

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 9 November 2010 at 7:03pm.

PRESENT

His Worship the Mayor	A K Rollond
Deputy Mayor	R A Clancy
Councillor	R M Bouchée
Councillor	P N Crutchett
Councillor	J L Deakin
Councillor	L R Fisk
Councillor	P D H Heysen
Councillor	J D Huckstepp
Councillor	S C Lonie
Councillor	T D Looker
Councillor	A C Norton
Councillor	L van Camp
Chief Executive Officer	J P Lynch
General Manager 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 7:03pm.

2. Kaurna Acknowledgement

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

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

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

3. Prayer

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

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

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

4. Apologies

4.1 Apologies Received	Councillor R D Beh
4.2 Absent	Nil

5. Items Presented to Council

5.1 Presentation to Retiring Elected Members

His Worship the Mayor will made presentations to Councillors Heysen, Norton and van Camp who are retiring at the upcoming general election.

5.2 LGA Renewable Energy Pilot Program

His Worship the Mayor presented to Council a Certificate of Appreciation from the Local Government Association for its contribution to the LGA Renewable Energy Pilot Program.

6. Declaration of Interest

Members were reminded to declare their interest before each item.

7. Confirmation of Minutes

C091110/1044

Councillor Clancy moved and Councillor Heysen seconded that the minutes of the Ordinary Meeting of Council held on 26 October 2010 be taken as read and confirmed.

CARRIED

8. Questions by Members

8.1 Without Notice

8.1.1 Development on the Broadway

Councillor Bouchée asked a question regarding why bungalows on the Broadway, Glenleg are being replaced by modern buildings and is this the type of development which is promoted by the planners within the historic zone.

The Chief Executive Officer, Mr J Lynch took the question on notice.

8.1.2 Sale of the Historic Glenelg Post Office Building

Councillor Crutchett asked a question regarding the possible purchase of the Post Office Building.

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

8.1.3 Outdoor Dining Moseley Square

Councillor Crutchett asked a question regarding outdoor dining in Moseley Square.

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

8.1.4 Plaque in Brian Nadilo – Ngutinilla Reserve

Councillor Crutchett asked a question regarding the placement of the commemorative plaque in Brian Nadilo- Ngutinilla.

The Chief Executive Officer, Mr J Lynch took the question on notice.

8.1.5 Possible Twitter Ride with Lance Armstrong in 2011

Councillor Crutchett asked a question regarding the planning for a future twitter ride in 2011, as Lance Armstrong will be attending the Tour Down Under.

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

8.2 With Notice

8.1.1 Development Assessment Panel – Cooling Towers

At the Council Meeting held 26 October 2010, Councillor Bouchée asked a further question regarding the Cooling Towers and the relevance of precedence on the Development Plan.

The Acting General Manager City Services, Ms T Aukett's response.

The Development Assessment system in South Australia does not allow for one decision to influence another. As such, a precedent is not set for other applicants to follow in circumstances where a first intrusion is allowed. Each application must be considered on its individual merits and cannot be seen to 'blaze a trail' for similar proposals to follow. Indeed, there are a number of well-known planning judgements in South Australia on the subject of precedent including City of Charles Sturt v Hatch (1999) where Judge Bleby had the following to say:

"In my opinion it is not relevant that if approval were given for a particular development as a first intrusion, another similar development might, for that reason, be allowed in the same or a similar zone. Any similar proposal at some other location will have to be judged against the provisions of the development plan as applicable to the particular site in question. It would be contrary to the requirements of the development plan to approve it because of an earlier approval for a similar activity at a different location. Although there might be some political pressure brought to bear on a planning authority to grant a similar application in some other location as a result of its having approved an earlier application, there is no planning doctrine of precedent as such, namely that because one development has been approved so should another."

