

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 24 March 2015 at 7:02pm.

MEMBERS PRESENT

His Worship the Mayor, S Patterson
Deputy Mayor R Patton
Councillor R Aust
Councillor R Bouchée
Councillor A Bradshaw
Councillor S Charlick
Councillor R Clancy
Councillor K Donaldson
Councillor S Lonie
Councillor J Smedley
Councillor R Snewin
Councillor L Yates
Councillor A Wilson

STAFF IN ATTENDANCE

Chief Executive Officer - JP Lynch
General Manager City Assets - SG Hodge
General Manager City Services - RA Cooper
General Manager Corporate Services - IS Walker
Manager Organisational Sustainability – PE Aukett

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

Motion

C240315/068

That the minutes of the Ordinary Meeting of Council held on 10 March 2015 be taken as read and confirmed.

Moved by Councillor Lonie, Seconded by Councillor Clancy

Carried

8. PUBLIC PRESENTATIONS

- 8.1 **Petitions** - Nil
- 8.2 **Presentation** - Nil
- 8.3 **Deputations** - Nil

9. QUESTIONS BY MEMBERS

9.1 **Without Notice**

9.1.1 Holdfast Bay Tennis Club

Councillor Bouchee asked a question regarding the Motion on Notice requesting a report on the Holdfast Bay Tennis Club for consideration in the 2015/16 budget.

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

9.1.2 Speed Limits High Street

Councillor Bouchee asked a question regarding the possibility of restricting the speed of buses on High Street, Glenelg.

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

9.2 With Notice - Nil

9.2.1 Questions on Notice – Climate Change Policy – Councillor Charlick– Councillor (Report No: 92/15)

Councillor Charlick asked the following question:

- 1. *Is City of Holdfast Bay meeting its policy obligations in regards to carbon emissions reduction (we should be 60% lower than 1999 levels at present)?***
- 2. *What has the monetary cost been so far to implement the carbon neutral strategy?***
- 3. *What is the likely future monetary cost to meet the carbon neutral target in 2019?***

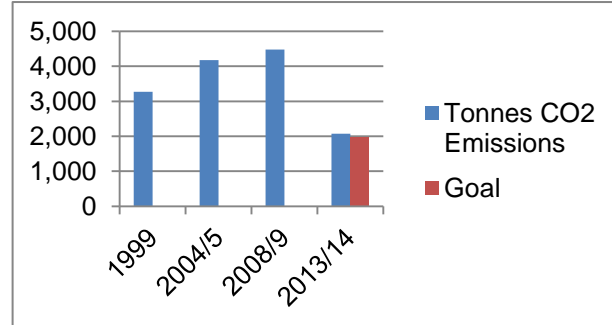
ANSWER – Coordinator Environment and Coastal Assets, Mrs T Roe

1. Council's Climate Change Policy commits to – "The City of Holdfast Bay's ultimate goal is to be carbon neutral by 2019 (corporate emissions), with the following interim milestones:-
 - Reduce/offset emissions by 15% by 2011 (on 1999 levels)
 - Reduce/offset emissions by a further 15% by 2012 (on 1999 levels)
 - Reduce/offset emissions by 10% in each subsequent year. "

In Australia, carbon neutrality has already been achieved by the City of Melbourne and the City of Sydney, Moreland City Council, the City of Yarra, the City of Fremantle and Leichardt Municipal Council. The Adelaide City Council and ACT Government are aiming for carbon neutrality by 2020. In addition the governments of New Zealand, Sweden, Norway, Costa Rica and the Maldives have stated goals and target dates to achieve zero carbon emissions.

The Council’s emissions have tracked as per Graph 1 for the last 16 years. Alwyndor has been left out of this graph as it was not included in the original 1999 inventory.

