

## 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 25 October 2011 at 7.02pm.**

### PRESENT

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

### 1. Opening

His Worship the Mayor declared the meeting open at 7.02pm.

### 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

Nil

4.2 Absent Nil

5. **Items Presented to Council** Nil

6. **Declaration of Interest**

Members were reminded to declare their interest before each item.

7. **Confirmation of Minutes**

C251011/306

**Councillor Clancy moved and Councillor Looker seconded that the minutes of the Ordinary Meeting of Council held on 11 October 2011 be taken as read and confirmed.**

**CARRIED**

8. **Questions by Members**

8.1 Without Notice

8.1.1 Traffic Issues

Councillor Bouchee asked a question regarding the surface of the road on Adelphi Terrace adjacent to the King Street Bridge.

**The General Manager City Assets, Mr S Hodge provided a response.**

Councillor Bouchee asked a question regarding the traffic issues associated with the St Peters Woodlands school with parents parked on the road collecting students.

**The General Manager City Assets, Mr S Hodge provided a response.**

8.1.2 Cleanliness of Footpaths – Jetty Road Glenelg

Councillor Bouchee asked a question regarding the steam cleaning of the footpaths of Jetty Road Glenelg.

**The General Manager City Assets, Mr S Hodge provided a response.**

8.1.3 Animal Management

Councillor Looker asked a question regarding a recent dog attack and the reporting process to Council.

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

Councillor Looker asked a question regarding the regulations for a Dog attack and fine of \$210.00 and how this is managed.

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

Councillor Looker asked a question regarding Council's ability to compel people to provide their name and address.

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

Councillor Looker asked a question to see if Council had the ability to perform spot checks on dog registration.

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

#### 8.1.4 Abandoned Vehicles

Councillor Yates asked a question regarding the abandoned vehicles on Tweedale Avenue.

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

#### 8.2 With Notice

##### 8.2.1 Sale of Alcohol at the Broadway Hotel

Councillor Fisk asked a question regarding the sale of cheaper alcohol at the Broadway Hotel attracting younger clients. Councillor Fisk suggested the instalment of a CCTV.

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

**Anything that occurs within the boundary of a licensed premises regarding the sale of, or free distribution of alcohol [be it free drinks or 'happy hours'] is completely legal provided:**

- **The licensee is operating within the confines of their licence category and in accordance with the hours and conditions stipulated upon the licence and within the "Act";**
- **The licensee does not sell to a minor;**
- **The licensee does not sell to an individual deemed as intoxicated;**
- **The licensee is operating in accordance with 'Mandatory Code of Practice' [pursuant to section 42 of the "Act"];**
  - **The licensee is ensuring they administer their duty of care over their patrons;**
  - **The licensee is adhering to their responsible service of alcohol requirements.**

**A licensee does NOT currently need to seek approval for happy hours held within their premise, nor do they to distribute free alcohol.**

#### 8.1.2 Licensing Concerns

Councillor Bouchee requested Administration investigate licensing concerns at the Broadway further.

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

Council's LLPSO has already begun an auditing campaign of the licensed premises within the Jurisdiction. As part of this Regulatory Services have updated and re-implemented their "Liquor Licensing Security Patrol Protocol" for the after hours night inspectors. Their focus being night 'eyes and ears' surveillance of specific premises and streets the LLPSO is auditing at the particular time.

It MUST be noted that the Broadway Hotel is not a venue of interest with SAPol, LEB (SAPol's Licensing Enforcement Branch) or the OLGc due to very low/few call outs to the premises or lodged complaints [over the last year]. This is also reflected in the LLPSO's data.

## 9. Member's Activity Reports

### 9.1 Funeral

Councillor Clancy reported that she attended the funeral for Mr Paul Dixon, a member of the Kaurua Community.

### 9.2 Holdfast Bay Community Centre

Councillor Donalson reported that she and Councillor Looker attended the Holdfast Bay Community Centre meeting.

### 9.3 Murray Darling Association

Councillor Yates reported that she attended Region 7 Murray Darling Association meeting.

## 10. Public Presentations

### 10.1 Petitions

#### 10.1.1 Bus layovers from Moseley Street to Partridge Street and Wigley Reserve.

A petition has been received from 12 citizens of South Australia regarding the proposed transfer of bus layovers.

