

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 8 November 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 – 7.03pm
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
General Manager City Services	R A Cooper
General Manager Corporate Services	I S Walker
Manager Organisational Sustainability	P E Aukett

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 | 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

C081111/320

Councillor Clancy moved and Councillor Huckstepp seconded that the minutes of the Ordinary Meeting of Council held on 25 October 2011 be taken as read and confirmed.

CARRIED

8. Questions by Members

- | | | |
|-----|----------------|-----|
| 8.1 | Without Notice | Nil |
| 8.2 | With Notice | |

8.2.1 No Right Turn at Africane Road

In accordance with his notice, Councillor Looker asked the following question:

What is the possibility of retaining the No Right Turn at Africaine Road following the completion of King Street Bridge?

The Acting General Manager City Assets, Mr P Smith's response

In response to the Question raised: Elected Members would be aware that Council undertook a detailed assessment of the risks associated with constructing King Street bridge prior to commencement of construction which identified among other risks that Tapleys Hill Road would have an increased volume of traffic (7000 – 11000 extra vehicles/day) due to the closure of the bridge which could in turn increase the risk of accidents at the intersection of Africaine and Tapleys Hill Roads.

As a result of this concern Council wrote to both West Torrens Council (owners of Africaine) and the Department of Transport Energy and Infrastructure (owners of Tapleys Hill Rd) about its concerns and sought the installation of traffic lights at this intersection on a temporary (during the bridge construction) or permanently basis.

This request was denied and State took the public stance that it was a Council issue until it was forced into action as a result of an accident in early March 2011 which in turn resulted in changes to traffic conditions at the intersection (no right turn on to Tapleys Hill Road from Africaine) and the reduction of speed to 60Kph on this section of road.

As Council is not the owner of either of these two roads (Africaine or Tapleys Hill) it is not able under its own powers to influence the long term closure of this intersection however it could write to both West Torrens and the Department of Transport, Energy and Infrastructure to suggest that both organisation investigate the permanent closure of this intersection.

Notwithstanding the above option it is possible that the Department of Transport Energy and Infrastructure may have already decided from a safety perspective to not reopen this intersection given the limited traffic volumes and risk associated with right hand turns on to Tapleys Hill Road however the only way to confirm this is to seek a response from the Authority on this.

9. Member's Activity Reports

9.1 Community Bicycle Ride

Councillor Yates reported that she attended a community bicycle ride and a Tourism Australia briefing.

Councillor Lonie joined the meeting at 7:03pm.

10. Public Presentations

10.1 Petitions

10.1.1 Change of Council Logo

A petition has been received from 153 citizens of South Australia regarding the change of the Council Logo.

The petition states as follows:

*To His Worship the Mayor and Elected Members of the City of Holdfast Bay –
The Petition of the undersigned residents of South Australia respectfully requests that the Council notes the views of residents in relation to the change of the City of Holdfast Bay Logo.*

The petition submitted requested that the petitioners print their name under the logo you prefer for Holdfast Bay. All petitioners indicated that they preferred the old logo.

C081111/321

Councillor Looker moved and Councillor Fisk seconded:

- 1. That the petition be received by Council.**
- 2. That the head petitioner be advised of Council's decision regarding the City of Holdfast Bay Logo.**

CARRIED

10.2 Presentations Nil

10.3 Deputations Nil

11. Motions on Notice Nil

11.1 Cliff Street Bike Lane

In accordance with his notice:

C081111/322

Councillor Patterson moved and Councillor Bouchee seconded that Administration work with DPTI in the State Government with the aim of extending the bike lane road signage all the way down Cliff Street (i.e. from the Marion boundary) to meet Diagonal Road and on Seacombe Road from Davenport Terrace to Brighton Road in Holdfast Bay.

CARRIED

Background

Cliff Street offers a convenient road to access Holdfast Bay by bike. Referring to the picture looking westward it can be seen that the bike lane abruptly ends at the Holdfast Bay council boundary.

This is accompanied by our sign "Welcome to Holdfast Bay" - maybe bike riders may not find it so welcoming. By extending the bike lane along the entirety of Cliff St, we will be able to connect Cliff St into the existing bike lane network throughout our city.

Another advantage of putting in place bike lanes on both sides of Cliff St, is that it will allow for uninterrupted traffic flow heading East during 7 - 9am and heading West from 3-6pm. Cliff St is busy during these times and often there is not enough room for traffic to flow in both directions because of parked cars."



Cliff Street Bike Lane – West



Cliff Street Bike Lane - East

12. Adjourned Matters

Nil

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

13.1 Minutes – Alwyndor Management Committee (Report No: 396/11)

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 October 2011 are provided for information.

C081111/323

Councillor Clancy moved and Councillor Bouchee seconded that the Minutes of the Alwyndor Aged Care Management Committee for October 2011 be received by Council.

