

## 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 27 April 2010 at 7:06pm.**

### PRESENT

His Worship the Mayor	A K Rollond
Councillor	R D Beh
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	T D Looker
Councillor	A C Norton
Councillor	L van Camp
Chief Executive Officer	J P Lynch
Acting General Manager City Assets	K O'Neill
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 7:06pm.

### 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 R A Clancy Councillor S C Lonie
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**

C270410/821

**Councillor Beh moved and Councillor Huckstepp seconded that the minutes of the Ordinary Meeting of Council held on 13 April 2010 be taken as read and confirmed.**

**CARRIED****8. Questions by Members**

8.1 Without Notice Nil

8.2 With Notice Nil

**9. Member's Activity Reports**

9.1 Mayoral Report (Report No: 201/10)

Presented for the Information of Members is a summary of my activities for the Month of March 2010.

9.2 Delegates Report – Holdfast Bay Community Centre (Report No: 202/10)

Councillor Looker is the City of Holdfast Bay's representative on the Holdfast Bay Community Centre Board. This is the first written delegates report he has presented on the Holdfast Bay Community Centre as the Centre has now requested that he report to Council in this manner.

C270410/822

**Councillor Looker moved and Councillor Beh seconded that the delegates report on the Holdfast Bay Community Centre be received and noted.**

**CARRIED****10. Public Presentations**

10.1 Petitions

10.1.1 Annual Hard Rubbish Collection

A petition has been received from Dr Duncan McFetridge containing 1,092 residents within the City of Holdfast Bay seeking the reinstatement of the annual hard rubbish collection.

The petition states as follows:

*"This petition is sending a message to our Local Member of Parliament, Dr Duncan McFetridge, to present to Council when he meets with them in a few weeks. It voices our concerns about the loss of the Annual Hard Rubbish Collection for the benefit of the Ratepayers of Holdfast Bay.*

*We the undersigned would like to see:*

*'The reinstatement of the Annual Hard Rubbish Collection for the benefit of the ratepayers of Holdfast Bay.'*"

Attached for the information of Elected Members is the letter from Dr Duncan McFetridge and the first four pages of the petition. Administration has verified that the number of signatures attached is 1,092.

C270410/823

**Councillor Bouchée moved and Councillor Deakin seconded:**

1. That the petition be received by Council.
2. That the Dr Duncan McFetridge, Member for Morphett, be advised of Council's decision.

**CARRIED**

**The Acting General Manager, City Assets, Mr K O'Neill's comment.**

**Further information on the at call hard rubbish trial is presented on the Economic and Corporate Committee Agenda in Report 176/10, Review of at Call Hard Rubbish Collection Trial.**

10.1.2 Boundary Road, Somerton Park

A petition has been received from 17 residents of Union Street, Walkers Road and Boundary Road, Glenelg South to remove the yellow line on Boundary Road Somerton Park in front of unit 3/5 Union Street (property facing Boundary Road).

C270410/824

**Councillor Bouchée moved and Councillor Heysen seconded:**

1. That the petition be received.
2. That Council does not remove any of the newly constructed yellow line marking parking controls on the northern side of Boundary Road.
3. That the head petitioner be advised of Council's decision

**CARRIED**

**The Acting General Manager, City Assets, Mr Ken O'Neill comment.**

**During 2009 Administration received many complaints regarding the traffic management of Boundary Road. Due to the very narrow road width it is not possible to have a car parked on each side of the road and allow enough room for a vehicle to drive in-between.**

**A public consultation process was then conducted along Boundary Road, resulting in the majority of residents requesting no parking on the southern side of Boundary Road from Scarborough to Walker and on the northern side from Walkers to Mokari. This work was completed in August 2009.**

10.2 Presentations Nil

10.3 Deputations Nil

#### **11. Motions on Notice**

11.1 Car Parking Contributions Fund Rate

In accordance with his notice:

**C270410/825**

**Councillor Crutchett moved and Councillor Bouchée seconded:**

1. That Administration seek professional advice in the context of increasing land prices and construction costs for car parking facilities in the Jetty Road District Centre, with the view of increasing the contributions rate under the Holdfast Bay Car Parking Contributions Fund from the current rate of \$19,250 (excluding GST), representing 50% of the actual costs (last estimated at \$38,500) in acquiring land and constructing an at-grade car park space in the precinct.
2. That the new rate determined in (1) above be published in the Government Gazette pursuant to Section 50A(6) of the Development Act 1993 prior to taking effect.
3. That Administration undertake to update Council's Car Parking Policy Code to reflect the revised car parking contribution rate and Council's current policy position with regard car parking provision in the Jetty Road District Centre annually.
4. That the City of Holdfast Bay –Glenelg District Centre Car parking Register be updated and provided to council as a report.

