

## 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 28 June 2011 at 7:02pm.**

### PRESENT

His Worship the Mayor	A K Rollond
Councillor	R M Bouchée
Councillor	P W Dixon
Councillor	K M Donaldson
Councillor	L R Fisk
Councillor	J D Huckstepp
Councillor	S C Lonie
Councillor	T D Looker
Councillor	S Patterson
Councillor	R C Patton
Councillor	A P Roe
Councillor	L J Yates – 7:05pm
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 7:02pm.

### 2. Kurna Acknowledgement

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

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

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

### 3. Prayer

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

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

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

### 4. Apologies

4.1 Apologies Received Councillor R A Clancy

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**

C280611/188

**Councillor Huckstepp moved and Councillor Donaldson seconded that the minutes of the Ordinary Meeting of Council held on 14 June 2011 be taken as read and confirmed.**

**CARRIED**

**8. Questions by Members**

8.1 Without Notice

8.1.1 Reassessment of Contracts

Councillor Bouchée asked a question regarding the Business and Risk Solutions report regarding the reassessment of Council contracts.

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

**Councillor Yates joined the chamber at 7:05pm.**

8.1.2 Community Consultation – Dry Zones Renewal

Councillor Roe asked a question regarding the to Community Consultation on Dry Zones.

**The Acting General Manager City Services, Ms T Aukett provided a response.**

8.2 With Notice Nil

**9. Member's Activity Reports**

9.1 Region 7 – Murray Darling Association

Councillor Yates reported that she had attended the AGM of Region 7 meeting of Murray Darling Association.

9.2 Brighton and Seacliff Yacht Club

Councillor Roe reported that he had attended the Brighton and Seacliff Yacht Club monthly meeting.

9.3 Holdfast Bay Community Centre

Councillor Looker reported that he had attended a Holdfast Bay Community Centre Board Meeting as a community representative.

**10. Public Presentations**

10.1	Petitions	Nil
10.2	Presentations	Nil
10.3	Deputations	Nil

**11. Motions on Notice**

## 11.1 Accreditation from Gay and Lesbian Tourism Australia (GALTA)

In accordance with his notice:

**Councillor Looker moved and Councillor Fisk seconded that the City of Holdfast Bay extends a welcome to Gay, Lesbian and Transgender visitors through our promotional channels and by encouraging local businesses to develop ways to encourage tourists from this sector which may include seeking accreditation from Gay and Lesbian Tourism Australia (GALTA).**

**LOST**

A division was called.

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

**HIS WORSHIP THE MAYOR DECLARED THE MOTION LOST**

**Background**

According to a 2006 Roy Morgan Research study, ([http://www.tourismtasmania.com.au/\\_data/assets/pdf\\_file/0006/34845/gayleisure.pdf](http://www.tourismtasmania.com.au/_data/assets/pdf_file/0006/34845/gayleisure.pdf)) the gay leisure travel market, an estimated 242,000 Australians, represents a spend of approximately \$965 million a year. This statistic has been recognised by many tourism centres around Australia who have actively sought to cater for this discerning, niche market. Other statistics, such as the higher spend per night, make these people too significant to ignore and the City of Holdfast Bay must recognise and encourage tourists and visitors from this group.

Gay and Lesbian Tourism Australia (GALTA) is a national body that provides gay friendly travel information for GLBTI people and their friends on accommodation, car hire, holiday tours, clubs and attractions. It offers an accreditation scheme that mandates a code of ethics (<http://galta.com.au/code-of-ethics/>) to serve the needs of two groups. One is the gay & lesbian traveller seeking quality tourism related services that provide a genuine interest in and welcome them. The other is businesses who wish to make their product or service available to these travellers.

In declaring a welcome to the gay and lesbian community we will open to door to explore how we can best ensure these people add their numbers to those who currently enjoy a visit to Holdfast Bay.

**12. Adjourned Matters** Nil

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

13.1 Minutes – Development Assessment Panel (Report No: 223/11)

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 25 May 2011 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.

**C280611/189**

**Councillor Lonie moved and Councillor Fisk seconded that the minutes of the Development Assessment Panel meeting held on 25 May 2011 be received.**

**CARRIED**

13.2 Minutes – Jetty Road Mainstreet Management Committee (Report No: 224/11)

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

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

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

C280611/190

**Councillor Patton moved and Councillor Lonie seconded that the following minutes of the Jetty Road Mainstreet Management Committee held 1 June 2011 be received and the following recommendations numbered 1 - 5 be noted:**

*5.3 Car Parking*

1. **That Council consider all on street paid parking in the Glenelg Precinct be free from 6pm to 7am for a trial period until 31 August 2011.**
2. **That JRMMC recommends that Council develop and provide one parking pass per business that enables that vehicle, displaying this pass to park in a 3 hour or greater park for all day, thus freeing up parking closer to Jetty Road. It is recommended Council consider trialling this system until 31 August 2011. The JRMMC would pay for the associated costs of producing and distributing the pass.**