CARRIED

13.2 Minutes – Audit Committee (Report No: 397/11)

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

C081111/324

Councillor Looker moved and Councillor Roe seconded that the minutes of the Audit Committee meeting held 27 October 2011 be received and recommendations numbered 1 - 3 endorsed by Council:

8.1 Standing Items (Report No: 380/11)

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**

8.2 *2010/2011 Financial Statements (Report No: 381/11)*

2. That the Committee advises Council that:

- 1. The Audit Committee met with Council's external auditor and received a verbal report in relation to the audit of the 2010/11 financial statements.**
- 2. 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 2011 included at Attachment 2 to Report: 381/11, including the amendments tabled, and is satisfied that they present fairly the state of affairs of Council.**
- 3. In accordance with regulation 22(3) of the Local Government (Financial Management) Regulations 2011, 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 2011:**

"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 2011, the Council's Auditor, Dean Newbery and Partners, has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act."

- 4. During the 2010/11 year, it has received regular reports on internal controls from the Internal Auditor and is satisfied that the internal controls provide a reasonable assurance that Council's financial records are complete, accurate and reliable and were effective throughout the financial year.**
- 5. It notes that Newbery & Partners has audited Council for the past 10 years and expresses its appreciation for its service.**

8.3 *Update on Risk Management (Report No: 383/11)*

3. That the Audit Committee advises Council it has received and considered an update on Council's risk management.

CARRIED

14. Reports by Officers

14.1 *Items in Brief (Report No: 386/11)*

Report No: 386/11 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

C081111/325

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

CARRIED

14.2 Sturt River Linear Park, Shared Use Path Maxwell Terrace to Anzac Highway – Funding (Report No: 385/11)

Members may be aware that Council has applied for and received notification that it has been successful in receiving 'South Australian Black Spot Program – Cycling Projects' funding, which will fund construction of the Sturt River Linear Park Shared Use Path, Maxwell Terrace to Anzac Highway.

The total project cost is estimated at \$150,000. Black Spot funding is conditional upon Council paying at least one-third of the total project costs; therefore, the Black Spot funding component is an allocation of \$100,000.

As the Sturt River Linear Park Shared Use Path was identified by the State Government in the Tramway Park concept plans, Council's third: \$50,000, will be sourced from Open Space & Places for People grant funding. This funding program is administered by the State Government's Department of Planning and Local Government.

In order to receive the Black Spot funding, Council must enter into a funding agreement/deed with the Government.

Approval is being sought to allow the Chief Executive Officer and Mayor to sign the agreement/deed, on behalf of Council, to enable the project to proceed forthwith.

C081111/326

Councillor Looker moved and Councillor Bouchée seconded that Council authorise the Chief Executive Officer and Mayor to sign the Funding Deed between the South Australian Government and the City of Holdfast Bay, under the South Australian Black Spot Program - Cycling Projects for the Sturt River Linear Park, Shared Use Path, Maxwell Terrace to Anzac Highway Project.

CARRIED

14.3 Grant of Lease – Seacliff Surf Lifesaving Club (Report No: 387/11)

Following negotiation between the parties, and the nearing of completion of the redevelopment of the Seacliff Surf Lifesaving Club premises, it is appropriate for Council to now consider the grant of a new lease to the Seacliff Surf Lifesaving Club.

The proposed lease is for a term of 21 years commencing on the date of handover, at a rental of \$10 per annum plus GST payable on demand.

C081111/327

Councillor Huckstepp moved and Councillor Donaldson seconded that a new lease, for a term of 21 years commencing on the date of handover of the building (expected to be 15 November 2011 or thereabouts), at a rental of \$10 per annum plus GST payable on demand, be granted to the Seacliff Surf Lifesaving Club Inc for the Council owned premises it occupies on the Esplanade at Seacliff.

CARRIED

14.4 2010/2011 City of Holdfast Bay Financial Statements (Report No: 388/11)

The audited financial statements for the year ended 30 June 2011 are presented to Council.

C081111/328**Councillor Looker moved and Councillor Donaldson 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: 388/11 be received and noted.**
- 2. That the recommendations of the Audit Committee in relation to the financial statements be received and noted.**
- 3. That the Mayor and the Chief Executive Officer be authorised to sign the certification of the financial statements.**

CARRIED

14.5 Nomination to the South Australian Public Health Council (Report No: 395/11)

The Hon John Hill, Minister for Health has written to the Local Government Association (LGA) requesting nominations for two Local Government Members on the South Australian Health Council for a three year term commencing early 2012. Councillor Lonie, who is currently a proxy member on this committee, has expressed an interest in being nominated again to this committee. Nominations need to be forwarded to the LGA by the close of business on 21 November 2011.

C081111/329**Councillor Clancy moved and Councillor Bouchée seconded that Council nominates Councillor Lonie to the South Australian Public Health Council.****CARRIED**

14.6 Appointment to Audit Committee (Report No: 390/11)

The term of appointment of Mr Andrew Neville to Council's Audit Committee has expired and it is recommended that he be re-appointed for a further term of 3 years until 7 November 2014.