**CARRIED**

**Background**

I believe this was last done in 2007.

**Councillor Beh left the chamber at 7:11pm.**

11.2 Scampi's Building

In accordance with his notice:

**C270410/826**

**Councillor Looker moved and Councillor Fisk seconded that Council defer any plans to demolish the Scampi's building in 2019 to enable long term leases to be negotiated, businesses to invest and prosper and for the considerable revenue stream to continue to flow to Council for the benefit of ratepayers.**

**CARRIED**

**Councillor Beh rejoined the chamber at 7:16pm.**

**Councillor Beh left the chamber at 7:17pm**

**A division was called.**

**Voted For**

P N Crutchett  
L R Fisk  
P D H Heysen  
J D Huckstepp  
T D Looker

**Voted Against**

R M Bouchée  
J L Deakin  
A C Norton  
L van Camp

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

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**Background**

Council has previously indicated that it may demolish the Scampis building in 2019. This is causing problems for the businesses in the premises and the uncertainty is deterring investment.

This building is in good structural condition and returns a healthy surplus to council finances. A deferral of demolition would enable the business premises to reinvest and renovate in the certainty of getting a return on their investment.

This would in turn reinvigorate that area rather than face the next 9 years of gradually running the place down through uncertainty.

Renovation and on going maintenance/cleaning of the toilets could form part of negotiations and may offer some savings to council in the longer term. As an income generating asset Council should maximise its potential for as long as possible.

#### 11.3 Council Working Party to Edit Draft Policies

In accordance with his notice:

**C270410/827**

**Councillor Looker moved and Councillor Fisk seconded that Council form a small working party to work in collaboration with the Manager of Governance and Policy to edit polices to draft stage for presentation to Council.**

**CARRIED**

#### **Background**

Council polices need revision to bring them in line with current legislation and practice and to simplify the language. To fully review and redraft in policies in the full chamber of council is neither a practical nor efficient way to achieve the desired outcome. A small group to examine revisions would probably only need to meet once per batch of policies but would enable a closer examination of language and detail than could be achieved by full council. Endorsement would still rest with full Council.

#### 11.4 Provision of Car for Mayor

In accordance with his notice:

**C270410/828**

**Councillor Looker moved and Councillor Crutchett seconded that the Council Policy, Elected Member Benefits and Entitlements, no longer offer the provision of a car for the Mayor.**

**CARRIED**

#### **Background**

Provision of a fully funded Council car for the Mayor began in the days when Council allowances were very small and provision of a car was seen as a reward for services.

With a Mayor's allowance now at a substantial \$60,000 per year and expected to rise in November, low remuneration is a thing of the past.

The *Local Government Act 1999* does allow genuine mileage to be repaid to both Mayor and Councillors and this is clearly sufficient to ensure out of pocket expenses for council use of a personal vehicle are fully covered.

In a city seven kilometres long, which can be traversed on a bicycle in 20 minutes, the extra cost to ratepayers for the personal and private use of a car for the Mayor cannot be justified. It should be noted that the current Mayor has not

claimed a council funded car and this has resulted in a significant savings to the residents of the city.

**Councillor Beh rejoined the chamber at 7:29pm.**

11.5 Former Trinity Church, 25 Moseley Street, Glenelg – Change in Land Use

**Councillor Huckstepp left the chamber at 7:39pm.**

In accordance with his notice:

C270410/829

**Councillor Crutchett moved and Councillor Looker seconded:**

1. **That Administration prepares a development application to use the Moseley Street Church for a community centre as defined in the Development Regulation Schedule 1.**
2. **That Administration be allowed to use an external planning consultant to prepare the application if this assist in the speedy preparation of the application.**
3. **That the development application be referred to council for final approval prior to being submitted to the appropriate planning authority as determined by administration.**
4. **That Admin approach the Glenelg Community centre to ask if they would be prepared to run the Moseley Street Church as an annexe to the activities of the Glenelg Community Centre.**

**CARRIED**

**Councillor Huckstepp rejoined the chamber at 7:42pm.**

**A division was called.**

<b>Voted For</b>	<b>Voted Against</b>
R D Beh	J L Deakin
R M Bouchée	A C Norton
P N Crutchett	
L R Fisk	
P D H Heysen	
J D Huckstepp	
T D Looker	
L van Camp	

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

**Background**

The regulations define a community centre as: **community centre** means land used for the provision of social, recreational or educational facilities for the local community, but does not include a pre-school, primary school, educational establishment or indoor recreation centre;

A community centre is not listed as a non-complying development for this area under the Development Plan.