Furthermore, in the matter of Dal Pra v City of Happy Valley (1995) Commissioner Hodgson concluded that:

"The existence of undesirable precedent cannot be called in support of new proposals; each application falls to be determined on its own merits and in the context of the planning policies applicable at the time that application is made. If the character of a particular locality has been so altered by a succession of planning decisions as to bring into question the relevance of existing policies."

Having regard to the above, a planning decision made with respect to the cooling tower proposed at 123 Esplanade, Brighton cannot be repeated by default.

8.1.2 Historic Conservation Areas

At the Council Meeting held 26 October 2010, Councillor Bouchée asked a question regarding development in the Historic Conservation areas in the Somerton Ward and if any other Councils have development plans which stipulate historic character in new developments.

The Acting General Manager City Services, Ms T Aukett's response.

There are three Historic (Conservation) Zones located within the Somerton Ward, being New Glenelg precinct, Maturin Road precinct, and Da Costa Park area. These are the only Historic (Conservation) Zones located within the City of Holdfast Bay. Within these four Historic (Conservation) Zones there are a total of 420 Contributory Places, 15 Local Heritage Places, and 6 State Heritage Places. This means that 87% of the dwelling stock within these Zones has some form of heritage status and protection in Council's Development Plan. The Development Plan provisions relating to each of the four Zones focus on the need for development to have regard to the established allotment pattern, density, and built form character of the area, with certain restrictions on the design and height of buildings to reflect the style of architecture which is prevalent throughout the Zones. Furthermore, Council's Heritage Adviser is engaged to assist with the assessment of any development which materially affects a heritage place or streetscape. "

Other council Development Plans similarly have Historic (Conservation) Zones with heritage listings and complementary policies which seek to protect the built form character of the specific locality. In the Metropolitan area only 6 councils do not have an Historic (Conservation) Zone, and some of these Development Plans have character areas designated akin to Holdfast's Streetscape Character Policy Areas.

Each Historic (Conservation) Zone contains buildings and allotment patterns with their own unique features and the policies will vary from council-to-council accordingly. However, the fundamentals are the same, so there is likely to be little to be gained from borrowing from other Development Plans. The careful drafting of " Desired Character Statements" can be powerful in providing a robust policy framework for assessing development. In recent discussions planning consultants *Nolan Rumsby* advised that Holdfast's character policies are considered well framed and effective.

8.1.3 Naming Rights Agreement between Glenelg Football Club and Gliderol International Pty Ltd

In accordance with his notice, Councillor Crutchett asked the following questions.

1. Has council been provided with a copy of the signed Naming rights agreement between the Glenelg Football Club and Gliderol International Pty Ltd?

If Yes; please provide a copy to council in response to these questions?

2. Does the agreement include the provision that the renaming be
 - a) the right to have the Oval known as “Gliderol Glenelg Stadium”, “Glenelg Gliderol Stadium” or “Gliderol Stadium @ Glenelg” for a term of ten (10) calendar years commencing on 1 January 2009 and expiring on 31 December 2018 (“the naming rights”); and

in accordance with the motion of council and the signed agreement between the City of Holdfast Bay and the Glenelg Football Club.

3. Can you provide a copy of the signed naming rights agreement between the City of Holdfast Bay and the Glenelg Football Club?

The General Manager Corporate Services, Mr I Walker’s response.

1. **Council has been provided with a copy of the executed Sponsorship and Naming Rights Agreement dated 12 May 2010 between Glenelg Football Club (‘Club’) and Gliderol International Pty Ltd (‘Gliderol’).**

One of the conditions attached to Council’s consent to the Club entering into the Sponsorship and Naming Rights Agreement with Gliderol was that the Club provide Council a copy of the agreement in confidence. A copy was provided to all members by email on 6 August 2010.