C081111/330**Councillor Roe moved and Councillor Looker seconded that Mr Andrew Neville be re-appointed to the Audit Committee for a further term of 3 years to 7 November 2014.****CARRIED**

14.7 Nominations to the West Beach Trust (Report No: 391/11)

The Hon John Rau MP, Minister for Urban Development, Planning and the City of Adelaide and the City of Adelaide has requested that the City of

Holdfast Bay nominate a panel of three (3) persons for his consideration for appointment to the West Beach Trust Board. The Minister has indicated that he is particularly interested in receiving nomination of at least one woman and one man and gives reasonable consideration to nominating persons who provide a range of qualifications and experience. Council does not have to nominate members of the elected body to the trust.

C081111/331

Councillor Lonie moved and Councillor Donaldson seconded that Council nominate the following panel of three (3) persons to the Minister for Urban Development, Planning and the City of Adelaide for consideration for appointment to the West Beach Trust Board with nominations to be received by 30 November 2011:

- 1. Councillor Bouchee**
- 2. Councillor Clancy**
- 3. Councillor Dixon**

CARRIED

Councillor Patterson left the chamber at 7.22pm.

Councillor Patterson rejoined the chamber at 7.25pm.

14.8 Draft 'Our Place' Community Plan Consultation (Report No: 392/11)

The Draft "Our Place" Community Plan is presented for endorsement and release for community consultation.

It has been developed having regard to:

- The requirements of Section 122 of the Local Government Act, 1999.
- Council's current Strategic Plan 2009 -2014, Long Term Financial Plan, resolutions and strategic projects.
- Key external influences such as; significant environmental economic and social issues; Commonwealth and State Government policies and directions; regional matters; and the demographic profile of the area.
- The feedback received at the Community Forum held on the 27 August 2011 and response received through the "Your View HQ" interactive web page.
- The outcomes of the Council Workshop held on 4 October 2011.

C081111/332

Councillor Fisk moved and Councillor Lonie seconded:

- 1. That the Draft "Our Place" Community Plan contained at Attachment 1 be released, subject to minor amendments and final design, for community consultation, with authorisation for minor changes by the Chief Executive Officer during design.**
- 2. That Council resolves that the "Our Place" Community Plan, Long Term Financial Plan, Corporate Plan and Asset Management and Infrastructure Plan are defined as its Strategic Management Plans.**

CARRIED**14.9 Grant of Lease – Surfing South Australia (Report No: 393/11)**

Following negotiation between the parties, it is appropriate for Council to now consider the grant of a new short term lease to Surfing South Australia for its occupation of portion of the ground floor of the Glenelg Foreshore Building.

The proposed lease is for the period 14 November 2011 until 30 June 2012, at a rental of \$750 per week plus GST and outgoings. A rent free period is offered from 14 November 2011 until 31 December 2011.

This short term lease provides activity and income, but more importantly enables Surfing SA to meet milestones of finance, design, planning, demolition etc prior to the Flowrider build commencing in time for the following summer.

C081111/333**Councillor Fisk moved and Councillor Clancy seconded:**

- 1. That a new lease for the period 14 November 2011 until 30 June 2012 be granted to Surfing South Australia for its occupation of portion of the ground floor of the Glenelg Foreshore Building (the ground floor excluding the public toilets at the rear of the building).**
- 2. The lessee be offered the premises on a rent free basis for the period 14 November 2011 until 31 December 2011.**
- 3. For the period 1 January 2012 until 30 June 2012 the rental and outgoings be as agreed between the parties and as reflected in the lease agreement.**
- 4. The lessee further be advised that the proposed grant of lease is conditional upon the lessee furnishing a certificate signed by its solicitor in accordance with section 20K of the Retail and Commercial Leases Act acknowledging that the lease term offered is for a period of less than 5 years.**
- 5. His Worship the Mayor and the Chief Executive Officer be authorised to sign and seal any necessary documentation in regard to the grant of lease.**

CARRIED**14.10 Draft 'Developing Our Place' Document for Community Consultation (Report No: 394/11)**

The Draft "*Developing Our Place*" document is presented for endorsement and release for community consultation.

It has been developed having regard to:

- The requirements of Section 30 of the of the Development Act, 1993.
- Council's current and draft Strategic Plans, resolutions and strategic projects.

- Key external influences such as: significant environmental economic and social issues; Commonwealth and State Government policies and directions, including the 30-Year Plan for Greater Adelaide; regional matters; the demographic profile of the area, Development assessment Panel Reports of 2008, 2009 and 2010,
- The feedback received at the Community Forum held on the 27 August 2011 and response received through the “Your View HQ” interactive web page.

C081111/334

Councillor Lonie moved and Councillor Yates seconded that the Draft “Developing Our Place” document contained at Attachment 1 be endorsed as the basis of a document to be released for community consultation, with minor changes as necessary.

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 Nil**17. Closure**

The Meeting closed at 7:29pm.

CONFIRMED**Tuesday 22 November 2011****MAYOR**