My understanding is that a *Residential zone* can permit other types of buildings, if they do not adversely affected the amenity of the locality.

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I believe putting in a development application is the only way of formally determining a use for the building.

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

**As a reminder to Members, the following background information is provided. The last Council resolution on this matter was adopted by Council in late July 2009:**

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

In response, Administration undertook to prepare an application to the Department of Planning and Local Government (DPLG) to revoke the Community Land status of the site in accordance with part one of the resolution. The information required to be submitted when seeking revocation of community land requires is extensive and the application took approximately two months to compile. In this instance, the matter was made more complex as the proposed use of the site had not yet been defined.

The intention was to commence the Expression of Interest (EOI) process (in accordance with part two of the resolution) once a favourable indication on

the revocation from the DPLG was received. Notwithstanding that Council submitted the Revocation Application in August, little communication on the progress of the application has been forthcoming (despite regular requests from Council for feedback).

As recently as the 16 April 2010, Council received email communication from the DPLG indicating that the application is unlikely to be successful given Council has not developed any specific strategy for the future use of the land.

In light of this feedback, it is considered that progressing a change of use application as recommended in the above Motion would be a useful step forward. While it would be preferable to have an actual tenant/s selected so that the application could be tailored to fit the proposed future use, it should still be feasible to progress a generic 'community centre' application without such detail.

Members should note the following implications / issues that would result from such a land use application:

- To ensure transparency, it will be essential that the application is compiled and submitted by an external consultant rather than Council's own planning staff (the Motion as it stands accommodates this requirement). The cost to engage a planning consultant to prepare the Development Application will need to be determined.
- There will be a number of planning issues to be assessed including car parking, local traffic implications, heritage, noise, appearance/amenity etc. Members should note that there will be a substantial shortfall in car parking which could be detrimental to the application. One solution previously suggested is to demolish the rear section of the building to enable additional car parking spaces).
- The application will be a Category 3 form of development and be open to submissions from surrounding residents and any other interested parties (including appeal rights).
- Irrespective of the needs of any future tenants/groups seeking to use the facility, there must remain an implied 'right of membership' or 'right of entry' to the facility by the local community (ie. exclusive use by one or more tenants does not constitute a 'community centre').
- Should approval for a community centre be successful, and the Community Land status is not revoked, a Community Land Management Plan must be prepared, publicly consulted and approved prior to the commencement of the land use.

11.6 Jimmy Melrose Park – Shared Use Park Signage

In accordance with his notice:

C270410/830

Councillor Fisk moved and Councillor Heysen seconded:

1. That the shared pedestrian/cycle path on the upper and lower levels of Jimmy Melrose Park and area before the Glenelg Jetty plus the Patawalonga lock area, be investigated for signage treatments to indicate it is a shared path with the aim of reducing cyclist speed and danger to pedestrians.



**2. That a report be brought back to Council showing design treatments and locations applicable.**

**CARRIED**

**Background:**

The Jimmy Melrose Park shared bicycle/walking path and the lower pedestrian only path do not have adequate signage to discourage inappropriate usage.

On numerous occasions cyclists are using the pedestrian only path, and when the cyclists are using the correct shared path there are many groups of riders who are treating the area as a race track with little or no regard for other users of the path and their safety.

I have had a number of residents approach me stating that the situation is becoming worse over the last three or four months, and they have noticed an increase in the number of mothers with a pusher and a couple of toddlers using the paths, but are unable to keep control of the toddlers and keep them away from speeding cyclists.

It is not unusual to see ten lycra clad cyclists riding as fast as possible along the path with scant regard to anyone but themselves.

The majority of casual riders pose no threat at all as they are riding at a slow pace, but it appears to be the professional type riders that are ignoring the rights of other users.

The signage on the light poles are not adequate and it is believed that signage on the paths themselves would help to remind all users of their obligations.

The upper path should have a bicycle sign painted in strategic places and a sign that states cyclists should not exceed walking pace.

The lower path should have a bicycle sign painted with a red cross to indicate no riding.

The signs do not have to be so large that they become obtrusive but large enough that the cyclists can see them.

One resident has queried the council's legal obligations if a serious accident occurred and a child is injured, and the parents take legal action against the council citing inadequate signage.

This is not the first time this has been raised but as the incidences of cyclists doing as they please and the increase in pedestrian traffic it is time to raise this issue again.