2. **The Sponsorship and Naming Rights Agreement is for a term of 10 years expiring on 31 December 2018 but is silent on what the Oval is to be known as. It simply provides that all signage is subject to Council consent pursuant to the Lease.**
3. **The agreement between Council and the Club simply formalises Council’s consent to the Club entering into the Sponsorship and Naming Rights Agreement and the associated erection of external signage. I’m reasonably sure that a copy of this agreement has previously been provided, however it can be made available again if required. This agreement is quite separate to the Sponsorship and Naming Rights Agreement between the Club and Gliderol.**

9. Member’s Activity Reports

9.1 Mayoral Report (Report No: 482/10)

10. Public Presentations

10.1	Petitions	Nil
10.2	Presentations	Nil
10.3	Deputations	Nil

11. Motions on Notice

11.1 Jetty Jumping

In accordance with his notice:

Councillor Clancy left the chamber at 7:21pm.

Councillor Clancy rejoined the chamber at 7:22pm.

Councillor Crutchett moved and Councillor Bouchée seconded that Administration entering into discussions with Surf Life Saving SA to change/amend the signs/graphics on our Jetties indicating the dangers of Jumping.

For example:

- **Shallow water due to sand built up. Depth less than 1 metre.**
- **Danger. Sand movement may expose steel sections from the old Jetty**
- **Keep your feet together, put one hand over your crotch, and one hand under your chin to protect yourself from whiplash and to keep water from bursting into your nasal cavity.**
- **Clench your buttocks together or water may rush in and cause severe internal damage**

LOST

Background

The standard “no jumping” sign does not make a lot of sense when the water looks so refreshing on a hot day.

C091110/1045

Councillor Crutchett moved and Councillor Looker seconded that Council contact the Minister responsible for Harbours and navigation act and notes our concerns.

CARRIED

11.2 Ezipark – Increased Usage of Car Park

In accordance with his notice:

C091110/1046

Councillor Crutchett moved and Councillor Heysen seconded that Administration make contact with Ezipark to find out if they have any ideas on how to increase the utilization of the underground car park and report back to council.

CARRIED

Background

With the improvements in wireless technology it may be a lot easier to install identification signs on Colley terrace. Maybe incorporate the no of available spaces on top of a heritage information sign.

11.3 Briefing of New Members

In accordance with his notice:

C091110/1047

Councillor Crutchett moved and Councillor Looker seconded that Administration endeavour to include in their briefing for new members information on:

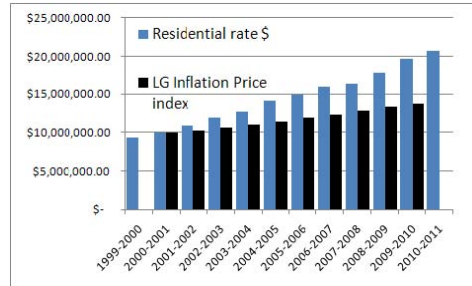
- **How the rating system works.**
- **The Difference between the Consumer price Index and the Local Government Inflation Price Index.**
- **An overview of how the City of Holdfast Bays rates compare with other councils.**

- **An explanation of how rates are determined (rate revenue versus individual rates which are charged).**

CARRIED

Background

My experience tells me that how councils develop the rating system is one of the most misunderstood areas of councils operations. It is very important to the services councils provide and a better understanding by elected members may assist in transferring this knowledge to our ratepayers, the media, State and Federal politicians.



The cost components included in the model are:
Operating:

- Salaries & Wages - Managerial, Admin & Clerical, and labour.
- Superannuation
- Contractual Services (Excluding Waste Management)
- Waste Management
- Electricity
- Gas
- Water & Sewerage
- Fuel
- Motor Vehicle Expenses
- Printing, publishing & recorded media
- Other Operating Expenses
- Insurance Property Expenses
- Consultancy Expenses, and
- Telecommunications Expenses