The petition states as follows:

*"We the undersigned residents and ratepayers of the city of Holdfast Bay strongly object to the city's/DTEI's proposed transfer of Bus Layovers from Moseley Street, to Partridge Street and Wigley Reserve. We particularly object to the resulting changes to bus routes which have not been publicized and which will focus some 400+ bus movements per day down one single street, i.e. Partridge Street/Gordon Street, Glenelg.*

*We are deeply concerned as this proposal will result in significant traffic congestion, decreased public safety particularly for school children, high levels of noise/air/visual pollution in a residential strip, and it will significantly decrease the*

*utility and amenity of St Peters Woodlands School, the Partridge House community facility, Glenelg Bowling Club and the environment of residents generally.*

*The proposed location of a bus layover outside the Glenelg Bowling Club (residential zone) and the failure to consult the club, its members and other affected rates payers including St Peters Woodlands in this vicinity in a full and transparent manner is extremely disappointing and strongly condemned.*

*Please dispense with this ill advised plan.*

*As the initiator of this petition, my name is John Smedley and I can be contacted at 27 Partridge Street, Glenelg for further information in relation to this matter.*

**C251011/307**

**Councillor Bouchee moved and Councillor Patterson seconded**

- 1. That the petition be received by Council.**
- 2. That the petitioner, Mr J Smedley be advised of Council's previous decision not to endorse the new bus layovers proposed by the Department of Transport, Energy and Infrastructure.**

**CARRIED**

10.2 Presentations Nil

10.3 Deputations Nil

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

11.1 Council Office Accommodation

In accordance with his notice:

**C251011/308**

**Councillor Looker moved and Councillor Roe seconded that administration evaluates Council's current office accommodation arrangements and recommend a strategy which will ensure increased amenity and efficiency. The strategy may recommend refurbishment or replacement.**

**CARRIED**

#### **Background**

With Council currently conducting a property review and Glenelg Town Hall review, it is appropriate that the matter of inefficient and unsatisfactory office arrangements be flagged for consideration. Areas such as Planning, lack sufficient work space and Community Services are split over two locations. The old 50's house at the depot is a crowded "rabbit warren" and a blight on the otherwise tidy depot. Decent working conditions are a factor in staff morale and help improve efficiency. Our current arrangements need examination and a considered strategy will enable inclusion of these matters in budget preparation over the coming years.

**12. Adjourned Matters** Nil

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

13.1 Minutes – Jetty Road Mainstreet Management Committee – 5 October 2011  
(Report No: 377/11)

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.

**C251011/309**

**Councillor Patton moved and Councillor Fisk seconded that the following minutes of the Jetty Road Mainstreet Management Committee held 5 October 2011 be received and the following recommendations numbered 1 - 11 be noted.**

5.1.2 *City of Holdfast Bay Events Briefing*

1. **That Mr D Foy represents JRMMC on the 2011 New Years Eve committee.**
2. **That the JRMMC financially support Summer Sunday's at the Bay to the value of \$3,000.**
3. **That the JRMMC financially support Tropfest on the condition that there are no temporary food stalls and that people are encouraged to purchase from Jetty Road.**

5.1.3 *Christmas Pageant*

4. **That additional activities are sought for after the Christmas Pageant to create a vibrant, festive atmosphere.**

5.2 *Sponsorship*

5. **That the JRMMC financially support the Robert Hannaford Exhibition to the value of \$4,000.**

5.5 *Underground Power in Jetty Road*

6. **That the road closure information was received and noted.**

5.8 *Finance Report*

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

5.9 *Jetty Road Advertising*

8. **That Mrs A Thomson investigate the possibility of using the signs located in Moseley Square and near Gloria Jeans to promote 'What's on' in the precinct.**

6.1 *Mural/Mosaic Artwork in Moseley Square*

9. **That Mrs G Higgins proceeds to developing the budget for the**

**proposed artwork.**6.2 *Christmas Decorations*

- 10. That the JRMMC financially commit to the purchase and installation of the Christmas decorations to the value of \$25,000.**

6.3 *Volleyball Sponsorship*

- 11. That the JRMMC financially support Volleyball SA with Jetty Road gift cards to the value of \$2,000.**

7.1 *Exemption from the Jetty Road Mainstreet Rate*

In confidence.

7.2 *Bayside Village Marketing Contribution*

In confidence.