*5.7 Additional administrative assistance for the JRMMC*

3. **That Mrs A Thomson and the JRM Manager investigate the provision of a Minute Secretary for the JRMMC meetings and ongoing additional administrative assistance as required. Further to this JRMMC purchase a laptop and voice recorder for use at the meetings.**

*5.8 Finance Report*

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

*5.9 Manager's Report (Report No: 184/11)*

5. **That the Manager's Report, Report No: 184/11, be received and noted.**

**CARRIED**

13.3 Minutes – Audit Committee (Report No: 225/11)

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 15 June 2011, are presented and submitted for Council for information and endorsement, noting in particular the Committee's recommendations presented below for endorsement.

**C280611/191**

**Councillor Looker moved and Councillor Roe seconded that the minutes of the Audit Committee meeting held 15 June 2011 be received and recommendations numbered 1 - 7 endorsed by Council:**

*8.1 Items in Brief (Report No: 194/11)*

- 1. That the Item in Brief report be noted.**
- 2. That the Audit Committee be provided a copy of the LGRS presentation.**
- 3. That management consider undertaking an assessment of Councils risk exposure in circumstances of a climate change event.**

*8.2 Standing Items (Report No: 195/11)*

- 4. 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 3 (Report No: 196/11)*

- 5. That the Audit Committee advises Council that it has considered Budget Review 3 for 2010/11.**

*9.1 Matters of interest to the Audit Committee (Report No: 198/11)*

- 6. That the report be noted.**

*11.1 Attendance at Southern Region Waste Resource Authority (SRWRA) – Audit Committee*

- 7. That the Audit Committee note that Ms Brown has attended all Audit Committee SRWRA for the current 2010/11 financial year.**

**CARRIED**

#### **14. Reports by Officers**

14.1 Items in Brief (Report No: 226/11)

Report No: 226/11 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

**C280611/192**

**Councillor Looker moved and Councillor Donaldson seconded that the report be noted and items of interest be discussed.**

**CARRIED**

14.2 Monthly Financial Reports (Report No: 227/11)

This report provides Elected Members with financial reports as at 31 May 2011. It comprises a Funds Statement and a Capital Expenditure Statement

for Council (municipal activities) and Alwyndor for the year to date compared with the 2010/11 budget.

Council's (municipal activities) year to date (YTD) operating surplus is \$159,000 higher than YTD budget. Capital expenditure is on par with YTD budget overall.

**C280611/193**

**Councillor Looker moved and Councillor Fisk seconded that the financial reports to 31 May 2011 be received and noted.**

**CARRIED**

14.3 Review of Items Held in Confidence (Report No: 228/11)

Council's practice is to review documents held in confidence every six months and this practice has continued with a formal review occurring in June 2011.

This report recommends 42 items are released from confidence.

**C280611/194**

**Councillor Looker moved and Councillor Lonie seconded that the Confidential Items presented at Attachment 1 to Report No: 228/11 be released from confidence and that the items regarding the Glenelg Football Club be further reviewed.**

**CARRIED**

14.4 2010-11 External Loan Borrowing (Report No: 229/11)

This report discusses the recurrent 2010/11 adopted external loan borrowing program totalling \$1,580,930 to fund the capital works program including the King Street Bridge replacement.

**C280611/195**

**Councillor Looker moved and Councillor Lonie seconded that:**

- 1. Council borrows an amount up to \$1,580,930.**
- 2. The General Manager Corporate Services and Manager Finance negotiate the borrowing at the least cost to Council in accordance with Council's treasury management policy.**
- 3. His Worship the Mayor and the Chief Executive Officer be authorised to sign and seal the loan documentation.**

**CARRIED**

14.5 Homelessness (Report No: 212/11)

The purpose of this report is to provide information to Elected Members on homelessness within the City of Holdfast Bay and the related concerns and issues regarding this matter.

**C280611/196**

**Councillor Looker moved and Councillor Bouchee seconded that Council:**

- 1. Notes the information contained in the report.**
- 2. Encourage and supports agencies within the City of Holdfast Bay that provide community housing and services to homeless people with the Council area.**

**CARRIED**

#### 14.6 HACC Variation to Lifelinks Service Agreement (Report No: 210/11)

Council assumed auspice of the Home and Community Care (HACC) funded LifeLinks program for the delivery of services to the HACC defined Southern Region in October 2010.

From July 2012 the Commonwealth will assume full funding and policy responsibility for the 'frail aged' component of HACC funding, whilst the State Government will retain full funding and policy responsibility for disability funding.