Holdfast Bay A great place to live and do business in 2010-2011

<p>City of Holdfast Bay Rates \$ 10,718.08</p>	<p>City of Marion Rates \$ 19,460.16</p>
<p>Commercial Council Area - Holdfast Bay Property Value 2010-2011 \$3,201,000 City of Holdfast Bay 2010-2011 Commercial rate cents in dollar = 0.33494 Rates Payable Excluding NRM levy \$ 10,718.08</p>	<p>Commercial Council Area - Marion Property Value 2010-2011 \$3,400,000 City of Marion 2010-2011 Commercial rate cents in dollar = 0.56416 Rates Payable Excluding NRM levy \$ 19,460.16</p>
<p>City of Holdfast Bay Rates \$ 794.55</p>	<p>City of Marion Rates \$ 1358.33</p>
<p>Residential Council Area - Holdfast Bay Property Value 2010-2011 \$355,000 City of Holdfast Bay 2010-2011 rate cents in dollar = 0.221816 Rates Payable Excluding NRM levy \$ 794.55</p>	<p>Residential Council Area - Marion Property Value 2010-2011 \$445,000 City of Marion 2010-2011 rate cents in dollar = 0.302543 Rates Payable Excluding NRM levy \$ 1358.33</p>
<p>City of Holdfast Bay Rates \$ 1007.17</p>	<p>City of Marion Rates \$ 1388.86</p>
<p>Residential Council Area - Holdfast Bay Property Value 2010-2011 \$450,000 City of Holdfast Bay 2010-2011 rate cents in dollar = 0.022816 Rates Payable Excluding NRM levy \$ 1007.17</p>	<p>Residential Council Area - Marion Property Value 2010-2011 \$455,000 City of Marion 2010-2011 rate cents in dollar = 0.302543 Rates Payable Excluding NRM levy \$ 1388.86</p>

11.4 Incorporating Community Land

In accordance with his notice:

Councillor Crutchett moved that Council declares the following parcels of land to be community land and administration develop appropriate guidance for the new council to incorporate these parcels into existing community land management plans or establish new ones.

Property	Address	Certificate of Title
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Glenelg Town Hall	Moseley Square, Glenelg	CT 6054/34
Glenelg Library	Colley Terrace, Glenelg	CT 5849/796
Seacliff Car Park	237 Esplanade, Seacliff	CT 5846/227, CT 5861/750
Dunbar Terrace Car Park	44 Brighton Road, Glenelg East	CT 5848/30
Buffalo Restaurant	Adelphi Terrace, Glenelg North	CT 5935/965
Glenelg Oval	Brighton Road, Glenelg East	Portion of CT 5869/949
Glenelg Foreshore Building	Foreshore, Glenelg	Portion of CT 5972/925 & 6054/29
Alwyndor Aged Care Facility	48-64 Dunrobin Road, Hove	CT 5479/801, CT 5994/987
Meals on Wheels	Golflands Tce, Glenelg north	CT 5788/669
Glenelg North Community Centre	Corner Alison Street and Kibby Avenue, Glenelg North	CT 5511/96

C091110/1048

Councillor Deakin moved and Councillor Looker seconded that the meeting proceed to the next item of business.

CARRIED

A division was called.

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

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

Background

Incorporating council own land in the community land register protects it from being sold without community consultation.

In 2002 council compiled the exclusion list based on the following criteria:
(Note below extract from report)

“The administration compiled the proposed exclusion list based on the following criteria:-

- 1. Land holdings used exclusively for business purposes by Council or other parties.*
- 2. Short to medium term land holdings held by Council to guide development in support of Councils development plans.*
- 3. Current land holdings identified as surplus to Council requirements”*

Below is the exclusion list in case other elected members wish to have parcels of interest protected.