Graph 1- City of Holdfast Bay Greenhouse Gas Emissions

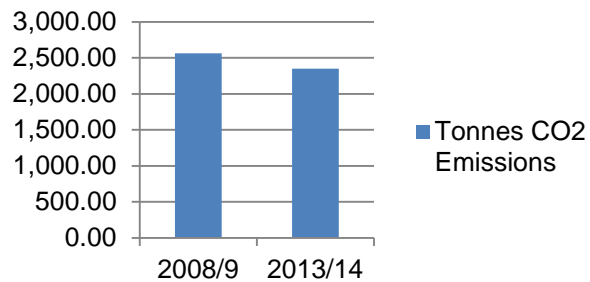


*Alywyndor not included as it wasn’t included in original 1999 inventory.

Graph 1 depicts two inventories undertaken under the Cities for Climate Protection (CCP) Program in 1999 and 2004/5 and then a more detailed inventory undertaken in 2008/9 and 2013/14. We are very close to meeting our 2013 goal of 40% reduction on 1999 levels. This represents a reduction of 1,200 tonnes of CO₂e. Considering there has been an increase in staff and the electronic equipment and air-conditioning which accompanies this, it is an outstanding outcome.

Alwyndor’s emissions from 2008/09 to 2013/14 are depicted in Graph 2.

Graph 2 – Alwyndor Greenhouse Gas Emissions



Whilst the drop shown in Graph 2 is not as significant as has been achieved in other areas of Council this is still encouraging given the multimillion dollar expansion that has been undertaken at this site.

2. To date Council has;

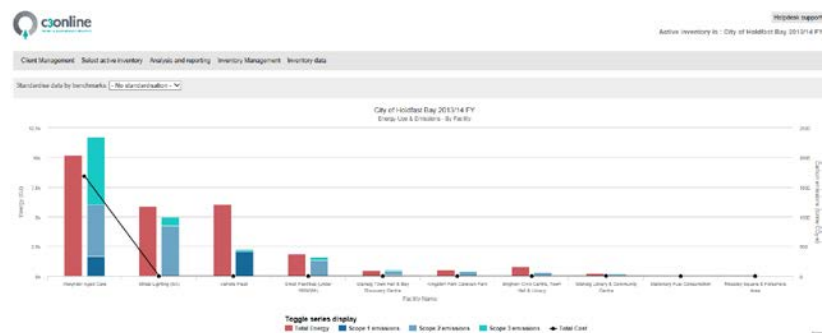
- Purchased 20% Green Power since 2006
- Replaced facility lighting for energy efficiency
- Installed a Building Management System (BMS) for the air-conditioning at Brighton Civic Centre
- Installed 30 kW of solar at the depot
- Installed 46kW of solar at the Civic Centre
- Installed LEDs during the undergrounding of Jetty Rd Glenelg
- Installed LEDs in the Glenelg Foreshore Public Lighting

Monetary cost so far has been approximately \$356,000. Many of these projects have saved Council energy consumption and therefore budget. For example the lighting, BMS, solar at the Civic Centre and solar at the depot has saved Council approximately 28,7354 kWh of electricity and \$85,723 to date, which is equivalent to 232 tonnes of CO₂ emissions. Some of these improvements also have an added benefit of improving office comfort and maintenance/monitoring efficiencies such as the Building Management System (BMS) at the Civic Centre.

A more comprehensive list with costing and savings could be supplied with a longer lead time as a Council report if required.

3. The overall emissions profile for the City of Holdfast Bay for 2013/14 is depicted in Graph 3. As can be seen, a vast majority of our emissions are now coming from Alwyndor, street lighting and vehicle use.