Council's triennial service agreement with the Department of Families and Communities for the LifeLinks project expires on 30 June 2011. It is necessary for the parties to sign a variation to the agreement for the twelve month 'interim' period (July 2011 to June 2012) until a new agreement with the Commonwealth Government is entered into.

The parties agree to grant funds of \$290,500 for the financial period 1 July 2011 to 30 June 2012. The funding will be utilised to deliver social support services to people living in Supported Residential Facilities as outlined in the outputs section of the agreement for LifeLinks.

**C280611/197**

**Councillor Bouchee moved and Councillor Yates seconded that Council approves entering into the Home and Community Care Variation of Service Agreement, Project no: 2252-02 (LifeLinks), between the Minister for Ageing and the City of Holdfast Bay, located at Attachment 1 of this Report No: 210/11.**

**CARRIED**

#### 14.7 Adoption of 2011/12 Annual Business Plan (Report No: 230/11)

The Annual Business Plan for 2011/12 is presented for adoption by Council.

**C280611/198**

**Councillor Huckstepp moved and Councillor Looker seconded that the 2011/12 Annual Business Plan included as Attachment 1 to Report No: 230/11 be adopted.**

**CARRIED**

#### 14.8 Adoption of 2011/12 Budget Adoption and Declaration of Rates (Report No: 231/11)

The 2011/12 Budget is presented for adoption following adoption of the Annual Business Plan. Further, general, differential and separate rates have been identified to fund Council's activities together with other levies as contained within the budget document. Council's rate revenue in 2011/12 will increase 6% on the previous year, excluding separate rates, new developments and the State Government's NRM Levy. Council is now in a position to formally adopt the Budget and declare the rates for the 2011/12 financial year.

**C280611/199**

**Councillor Huckstepp moved and Councillor Fisk seconded that in respect of the financial year ended 30 June 2012:**

- 1. That the fees and charges incorporated in the Annual Business Plan and contained as Attachment 1 be adopted and that the relevant**



policies be updated accordingly.

## 2. Adoption of the 2011/12 Budget

The Budget for the year as laid before the Council at the meeting held on 28 June 2011, which consists of:

- a) the Budgeted Income Statement; and
- b) the Budgeted Balance Sheet; and
- c) the Budgeted Statement of Changes in Equity; and
- d) the Budgeted Statement of Cash Flow; and
- e) the Budgeted Uniform Presentation of Finances

be adopted, such Budget involving;

- (1) a total estimated consolidated operating expenditure (including depreciation) of \$49,380,777.
- (2) a total estimated consolidated operating income from sources other than rates of \$23,440,772.
- (3) a total net amount required to be raised from the differential general rate of \$25,727,390.
- (4) a total amount required to be raised from separate rates of \$595,714.
- (5) a total net amount required to be raised for the NRM Levy of \$875,698.
- (6) a total estimated consolidated operating surplus before capital income of \$1,270,297.

## 3. Adoption of Valuations

The most recent valuations of the State Valuation Office available to the Council of the capital value of land within Council's area, be adopted for rating purposes, totalling \$11,040,959,840;

## 4. Attribution of Land Uses

- 1) The numbers indicated against the various categories of land use prescribed by Regulation 10 of the *Local Government (General) Regulations, 1999* (the "Regulations") be used to designate land uses in the Assessment Record;
- 2) The use indicated by those numbers in respect of each separate assessment of land described in the Assessment Record on this date be attributed to each such assessment respectively; and
- 3) Reference in this resolution to land being of a certain category use means the use indicated by that category number in the Regulations;

## 5. Declaration of Differential General Rates

In order to raise the amount specified in paragraph 2(3) above:

- 1) In respect of rateable land which is used for Commercial-

Shop (Category 2), Commercial-Office (Category 3), Commercial-Other (Category 4), Industrial-Light (Category 5), Industrial-Other (Category 6), and Vacant Land (Category 8) uses and classified as such in the Assessment Record of the Council at the date of this declaration, a Differential General Rate of 0.334433 cents in the dollar for the assessed capital value of such property;

- 2) In respect of rateable land which is used for Residential (Category 1) and Other Land (Category 9) uses and classified as such in the Assessment Record of the Council at the date of this declaration, a Differential General Rate of 0.222955 cents in the dollar for the assessed capital value of such property;
  - 3) Pursuant to Section 158 of the *Local Government Act 1999* a minimum amount payable by way of the General Rate be fixed at \$832;
  - 4) Pursuant to Section 153(3) and (4) of the *Local Government Act 1999* the Council has determined that it will fix a maximum increase of 10% in the general rate charged on rateable land that is used for Residential purposes and constitutes the principal place of residence of a principal ratepayer; and
6. Declaration of Separate Rates

