31 December 2007 by the Council.**

CARRIED

19. RESUMPTION

Councillor Heysen moved and Councillor Clancy seconded that Council resume as an open meeting at 9:29pm.

CARRIED

20. CLOSURE

The Meeting closed at 9:29pm.

CONFIRMED

Tuesday 26 June 2007

MAYOR