Property	Address	Certificate of Title
Council Offices	22-24 Jetty Road, Brighton	Portion CT 5775/258, CT 5775/259
Glenelg Town Hall	Moseley Square, Glenelg	CT 6054/34
Brighton Library	20 Jetty Road, Brighton	CT 5775/260
Glenelg Library	Colley Terrace, Glenelg	CT 5849/796

Council Depot	15 & 17 Wilton Avenue, 16 Seaforth Avenue, Somerton Park	CT 5424/949, CT 5424/948, CT 5424/871, CT 5472/943, CT 5236/548
Ringwood Community Centre	14 Jetty Road, Brighton	CT 5775/261
Seacliff Car Park	237 Esplanade, Seacliff	CT 5846/227, CT 5861/750
Seacliff Tennis Club	2 Aboyne Avenue, Seacliff Park	CT 5713/366
Dunbar Terrace Car Park	44 Brighton Road, Glenelg East	CT 5848/30
Kauri Parade Car Park	15C Kauri Parade, Seacliff	CT 5751/758
Brighton Road Public Conveniences	477 Brighton Road, Brighton	CT 5398/870
Buffalo Restaurant	Adelphi Terrace, Glenelg North	CT 5935/965
Glenelg Oval	Brighton Road, Glenelg East	Portion of CT 5869/949
Glenelg Foreshore Building	Foreshore, Glenelg	Portion of CT 5972/925 & 6054/29
Alwyndor Aged Care Facility	48-64 Dunrobin Road, Hove	CT 5479/801, CT 5994/987
Somerton Park Kindergarten	1/3 Grantham Road, Somerton Park	CT 5719/136, CT 5796/800
Brighton Table Tennis Club	2/3 Grantham St, Somerton Park	CT 5719/136, CT 5796/800
Seacliff Community Kindergarten	47 Kauri Parade, Seacliff	CT 6016/186
Meals on Wheels	15 Goods Crescent, Hove	CT 1290/71, CT 4008/675
Meals on Wheels	Golflands Tce, Glenelg North	CT 5788/669
Seacliff Girl Guides	41 Kauri Parade, Seacliff	CT 6016/188
Glenelg North Community Centre	Corner Alison Street and Kibby Avenue, Glenelg North	CT 5511/96
Seacliff Youth Centre	32 Yacca Road, Seacliff	CT 5855/958, CT 5855/959, CT 5855/962
Holdfast Bay Community Centre	51 King George Avenue, Hove	CT 5933/501
Brighton Senior Citizens Club	376 Brighton Road, Hove	CT 5664/439
South Brighton Community Hall	44 Folkestone Road, Seacliff	Portion of CT 5558/563
Somerton Surf Life Saving Club	57 Repton Road, North Brighton	CT 5476/969
Brighton SLSC	Portion Bindarra Reserve, Esplanade, Brighton	Portion of CT 5839/893
Bagshaw Hall (former Brighton Institute Library)	411 Brighton Road	CT 5826/627
Seacliff Yacht Club/SLSC	246-248 Esplanade, Seacliff	CT 5590/814

The General Manager Corporate Services, Mr I Walker's comment.

Administration would like to provide the following advice regarding this Notice of Motion:

- The motion is not ruled out by Council's caretaker policy.
- We are undertaking a Strategic Property Review of all Council's properties with the aim of preparing a Strategic Property Master Plan and that it would be premature, to adopt this motion.
- The reasons for council's decision to exclude the various parcels of land in the first instance should be revisited for each individual parcel before any firm decision is taken.

- It is understood that the original exclusions from the Community Land Register were based on land that was exclusively used for business purposes, land held by council to guide development in support of its development plans and land holdings deemed as surplus to council requirements.
- Consideration of inclusion and exclusion of community land should be fully considered in the context of a whole range of matters.
- Community consultation will be part of endorsement of the Strategic Property Master Plan.
- Exclusion under the Community Land Register doesn't imply an intention to dispose of the site.
- Any proposed changes of use to land on the Community Land Register requires a comprehensive Public Consultation process.
- Under the Local Government Act 1999, any properties added to the Community Land Register require Council to prepare Management Plans to be specifically modified/adapted for the benefit/enjoyment of the community.
- Experience has taught us that it is very simple to add a property to the Community Land Register however it is extremely difficult should council require a revocation of the status of the land for any reason.
- While it is relatively simple to add a property to the Community Land register it carries a responsibility to prepare a Community Land Management Plan which is resource intensive.