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

**C270410/831**

**Councillor Looker moved and Councillor Beh 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 van Camp left the chamber at 9:42pm.

**C270410/832 Councillor Deakin moved and Councillor Beh seconded that Council resume at 9:42pm.**

**CARRIED**

Councillor van Camp rejoined the chamber at 9:43pm

Councillor Bouchée rejoined the chamber at 9:43pm.

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

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.

**C270410/833 Councillor Looker moved and Councillor Beh 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 as follows:**

*13.7.1 Item in Brief (Report No: 198/10)*

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

**C270410/833.1 That the Committee recommends to Council that Report No 198/10 be noted.**

*13.7.2 Monthly Financial Reports – March 2010 (Report No: 199/10)*

This report provides Elected Members with financial reports to 31 March 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 surplus is \$88,000 lower than YTD budget due to a mixture of factors, primarily depreciation above projected budget. Capital expenditure is \$33,000 lower than YTD budget, largely due to delays to Coast Park projects.

**C270410/833.2 That the Committee recommends to Council that the financial reports to 31 March 2010 be received and noted.**

*13.7.3 Renewal of Lease – Brighton Table Tennis Club (Report No: 200/10)*

The Brighton Table Tennis Club has written to Council seeking to activate the Club's right of renewal (for five years from 1 July 2010), that is available within their existing lease agreement, at a rental of \$1,250pa plus GST.

**C270410/833.3 That the Committee recommends to Council that:**

- 1. The right of renewal contained within the existing lease, for a term of five years commencing on 1 July 2010, at a rental of \$1,250 per annum plus GST, be granted to the Brighton Table Tennis Club Inc for the Council owned premises it occupies at 3 Grantham Road, Somerton Park (at the rear of the Somerton Park Kindergarten);**
- 2. His Worship the Mayor and the Chief Executive Officer be authorised to sign and seal any necessary documentation in regard to the**

renewal.

**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.

**C270410/834**

**Councillor Huckstepp moved and Councillor Beh 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 as follows**

*14.7.1 Items in Brief (Report No: 132/10)*

Report No: 173/10 was presented detailing items which were presented for the information of Members.

**C270410/834.1**

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

*14.7.2 Resident Parking Permit Scheme Feasibility (Report No: 174/10)*

This report outlines the feasibility of implementing the following Council resolution adopted on 19 January 2010, C190110/679 to present a fully worked up and implementable resident/ratepayer parking permit scheme covering the following, in summary:

- A stick-on vehicle parking permit;
- One permit per rateable property;
- Permit allows 2 hours free parking only in the following Council car parks:
  - Elizabeth Street
  - Cowper Street
  - Partridge Street

This report explores options and outlines the feasibility covering the above aspects of the proposed scheme for Council's consideration.

**C270410/834.2**

**That the Committee recommends to Council that Option 3 (no change) which is outlined in Report No. 174/10 Resident Parking Permit Scheme Feasibility be adopted as the preferred Option at this point in time.**

*14.7.3 Interactive Water Feature Moseley Square, Glenelg Update (Report No: 175/10)*

The water feature in Moseley Square was commissioned in December 2006. The feature was installed as part of the upgrade to Moseley Square. The design was based on several water features, designed and constructed, by Neville Crocker Australia who is considered the pre-eminent company involved with these types of products in Australia.

The feature operated satisfactorily over the first two summers, with a regular cleaning regime in place and a manual monitoring system in place. The system sits outside of defined "swimming pool" regulations and was designed to meet World Health Standards for potable water. This was achieved by a combination

of sand filter, Ultra Violet light disinfection and peroxide disinfection.

The SA Health Department require that the equipment standard and disinfection system, particularly the monitoring of conditions, be brought up to swimming pool standards, due to possible health and safety issues created by the interactive nature of the water feature. Swimming pool standards requires additional equipment, remote monitoring and daily manual water testing. This has required additional unbudgeted expenditure and will require further expenditure of funds beyond current budgets, as well as an increased operational budget to manage this regime.

**C270410/834.3 That this matter be adjourned until a report is presented showing the full operating costs are outlined.**

*14.7.5 Review of at Call Hard Rubbish Collection Trial (Report No: 176/10)*

Council resolved in April 2009 to undertake an at-call hard rubbish collection trial and introduce for the first time a nominal fee (\$10) for each collection. This trial began in November 2009 and this report presents a review of the service to allow Council to decide on the type of hard waste collection that may be offered in future years.