Graph 3 – Energy Use & Greenhouse Gas Emissions from Facilities/Categories 2013/14



The suggested methods to reduce emissions over the next five financial years are:

1. Alwyndor – fund an external Energy Audit- fund implementation.
2. Street Lighting – negotiate more efficient lighting with utility – fund implementation.
3. Vehicle use – review vehicle policy for lower emitting vehicles - fund implementation.
4. Glenelg Town Hall and Library. As described in Q2 we have, to date, audited and made most changes at the Civic Centre and depot. We have also audited and identified \$38,660 of savings and 98 tonnes of CO₂ emissions per year, at the Glenelg Town Hall and Library (with a 4.4 year payback), which should be considered during any redevelopment projects. Likewise any additional redevelopments should be considered greenhouse emission as a priority.
5. New Developments. One of the imperatives is that every new development we undertake aims to minimize energy/fuel use. For example the Kauri Parade sporting complex and Glenelg Cinema. A recent consultant's report for the Kauri Parade development has identified that if 15% of the windows are changed to be operable we can decrease the energy used by 10,000kWh each year and saving \$2,400. A solar system in the Kauri Parade Complex could supply 50% of the building energy use and pay for itself in 7 years. Similarly, energy efficient lighting and air-conditioning, solar electricity and solar powered electric car charge stations should be a feature of the new Glenelg Cinema Complex.
6. Purchasing. A simple example of this is when the Property Manager upgraded the Glenelg foreshore lighting he installed LED fitting at a cost similar to the older, less efficient fittings. These lights are now saving Council approximately \$1,000 each year in electricity costs and have a much longer life, therefore saving on maintenance and replacement costs.

The administration has begun a review of the Eco City Plan 2012-15 to coincide with the Community Plan Review. Council will be consulted later in the calendar year. The above six (6) actions will be included in the draft Eco City Plan 2016-2020.

As technology continues to improve electric cars, battery storage of solar generated electricity and more efficient lighting etc. options will become affordable and therefore efficiencies can continue to improve.

Once Council has maximized its emissions reduction programs we will need to consider offsets to eliminate the remaining emissions. This is the standard method for both government and private organizations to deal with these remaining “unavoidable” emissions. Current offset costs are between \$2-\$12 /tonne of abatement. The price varies depending on the type of emission reduction/sequestration project and if it’s occurring in Australia or offshore. At our current emissions of 4,419 tonnes (including Alwyndor) that would cost between \$8,838 - \$53,028 each year (including \$4,696 - \$28,176 for Alwyndor’s component). As this is an annual cost it is much more economical for Council to actually reduce its emissions (i.e. see the above 6 actions).

If we can halve our emissions by undertaking the six actions above over the next five financial years the offsets could cost approximately \$4,000 - \$26,000 each year (including between \$2,000 - \$13,000 for Alwyndor’s component).

If Council wanted to be able to claim carbon neutrality but not be certified it has also been recommended that we undertake an audit of approximately \$10,000 in line with the National Carbon Offset Standard (NCOS) framework.

However if Council wants to be certified under the NCOS framework for becoming greenhouse neutral we would require bi-annual verification audits of approximately \$10,000 and an annual certification fee of \$9,000. This would give our greenhouse neutral claims more credibility and put us in the company of municipalities such as the City of Melbourne, the City of Sydney, Moreland City Council, the City of Yarra and Leichardt Municipal Council.

Essentially by undertaking the six steps above and committing approximately \$15,000 (\$30,000 if certified) each year as of 2019, the City of Holdfast Bay could comfortably achieve our greenhouse neutral goal.

9.2.2 **Questions on Notice – Number of Elected Members in the City of Holdfast Bay – Councillor Charlick** (Report No: 93/15)

Councillor Charlick asked the following questions:

- “1. ***How is the number of elected members that form Council established in the City of Holdfast Bay? Is it arbitrary, per capita or something else?***

2. ***How does the number of elected members in the City of Holdfast Bay compare to other South Australian and Australian Councils?***
3. ***How much does each elected member (excluding the Mayor) cost Council in real terms, when training, allowances, staff support and other relevant costs are accounted for?"***

ANSWER – Manager Organisational Sustainability – Ms T Aukett

1. Council undertook a Representation Review in 2013 which is a formal process required by section 12(4) of the Local Government Act 1999. As part of the process an independent consultant was engaged to analyse elector numbers within the City of Holdfast Bay and to make recommendations to Council on the appropriate division of the local government area into wards and the preferred number of councillors in each ward. This process included extensive public consultation. Council formally resolved to maintain four wards represented by 3 Councillors each ward at its meeting on 23 July 2013. The ward boundaries were shifted marginally to accommodate changes in elector numbers – particularly affecting the Glenelg and Somerton Wards.
2. Each year the LGA provides Councils with a comparison of elector representation within local government areas in South Australia. The following table was included in the City of Holdfast Bay 2013/14 Annual Report.