12. Adjoined Matters Nil

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

13.1 Minutes – Jetty Road Mainstreet Management Committee (Report No: 495/10)

The Jetty Road Mainstreet Management Committee (JRMMC) has been established to undertake work to benefit the traders on Jetty Road, Glenelg, using the separate rate raised for this purpose. The Council has endorsed the committees Terms of Reference and given the committee delegated authority to manage the business of the committee.

The Minutes of the Jetty Road Mainstreet Management Committee meeting held 13 October 2010, are attached and presented for Councils' information.

C091110/1049

Councillor Heysen moved and Councillor Fisk seconded that the following minutes of the Jetty Road Mainstreet Management Committee held 13 October 2010 be received and the following recommendations numbered 1 - 3 be noted.

5.2 *Manager's Report (Report No: 461/10)*

1. That:

1. The Manager investigate the availability and cost of having elves

in the precinct for the week prior to Christmas.

2. **Mr G Digance requested the Jetty Road Mainstreet Management Committee discuss the Christmas 2011 details in the first Jetty Road Mainstreet Management Committee meeting of 2011.**

5.4 *Jetty Road Glenelg Mainstreet Banners*

2. **That the Jetty Road Mainstreet Manager liaise with the relevant businesses to progress the production and installation of new Jetty Road Banners prior to Christmas 2010 on the following conditions:**
 1. **That the new banners will be all of one colour being red**
 2. **That the current banners be removed and stored at the depot for future use**
 3. **That it be suggested to the new Jetty Road Management Committee to investigate a consultant to suggest a system where by the banners can be changed regularly without the huge cost currently incurred by the Committee.**

6.3 *Christmas Garlands in Moseley Square*

3. **That the Jetty Road Mainstreet Manager purchase the Christmas Garlands on the condition that the company supplying the garlands confirm the details of life expectancy and insurance.**

CARRIED

13.2 Minutes – Environmental Advisory Committee (Report No: 496/10)

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

The Minutes of the Environmental Advisory Committee meeting held 11 October 2010, are attached and submitted to Council for information and endorsement.

C091110/1050

Councillor Van Camp moved and Councillor Lonie seconded that the minutes of the Environmental Advisory Committee held 11 October 2010 be received and noted.

CARRIED

Councillor Bouchee left the chamber 7:39pm.

13.3 Minutes – Audit Committee Meeting (Report No: 497/10)

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 20 October 2010, are presented and submitted for Council for information and endorsement, noting in particular the Committee's recommendations presented below for endorsement.

Councillor Bouchée rejoined the chamber at 7:41pm.

C091110/1051

Councillor Looker moved and Councillor Fisk seconded that the minutes of the Audit Committee meeting held 20 October 2010 be received and recommendations numbered 1 - 8 endorsed by Council:

8.4 2009/10 Financial Statements (Report No: 472/10)

1. That the Committee advises Council that:

- **The Audit Committee met with Council's external auditor and received a verbal report in relation to the audit of the 2009/10 financial statements.**
- **In accordance with paragraph (a) of sub-section 126(4) of the Local Government Act 1999, the Committee confirms that it has reviewed the financial statements for the year ended 30 June 2010 included at Attachment 3 to Report: 472/10 and is satisfied that they present fairly the state of affairs of Council.**
- **In accordance with sub-regulation 16A(2) of the Local Government (Financial Management) Regulations, the Committee recommends that the Presiding Member of the Audit Committee co-sign with the Chief Executive Officer the following statement to be included with the financial statements for the year ended 30 June 2010:**

"To the best of our knowledge and belief, we confirm that, for the purpose of the audit the City of Holdfast Bay for the year ended 30 June 2010, the Council's Auditor, Dean Newbery and Partners, Chartered Accountants, has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 1999 made under that Act."