**C270410/834.4 That the Committee recommends to Council that:**

- 1. That Council continues to provide an at-call service for hard rubbish collections within the City of Holdfast Bay with the exclusion of building materials and hazardous waste.**
- 2. That the \$10 collection fee be abolished with residents able to access 2 hard rubbish collections per year with a 6 x 4 trailer load limit.**
- 3. That e-waste and mattresses be collected as part of the at-call collection service and recycled at the appropriate facilities.**
- 4. That an additional \$30,000 be included for the collection of hard rubbish in the draft 2010/11 draft budget.**
- 5. That the drop off e-waste program currently run by Council, and allocated budget, be incorporated into the hard rubbish collection, instead of offering the current drop off program.**
- 6. That the City of Holdfast Bay collaborates with Marion and West Torrens and other councils**

*14.7.6 Proposed Free E-Waste Day In Conjunction With Hazardous Waste Day (Report No: 177/10)*

On 22 May 2010 the City of Holdfast Bay in conjunction with the Cities of West Torrens and Marion are holding a free household hazardous waste disposal day for residents. E-waste (electronic items, excluding whitegoods), will also be collected and this report presents the option of providing free e-waste disposal on this day for residents.

**C270410/834.5 That the Committee recommends to Council that as part of the household hazardous waste day, to be held on 22 May 2010, e-waste is accepted free of charge from residents, with Council funding two thirds of the disposal cost and the remaining one third funded through the grant secured through Zero Waste SA.**

*14.7.7 Potential Compost Bin Program (Report No: 178/10)*

Council resolved in February 2010:

- 1. That Administration report on the economic and environmental advantages of providing compost bins to houses that have keen*

gardeners.

2. *That Administration report back in time for our budget deliberations for the 2010/2011 budget.*

This report provides information for Elected Members consideration.

**C270410/834.6**

**That the Committee recommends to Council that:**

1. **Council does not initiate a program of providing a compost bin to residents in the 2010/11 financial year**
2. **Administration holds at least two free composting workshops in the 2010/11 financial year to encourage residents to undertake their own composting.**
3. **Subject to the interest of the composting workshops, Administration prepares a New Initiative proposal for the 2011/12 financial year which looks to provide composting bins to residents on a wider scale.**

*14.7.8 City of Holdfast Bay Water Management Plan (Report No: 179/10)*

With the assistance of an industry expert Administration has developed a Water Management Plan for the City of Holdfast Bay. This high level plan highlights the opportunities for Council to develop stormwater reuse projects with reduced reliance on mains water.

The report also details a recent Federal Government grant application submitted for an Aquifer Storage, Reuse and Recharge Project at Angus Neill Reserve, Seacliff.

**C270410/834.7**

**That this matter be deferred until a further report and a total management plan be presented.**

*14.7.9 Official Naming Of Carter House Native Garden, Kingston Park (Report No: 180/10)*

Carter House Native Garden, located at Kingston Park, has not officially been named nor opened and for sometime has been referred to as 'Carter House Garden'. Given the location and cultural significance associated with the garden, it is proposed that the site be officially named (and subsequently opened) using Kaurna language.

**C270410/834.8**

**That the Committee recommends to Council that:**

1. **The garden currently referred to as Carter House Native Garden, located at Kingston Park, be changed according to policy which includes a Kaurna and European names.**
2. **An official opening of the site take place in September 2010.**
3. **No fees be paid for the use of the names.**

*14.7.10 King Street Bridge Replacement (Report No: 181/10)*

Over the past two weeks Administration have completed and/or received the King Street Bridge Risk Assessment, Traffic Assessment and Prudential Report. The assessments and report were created to assist in the King Street Bridge replacement project.

Council attention is drawn to the following resolution in respect to the bridge site.

Resolution EE280807/091 (1), 28 August 2007

*"That Council will consider funding \$1.5m of the replacement cost for the King Street Bridge on the existing site subject to the balance of the funding coming from other sources. This 25% funding to be either from a borrowing program*

*or alternately an allocation from consecutive budgets over the next five years following further advice from Council's Finance Department."*

This report is presented to Council for consideration.

**C270410/834.9 That Council receive the Prudential Report, Traffic Assessment and Risk Assessment and that admin report further on the recommendations within those reports.**

**C270410/834.10 That Council rebuild the bridge in the same location.**

**C270410/834.11 That administration report on suitable charges for use by utility providers.**

**C270410/834.12 That Administration consider the use of a pontoon bridge as pedestrian/cycling access during construction.**

**CARRIED**

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

18.1 Minutes – Alwyndor Aged Care Management Committee – 16 February 2010 (Report No:203/10)

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 16 March 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.

We are currently reviewing the confidential nature of the meeting and changes are forthcoming.