**CARRIED**

**14. Reports by Officers**

## 14.1 Items in Brief (Report No: 358/11)

Report No: 358/11 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

**C251011/310**

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

**CARRIED**

## 14.2 Appointment of Deputy Mayor (Report No: 352/11)

Under Section 51 of the Local Government Act 1999 the Council may appoint a Deputy Mayor for a term not exceeding four years.

Council has previously made appointments of Deputy Mayor for a term of one year. It is Council's prerogative to choose another term.

In the absence of the Mayor, the Deputy Mayor may act in the office of Mayor.

**Councillor Bouchee moved and Councillor Yates seconded that the City of Holdfast Bay not appoint a Deputy Mayor.**

**LOST**

**C251011/311**

**Councillor Lonie moved and Councillor Huckstepp seconded that Councillor Clancy be appointed Deputy Mayor for the period from 1 December 2011 to 30 November 2012.**

**CARRIED**

## 14.3 Appointment to the Executive Committee (Report No: 353/11)

The Executive Committee of Council was established to manage Elected Member Code of Conduct complaints and the Chief Executive Officer's performance review.

Council has previously made appointments to the Executive Committee for a term of one year. The current appointments of the members of the committee will expire on 30 November 2011.

**C251011/312**

**Councillor Lonie moved and Councillor Clancy seconded that Council appoints following members to the Executive Committee for a term of 12 months from 1 December 2011 until 30 November 2012:**

- **The Mayor**
- **Deputy Mayor, Councillor Clancy**
- **Councillor Donaldson - Brighton Ward**
- **Councillor Fisk - Glenelg Ward**
- **Councillor Huckstepp- Seacliff Ward**
- **Councillor Patterson - Somerton Ward**

**CARRIED**

#### 14.4 Appointments to the Audit Committee (Report No: 354/11)

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.

Council appoints all members to the Audit Committee, two of which are Elected Members. Council has previously made appointments to the Executive Committee for a term of one year. The term of the current members on the Audit Committee will expire on 30 November 2011 and new appointments to the committee need to be made.

**C251011/313**

**Councillor Clancy moved and Councillor Bouchee seconded that Council appoints Councillor Looker and Councillor Roe to the Audit Committee for the remainder of the term of Council.**

**CARRIED**

#### 14.5 Community Gardens (Report No: 355/11)

The purpose of this report is to provide information to Elected Members on the development of the Draft Community Gardens Guidelines for the City of Holdfast Bay.

The draft Guidelines provide a brief introduction to Community Gardens and describes a recommended role for this Council, including a process for assessing proposals from groups wishing to develop gardens on Council owned or controlled land.

A Community Garden is a unique use of public open space, managed by the community primarily for producing food and contributing to the development of a sustainable urban environment. It is a place for learning and sharing about sustainable living practices whilst actively building community through shared activities, and contributing to improved health and well-being.

**C251011/314**

**Councillor Bouchee moved and Councillor Lonie seconded:**

1. **That Council endorses the Draft Community Gardens Guidelines presented with this report, for community consultation.**



- 2. That a report on the results of the community consultation, together with recommended revisions to the Community Gardens Guidelines, be presented for Council's consideration and approval by December 2011.**

**CARRIED**

14.6 Council and Standing Committee Structure and Meeting Schedule 2012  
(Report No: 356/11)

Council's decision making structure was reviewed in November 2010, with the objectives of providing greater focus on Council's strategic objectives, improving efficiency and transparency, reducing duplication and improving the community's understanding of and ability to provide input into, Council's decisions.

This is an opportunity for Council to reconsider the current meeting structure, with Council and the three standing committees meeting each month. Over the past year there has been very little business on the agendas of the committees and it is recommended that the current standing committees be disbanded and a new Strategic Planning and Development Policy committee established in accordance with *Section 101A of the Development Act 1993*.

The Local Government Act 1999 requires Council to hold at least one meeting per month. Meeting schedules can be reviewed and amended at any time by the Council. Each year Council is asked to determine its meeting schedule for the next 12 months. This allows for other committees and the public to be informed of the schedule to minimize conflicts.

Informal workshops with Elected Members will continue to be scheduled on the first Tuesday of each month and briefings held prior to each Council meeting.