- **That the Committee recommends that Council adopts the financial statements for the year ended 30 June 2010 included at Attachment 3 to Report No: 472/10.**

8.1 Item in Brief (Report No: 481/10)

2. That the Item in Brief report be noted.

8.2 Standing Items (Report No: 474/10)

- 3. 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**

8.3 *Budget Review 4 – Preliminary 2009/10 Financial Statements (Report No: 473/10)*

4. **That the Committee advise Council that it has considered Budget Review 4 and the preliminary financial statements for 2009/10.**

8.5 *2011 Work Program (Report No: 477/10)*

5. **That the next meeting of the Audit Committee be at 6.30pm on Wednesday 19 January 2011 and to comprise the following work program:**

- **Standing items**
- **Update on risk management**
- **Review of Committee performance**
- **Long term financial plan**
- **2011/12 annual business plan and budget program**
- **Review of 2009/10 external audit and actions arising**
- **Internal audit report**
- **External audit tender**
- **2011 Committee work program**

8.6 *Update on Risk Management (Report No: 476/10)*

6. **That the Committee notes the recommendations arising from the 2010 Risk Management Review undertaken by the Local Government Association Mutual Liability Scheme.**

8.7 *Review of Internal Controls – Alwyndor Aged Care (Report No: 475/10)*

7. **That the Committee advises Council it has received and considered an internal audit report in relation to Alwyndor Aged Care.**
8. **That Administration provides a regular risk register to committee.**

CARRIED

13.4 Minutes – Development Assessment Panel (Report No: 500/10)

Council's Development Assessment Panel is established under the Development Act 1993.

The purpose of the panel is to:

- act as a delegate of Council and make decisions on development applications in accordance with the requirements of the Development Act;
- provide advice to Council on trends, issues and other matters relating to planning or development that have become apparent during the assessment of development applications;
- perform other roles, except policy formulation, as assigned by Council;
- consider and report on matters before the Environment, Resources and Development Court as a means to resolving judicial appeals.

The minutes of the Development Assessment Panel meetings held 27 October 2010 is presented to Council for information.

In accordance with its resolution on 27 November 2009, Council is also asked to determine the future of any planning appeal matters should they eventuate. Elected Members requiring a copy of the Development Assessment Panel Agenda, including reports and/or access to the Development Application files, are asked to contact Council Administration prior to the Council Meeting.

C091110/1052

Councillor Clancy moved and Councillor Norton seconded that the minutes of the Development Assessment Panel meeting held on 27 October 2010 be noted.

CARRIED

14. Reports by Officers

14.1 Items in Brief (Report No: 480/10)

Report No: 480/10 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

C091110/1053

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

CARRIED

14.2 Alwyndor Nil

14.3 Civic Nil

14.4 Corporate Development Nil

14.5 Encroachments Nil

14.6 Finance Nil

14.6.1 2009/10 City of Holdfast Bay Financial Statements (Report No: 493/10)

The audited financial statements for the year ended 30 June 2010 are presented for adoption by Council.

C091110/1054

Councillor Looker moved and Councillor Huckstepp seconded:

- 1. That the financial statements for the City of Holdfast Bay for the year ended 30 June 2010 as contained in Attachment 1 to Report No: 493/10 be adopted.**
- 2. That the audit report from Council's auditor, Dean Newbery and Partners, contained at Attachment 3 to Report No: 493/10 be received and noted.**

CARRIED

14.7 Governance

14.7.1 Adoption of Annual Report (Report No: 498/10)

The 2009/2010 Annual Report has been prepared to meet all statutory requirements. Council's Annual Report is an important document providing legislators and the community with assurance that the City of Holdfast Bay is meeting its strategic and legislative requirements. It is intended that the Report will be available in both hard-copy and soft-copy by the end of November 2010.

C091110/1055

Councillor Looker moved and Councillor Clancy seconded that Council approve the content, subject to minor changes, of the 2009/2010 Annual Report.