**C270410/835 Councillor Heysen moved and Councillor Norton seconded that the Minutes of the Alwyndor Aged Care Management Committee meeting held 16 March 2010 and the Comparison Budget for February 2010 be received and noted by Council.**

**CARRIED**

18.2 Minutes – Audit Committee – 14 April 2010 (Report No: 205/10)

The Audit Committee is established under Section 41 of the *Local Government Act 1999*, and Section 126 of the *Local Government Act 1999* defines the functions of the Audit Committee to include:

- reviewing annual financial statements to ensure that they present fairly the state of affairs of the council; and
- proposing, and providing information relevant to, a review of the council's strategic management plans or annual business plan; and
- proposing, and reviewing, the exercise of powers under section 130 A; and

- if the council has exempted a subsidiary from the requirement to have an audit committee, the functions that would, apart from the exemption, have been performed by the subsidiary's audit committee; and
- liaising with the council's auditor; and
- reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis.

The minutes of the Audit Committee meeting held 14 April 2010, are presented and submitted for Council for information and endorsement, noting in particular the Committee's recommendations presented below for endorsement.

C270410/836

**Councillor Looker moved and Councillor Fisk seconded that the minutes of the Audit Committee meeting held 14 April 2010 be received and recommendations numbered 1 - 7 endorsed by Council:**

7.1 *Standing Items (Report No: 165/10)*

**1. That the Committee advises Council it has received and considered a Standing Items Report addressing:**

- **Monthly financial statements**
- **Internal control**
- **Risk management**
- **Whistle blowing**
- **Internal audit**
- **Economy and efficiency audits**

7.2 *Draft 2010/2011 Budget (Report No: 166/10)*

**2. That:**

1. **The Audit Committee advise Council it has considered the draft 2010/11 budget as presented to Elected Members at a workshop on 6 April 2010 and expresses its deep concern with the projected operating deficit in the draft 2010/11 budget and notes that continued operating deficits do not support financial sustainability.**
2. **The Audit Committee recommends to Council that:**
  - a. **Council examine opportunities to address the projected operating deficit**
  - b. **when the long term financial plan is reviewed following adoption of the 2010/11 budget, the underlying assumptions are reviewed to reflect prevailing conditions**
  - c. **the asset management plans be reviewed and updated at least annually**
  - d. **Council consider developing a 3-5 year budget**
  - e. **Council consider moving towards a more contemporary treasury management framework to replace the current practice of using cash-backed reserves**

7.3 *Budget Review 2 (Report No: 167/10)*

3. **That the Audit Committee advise Council it has considered budget review 2 for 2009/10 (to 31 January 2010) and notes its concern that the increasing operating deficit is not consistent with Council's commitment to financial sustainability.**
- 7.4 Actions Arising from Audit 2008/2009 Financial Statements (Report No: 168/10)
4. **That the Committee advises Council that it has considered correspondence from the external auditor in relation to the audit of the 2008/2009 financial statements and notes the actions being taken by Administration.**
- 7.5 *Internal Audit Program (Report No: 169/10)*
5. **That the committee notes the appointment of Coyle Consulting Services to provide Council's internal audit services.**
- 7.6 *Risk Management (Report No: 170/10)*
6. **That the Committee note the actions being taken by Administration in relation to risk management.**
- Urgent Business*
7. **That the Audit Committee notes the significant operations of Alwyndor Aged Care Facility, including its unique risk profile, and recommends that Alwyndor provides regular reports with attendance to the Audit Committee in relation to the Committee's terms of reference, namely:**
- **Monthly financial statements**
  - **Internal control**
  - **Risk management**
  - **Whistle blowing**
  - **Internal audit**
  - **Economy and efficiency audits**

**CARRIED**

**19. Reports by Officers**

19.1 Items in Brief (Report No: 204/10)

Report No: 204/10 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

**C270410/837**

**Councillor Bouchée moved and Councillor Heysen seconded that the report be noted and items of interest be discussed.**

**CARRIED**

19.2 City Scorecard 2009-2014 (Report No: 152/10)

The Strategic Planning Unit has been developing a refined suite of Strategic Indicators and a reporting mechanism for measuring Council's performance against its adopted Strategic Plan 2009-2014. The purpose of this report is to present the final format and seek Council's endorsement of the refined indicators in accordance with the Local Government Act 1999.