**C251011/315**

**Councillor Clancy moved and Councillor Huckstepp seconded:**

- 1. That the three standing committees of council, namely the Strategy and Planning Committee, Assets and Environment Committee and Community and Visitors Committee, be disbanded from 1 December 2011.**
- 2. That a Strategic Planning and Development Policy Committee be established in accordance with Section 101A of the Development Act, commencing from 1 December 2011.**
- 3. That the Terms of Reference for the Strategic Planning and Development Policy Committee, as presented at Attachment 1 to this report be adopted.**
- 4. That the Mayor and Elected Members be appointed to the Strategic Planning and Development Policy Committee for a term expiring 31 October 2014.**
- 5. That the Council and Standing Committee meeting schedule for January to December 2012 be as follows:**
  - **Tuesday 17 January**
  - **Tuesday 14 February**
  - **Tuesday 28 February**
  - **Tuesday 13 March**
  - **Tuesday 27 March**
  - **Tuesday 10 April**
  - **Tuesday 10 July**
  - **Tuesday 24 July**
  - **Tuesday 14 August**
  - **Tuesday 28 August**
  - **Tuesday 11 September**
  - **Tuesday 25 September**

- Tuesday 24 April
- Tuesday 8 May
- Tuesday 22 May
- Tuesday 12 June
- Tuesday 26 June
- Tuesday 9 October
- Tuesday 23 October
- Tuesday 13 November
- Tuesday 27 November
- Tuesday 11 December

6. **The Council holds a 1.5 hour workshop on the first Tuesday of each month and a 45 minute briefing prior to each council meeting during 2012, as required.**

**CARRIED**

14.7 Development Assessment Panel Appointments (Report No: 345/11)

The current term for Elected Members serving on the City of Holdfast Bay Development Assessment Panel expires on 31 November 2011 and on 31 December 2012 for Independent Members. It is therefore recommended that Council appoint three Elected Members to the Panel from 1 December 2011 to 31 November 2012.

**Councillor Patton left the chamber at 7.50pm.**

**C251011/316**

**Councillor Donaldson moved and Councillor Patton seconded that Councillors Clancy , Dixon and Huckstepp be appointed to serve as Council Members of the City of Holdfast Bay Development Assessment Panel in accordance with the Code of Conduct and Terms of Reference for the Panel for the period commencing 1 December 2011 and ending 31 November 2012.**

**CARRIED**

14.8 Monthly Financial Report – September 2011 (Report No: 372/11)

This report provides Elected Members with financial reports as at 30 September 2011. It comprises a Funds Statement and a Capital Expenditure Statement for Council (municipal activities) and Alwyndor for the year to date compared with the 2011/12 budget.

For the financial year to 30 September 2011, Council's operating surplus from municipal activities is \$605,000 below budget, primarily as a result of the timing of the King St Bridge grant income yet to be received as well as the timing of expenditure in areas of waste management, stormwater management and general repairs and maintenance.

Alwyndor's operating result is \$880,000 above budget, mostly due to October grants and subsidies received in advance as offset by the timing of depreciation expense which is yet to be determined.

**Councillor Patton rejoined the chamber at 7.52pm.**

**C251011/317**

**Councillor Bouchee moved and Councillor Looker seconded that the financial reports to 30 September 2011 be received and noted.**

**CARRIED**

14.9 Certification of Annual Financial Accounts (Report No: 376/11)

This item was withdrawn.

14.10 Bay Discovery Centre Review (Report No: 382/11)

The purpose of this report is to seek Council's endorsement of the report and findings developed by consultants Hudson Howells as well as to proceed to community consultation to determine the community's views on the proposed elements to be incorporated into the upgrade.

**C251011/318**

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

- 1. Notes the findings of the Bay Discovery Centre Planning and Analysis Review (October 2011) undertaken by external consultants, Hudson Howells.**
- 2. Endorses the Administration to undertake further community consultation to ascertain the community's views into the proposed elements to be incorporated into future upgrade of the Bay Discovery Centre.**

**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 Council Delegate to the Glenelg Brass Band

**C251011/319**

**Councillor Bouchee moved and Councillor Lonie seconded that Councillor Patton be appointed to be Council's delegate on the Glenelg Brass Band.**

**CARRIED**

**17. Items in Confidence** Nil

**18. Closure**

The Meeting closed at 8.05pm

**CONFIRMED**

**Tuesday 22 November 2011**

**MAYOR**