CARRIED

14.8 Property

14.8.1 Replacement Shed and Rainwater Tanks – Somerton Kindergarten (Report No: 487/10)

The Somerton Kindergarten has written to Council seeking to remove an existing shed and replace it with a larger shed and install new rainwater tanks (to collect and store rainwater runoff from the roof of the adjacent Brighton Table Tennis Club building and proposed new shed). Works cannot be undertaken without Council's consent as landlord.

C091110/1056

Councillor Clancy moved and Councillor Lonie seconded:

1. **That Council provides its consent as landlord (subject to any necessary Development Act consents), to:**
 - **The Somerton Kindergarten's proposal to remove an existing shed and replace it with a larger shed;**
 - **Replace the existing sandpit area with a new freeform sandpit area with a colorbond type shelter over;**
 - **Install four (4) new rainwater tanks which will store rainwater runoff from the roof of the Brighton Table Tennis Club and proposed new shed; and**
 - **Undertake other works associated with this proposal.**
2. **The Kindergarten be advised in writing that it remains liable for any costs or maintenance associated with the proposed works and that it will be required to rectify any damage to the premises that may occur as a result of the installation, placement or removal (if so required) of such infrastructure.**

CARRIED

14.9 Regulatory

Nil

14.10 Other Matters

14.10.1 Events Plan 2010-2014 Adoption (Report No: 478/10)

The City of Holdfast Bay Events Plan 2010-2014 has been prepared in consultation with Council's Events Advisory Committee and key stakeholders from the community and local businesses.

The Plan was released in draft format for community consultation during August 2010 and this report summarises the feedback received. A revised Events Plan 2010-2014 is attached for adoption along with a program for implementation.

C091110/1057

Councillor Looker moved and Councillor Bouchée seconded that the City of Holdfast Bay Events Plan 2010-2014 be adopted.

CARRIED

14.10.2 Seacliff Surf Life Saving Club Inc – Temporary Storage Compound as Part of Redevelopment (Report No: 479/10)

The Seacliff Surf Life Saving Club (SSLSC) is in the process of completing the project tender evaluation, after receiving planning consent for the redevelopment of its new clubrooms, which includes a new kiosk, on the existing footprint of the old clubrooms adjacent to the Brighton & Seacliff Yacht Club.

In order to enable SSLSC to plan for the next stage of the project, this report seeks Council endorsement to establish a temporary storage compound for essential water safety equipment and emergency rescue craft to allow SSLSC to continue a seamless water safety community service over the forthcoming summer season.

Subsequently, once tender evaluation has been finalized, a further report will be presented to Council to confirm Council's endorsement of the redevelopment, including the final approval for Council's financial contribution.

C091110/1058

Councillor Huckstepp moved and Councillor Lonie seconded:

- 1. That, subject to all necessary Development Approvals being obtained by the Seacliff SLSC, Council endorses the establishment of a temporary, secure and fenced "storage compound" on the defined portion of the paved Seacliff promenade and the use of six adjacent car parks as part of the fenced area (as a safe working space) on the Esplanade, Seacliff during the period of construction of the new Surf Club.**
- 2. That a 1.5 metre wide pedestrian walkway be made available around the proposed storage area.**
- 3. Following completion of the tender process, the Administration provide a report to Council, outlining the financial commitment sought from Council to meet its funding requirements associated with the State Government funding formula and the Seacliff SLSC proposal.**

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 Post Office

C091110/1059 **Councillor Crutchett moved and Councillor Bouchée seconded that Administration prepare a report considering the acquisition of the Glenelg Post Office for the consideration of the new council.**

CARRIED

16.2 Sea Rescue Squadron

C091110/1060 **Councillor Crutchett moved and Councillor Fisk seconded that Administration contact the Sea Rescue Squadron to see if they need any assistance from Council in the performance of their duties in their 50th Anniversary year.**

CARRIED

17. Items in Confidence Nil

18. Closure

The Meeting closed at 8:00pm.

CONFIRMED Tuesday 23 November 2010

MAYOR