C270410/838

**Councillor Norton moved and Councillor Fisk seconded:**

1. That Council endorse the City Scorecard 2009-2014 and amended suite of strategic indicators located at Attachment 1 to Report Number 152/10 as the mechanism for reporting Council's performance against the Strategic Plan 2009-2014 in accordance with Section 196(3)(d) of the Local Government Act 1999.
2. That following Council's endorsement of the amended indicators and City Scorecard 2009-2014, the Strategic Planning Unit:
  - 2.1 Coordinate regular updates of the results and commentary to support changes in the results.
  - 2.2 Include a copy of the latest Scorecard report on Council's website.
  - 2.3 Ensure that the indicators and results are included annually within Council's Annual Report.

**CARRIED**

19.3 Tourism Plan 2010-2014 Adoption (Report No: 151/10)

The City of Holdfast Bay Tourism Plan 2010–2014 has been prepared by Administration in close consultation with the South Australian Tourism Commission (SATC).

The Plan was released in draft form for community consultation throughout February 2010 and this report summarises the feedback received, as well as providing more detailed information and proposed changes as attachments, with a program for implementation also attached.

C270410/839

**Councillor Looker moved and Councillor Fisk seconded:**

1. That the City of Holdfast Bay Tourism Plan 2010–2014 located at Attachment 4 to Report 151/10 be adopted.
2. That the adopted City of Holdfast Bay Tourism Plan 2010–2014 be included on Council's website and copies of the Plan be forwarded to key stakeholders and partners, including the organisations and people who provided feedback.
3. That the priority actions outlined in the Implementation Strategy located at Attachment 5 to Report 151/10 be incorporated into Council's Annual Business Planning and budgetary processes for the commencement of the 2011–2012 financial year.

**CARRIED****Voted For**

R D Beh  
P N Crutchett  
J L Deakin  
L R Fisk  
P D H Heysen  
J D Huckstepp  
T D Looker  
A C Norton  
L van Camp

**Voted Against**

R M Bouchée

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

## 19.4 Draft 2010-11 Annual Business Plan (Report No: 207/10)

The Draft 2010/11 Annual Business Plan is presented for endorsement and release for community consultation.

**Councillor Norton moved and Councillor Huckstepp seconded:**

1. That the Draft 2010/11 Annual Business Plan contained at Attachment 1 be received and endorsed for community consultation.
2. That the following process for community consultation on the Draft 2010/11 Annual Business Plan be adopted:
  - a. A community information session be held at the Brighton Civic Centre commencing at 7:30pm on the evening of 19 May 2010; Provision of an interactive web page on Council's website to operate between 28 April 2010 and 21 May 2010 for community members to lodge comments and seek clarification;
  - b. Consultation be conducted through Council's Community Panel between 28 April 2010 and 21 May 2010;
  - c. An opportunity for members of the community to provide written submissions, to Council on or before 28 May 2010; and
  - d. An opportunity for members of the community to make representations to Council at its meeting on 25 May 2010.

**AMENDMENT**

C270410/840

**Councillor Crutchett moved and Councillor Bouchée seconded:**

1. That the Draft 2010/11 Annual Business Plan contained at Attachment 1 be received and endorsed for community consultation.
2. That the following process for community consultation on the Draft 2010/11 Annual Business Plan be adopted:
  - a. A community information session be held at the Brighton Civic Centre commencing at 7:30pm on the evening of 19 May 2010; Provision of an interactive web page on Council's website to operate between 28 April 2010 and 21 May 2010 for community members to lodge comments and seek clarification;
  - b. Consultation be conducted through Council's Community Panel between 28 April 2010 and 21 May 2010;
  - c. An opportunity for members of the community to provide written submissions, to Council on or before 28 May 2010; and
  - d. An opportunity for members of the community to make representations to Council at its meeting on 25 May 2010.
  - e. Rate revenue set at a flat 4% i.e. including the HEAT fund.

**THE AMENDMENT ON BEING PUT WAS CARRIED**

**THE MOTION, AS AMENDED, ON BEING PUT WAS CARRIED**

A division was called.

**Voted For**  
R D Beh  
R M Bouchée

**Voted Against**  
J L Deakin  
T D Looker

P N Crutchett  
L R Fisk  
P D H Heysen  
J D Huckstepp  
A C Norton  
L van Camp

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

19.5 LATE ITEM – Draft MINDA Master Plan Submission (Report No: 208/10)

**Councillor Crutchett left the meeting at 10:32pm.**

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

Minda Incorporated have released their draft Master Plan for the Brighton campus for public consultation. Administration has reviewed the draft Plan to determine whether the desired outcomes described in the Plan align with Council's future strategic directions.