*Differential Separate Rate – Jetty Road Mainstreet*

- 1) In exercise of the powers contained in Section 154 of the *Local Government Act 1999* and in order to support and improve the activity of promoting and enhancing business viability, profitability and trade, commerce and industry in Jetty Road Glenelg, the Council declares a Differential Separate Rate of 0.13555 cents in the dollar on the capital value of all rateable land:
  - with a frontage to Jetty Road or Moseley Square; and
  - within the side streets that intersect with Jetty Road between High Street and Augusta street; and
  - the entire site referred to as the Holdfast Shores 2B Entertainment Centre; and
  - with a land use of Category 2 (Commercial – Shop), Category 3 (Commercial – Office) and Category 4 (Commercial –Other)

*Patawalonga Marina*

- 2) (a) In exercise of the powers contained in Section 154 of the *Local Government Act 1999* and in order to carry out the activity of the maintenance and upkeep of the Boat Lock in the Patawalonga basin, a Separate Rate of 0.831 cents in the dollar of the capital value of land, be declared on

all rateable land within the Patawalonga basin bounded by the high water mark;

- (b) In exercise of the powers contained in Section 158(1)(b) of the *Local Government Act 1999* the amount that would otherwise be payable by way of rates in respect of this separate rate is altered by fixing the maximum amount of the separate rate payable for assessments within the area to which this separate rate applies where the capital values of which exceed \$104,091 at \$865.00;

7. Imposition of Regional NRM Levy

In exercise of the powers contained in Section 95 of the *Natural Resources Management Act 2004* and Section 154 of the *Local Government Act 1999*, in order to reimburse the Council for the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board, being \$875,698, a separate rate of 0.008229 cents in the dollar of the capital value of all rateable land in the Council's area;

8. Payment

- 1) That in accordance with Section 181(1) of the *Local Government Act 1999*, all rates are payable in four equal (or approximately equal) instalments, the due dates being:

2 September 2011;  
2 December 2011;  
2 March 2012; and  
1 June 2012.

Provided that in cases where the initial account requiring payment of rates is not sent by the time set by the *Local Government Act 1999* (the "Act"), or an amended account is required to be sent, authority to fix the date by which rates must be paid in respect of those assessments affected is hereby delegated, pursuant to Section 44 of the Act, to the Manager Finance;

- 2) Pursuant to Sections 44 and 181 (4)(b) of the *Local Government Act 1999*, the Manager Finance is delegated power to enter into agreements with ratepayers relating to the payment of rates in any case of hardship or financial difficulty, or where it is considered in the best interests of Council so to do.

9. That the 2011/2012 detailed Rating Policy contained as Attachment 3 be adopted.

CARRIED

14.9 Endorsement of 2011/12 Annual Business Plan Summary Document  
(Report No: 233/11)

On adoption of the 2011/12 Annual Business Plan and Budget a summary document is prepared to accompany the first rates notice. This gives an overview of the key points of interest in the Annual Business Plan.

**C280611/200**

**Councillor Huckstepp moved and Councillor Patterson seconded that the Summary of the 2011/12 Annual Business Plan included as Attachment 1 to Report No: 233/11 be endorsed for inclusion in Council's first rates notice for 2011/12.**

**CARRIED**

14.10 LATE ITEM – Proposal for Free Parking – Jetty Road, Glenelg  
(Report No: 235/11)

**C280611/201**

**Councillor Fisk moved and Councillor Lonie seconded that the Late Item – Proposal for Free Parking – Jetty Road Glenelg be received.**

**CARRIED**

The Jetty Road Mainstreet Management Committee (JRMMC) at its meeting on 1 June 2011 recommended to Council that it consider free on street parking in the Glenelg Precinct from 6pm to 7am for a trial period until the 31st August 2011.

This was considered by relevant staff and an alternative proposal has been prepared which supports free parking in the Glenelg Precinct all day Monday and from 6 pm to 7 am Tuesday to Friday commencing from the first week of July until 31 August 2011. Council is asked to consider this proposal.

**C280611/202**

**Councillor Roe moved and Councillor Donaldson seconded that parking in the Jetty Road Glenelg precinct be free all day Mondays (24 hours) and between the hours of 6 pm and 7 am Tuesday to Friday commencing the first week of July 2011 until 31 August 2011.**

**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**

**Councillor Fisk left the chamber at 8:12pm.**

**17. Items in Confidence**

**C280611/203**

**Councillor Bouchée moved and Councillor Looker seconded**

- 1. That council moves consideration of the Confidential Report No: 234/11 to the Assets and Environment Committee, in order for it to be discussed at the end of the meeting and so minimise inconvenience to any members of the public.**

2. **For the purposes of resolving the matters considered by the Confidential Report No: 234/11 Council delegates the Assets and Environment Committee with the power to make a decision in the matters canvassed by the report.**

**CARRIED**

**18. Closure**

The Meeting closed at 8:13pm.

**CONFIRMED      Tuesday 12 July 2011**

**MAYOR**