The Master Plan aims to secure a viable and sustainable long-term future for Minda's operations through the incorporation of several new land uses including a retirement village, retirement apartments, a commercial precinct and several environmental initiatives. At a broad level, these developments are consistent with Council's vision for key Institutional sites within the City and present opportunities for partnership projects between Minda Incorporated and Council. However, there are some significant environmental and traffic management concerns that need to be addressed.

A draft submission to Minda Incorporated has been prepared and is now presented to Council for endorsement.

**Councillor Crutchett rejoined the meeting at 10:35pm.**

C270410/841

**Councillor Bouchée moved and Councillor Heysen seconded that the draft submission located at Attachment 2 to Report Number 208/10 be co-signed by the Chief Executive Officer and the Mayor and submitted to Minda Incorporated as Council's response to the draft Minda Master Plan.**

**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**

**Councillor Beh rejoined the meeting at 10:41pm.**

21.1 DAP Agenda – 28 April 2010

Councillor Deakin drew member's attention to Items on the Development Assessment Panel Agenda regarding the St Peters Church, Glenelg and the Wallis Cinema.

**Councillor Huckstepp left the meeting at 10:45pm.**

**22. Items in Confidence**

## 22.1 Alwyndor Project Update 2 (Report No: 206/10)

Council Officers Remaining: Mr J Lynch, Mr K O'Neill, Mr G Potter, Ms R Thomas, Mr I Walker, Ms P Aukett and Ms W Matthews

C270410/842

**Councillor Heysen moved and Councillor Looker 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 2 (Report No: 206/10)

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

C270410/844

**Councillor Beh 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 documents and minutes relating to Report No: 206/10 with the exception of Resolution No: C270410/842 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**

Alwyndor Minutes

Council Officers Remaining: Mr J Lynch, Mr K O'Neill, Mr G Potter, Ms R Thomas, Mr I Walker, Ms P Aukett and Ms W Matthews

C270410/845

**Councillor Fisk moved and Councillor Beh 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 Minutes

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C270410/847**

Councillor Heysen 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 documents and minutes relating to Alwyndor Minutes with the exception of Resolution No: C270410/845 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**

22.2 LATE ITEM - Glenelg Football Club (Report No: 210/10)

Council Officers Remaining: Mr J Lynch, Mr K O'Neill, Mr G Potter, Ms R Thomas, Mr I Walker, Ms P Aukett and Ms W Matthews

**C270410/848**

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

- information or matter the disclosure of which –
  - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of

- the council; and  
(ii) would, on balance, be contrary to the public interest.

**CARRIED**

LATE ITEM - Glenelg Football Club (Report No: 210/10)

**C270410/850**

**Councillor Bouchée moved and Councillor Deakin seconded:**

1. That Council rollover the loan principal of \$268,537 maturing on 30 April 2010 for a further once off extension for a term of 14 days to 14 May 2010 at an interest rate equal to the LGFA lending rate plus a credit margin of at least 0.5% pa.
2. In the event that all documents are executed on or before 14 May 2010, the loan principal be rolled over on maturity until January 2012 at an interest rate equal to the rate charged by the LGFA for a similar term plus a credit margin of 0.5% pa.

**CARRIED**

**C270410/851**

**Councillor Beh moved and Councillor Crutchett 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 report and attachments relating to Report No: 210/10 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. That the minutes relation to Report No. 210/10 be released and available for public inspection.
3. This resolution will be reviewed once all documents have been signed.

**CARRIED**

22.3 Question Without Notice - Broadway Kiosk

Council Officers Remaining: Mr J Lynch, Mr K O'Neill, Mr G Potter, Ms R Thomas, Mr I Walker, Ms P Aukett and Ms W Matthews

**C240410/852**

**Councillor Bouchée moved and Councillor Huckstepp 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**

Question Without Notice - Broadway Kiosk

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**C270410/853**

**Councillor Heysen moved and Councillor Beh seconded that pursuant to Section 90(2), 90(3)(b) and 91(7) of the Local Government Act 1999:**

1. **The Council orders that the minutes relating to Question without Notice – Broadway Kiosk with the exception of Resolution No: C240410/852 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.**

22.4 Question without Notice – Use of Holdfast Bay Community Centre for Community Meetings

Councillor Norton asked a question regarding the use of the Holdfast Bay Community Centre for large community meetings.

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

**23. Resumption**

**C270410/854**

**Councillor Beh moved and Councillor Heysen seconded that Council resume as an open meeting of Council at 11:14pm.**

**CARRIED**

**24. Closure**

The Meeting closed at 11:14pm.

**CONFIRMED Tuesday 11 May 2010**

**MAYOR**