Council	Number of Members (including the Mayor)	Number of Electors	Elector/Representation Ratio
Burnside	13	31,723	1:2400
Campbelltown	11	34,172	1:3106
Holdfast Bay	13	26,576	1:2044
Mitcham	14	47,324	1:3380
Norwood Payneham & St Peters	14	24,695	1:1763
Unley	13	26,875	1:2067
West Torrens	15	39,000	1:2600
Average	13	32,909	1:2486

We are unable to comment on how this compares with Councils across Australia

3. The following major budget items are included in the 2014/15 Budget:

Elected Members

Legal Fees – Advice - \$3,000

Training Course and Seminar fees - \$3,000

Members Allowances - \$306,000

Telecommunications - \$20,000

Entertainment & Special Occasions - \$7,000

All related staff costs are provided within the Governance budget and are not accounted for separately.

Section 79 of the Local Government Act requires the CEO to maintain a Register of Elected Member Allowances and Benefits which contains up to date information on the amount of allowances and any other benefits received by individual Councillors. That Register is available for public inspection on request.

9.2.3 **Question on Notice – Update on Kauri Parade Project – Councillor Bouchee** (Report No: 99/15)

Councillor Bouchee asked the following question:

“Could the CEO please provide an update on Kauri Parade project?”

ANSWER – General Manager City Assets, Mr S Hodge

The General Manager City Assets, Mr S Hodge provided members a verbal update on the project.

9.2.4 **Question on Notice – Redevelopment of Jetty Road, Brighton – Councillor Bradshaw** (Report No: 100/15)

Councillor Bradshaw asked the following question:

“When presenting reports for consideration by Council, that have a request for a budget allocation, can the costs be broken down as far as possible, to allow members to gain an understanding if there may be separable portions to a project.”

Background

On many occasions members have been asked to consider allocations of budgets to undertake a particular project but may not be armed with all the details of a proposed budget allocation to be able to make an informed decision, when sometimes if separable portions can be set aside

with a budget allocation then we could decide on a staged approach to many projects.

If administration were to present a report for instance, to redevelop a particular street with a request for \$1m, members would need to probe this further, however, if such a report was formatted in such a way as to say :

Redevelopment of Jetty Rd, Brighton.

Realign and replace kerbing \$200,000.

Upgrade underground drainage \$200,000

Reseal Roadway \$200,000.

Replace existing lighting with X type efficient lighting \$150,000.

Replace paving with Y type paving \$100,000

Install 20 standard bench seats \$40,000

Install safety approved crash bollards \$60,000

Install new entry statement/street signage \$10,000

Plant 30 Plane trees \$10,000

Install appropriate art works \$20,000

Install 15 new stainless steel rubbish bins \$10,000 etc etc

Members would have a better idea of the project costs once broken down and could choose to undertake a staged approach i.e.: undertake the drainage ,kerb work and road reseal as one project then later on undertake the paving , trees ,street furniture and signage etc etc.

ANSWER

This Question is taken on notice.

10. MEMBER'S ACTIVITY REPORTS

10.1 Deputy Mayor's Activity Report – Councillor Patton

Councillor Patton reported that, he had represented the Mayor at the following functions:

- 15 March 2015 – Holdfast Bay Concert Band Performance
- 20 March 2015 – Holdfast Bay Croquet Club, Volunteer Appreciation Night
- 21 March 2015 – Ebony Prest fundraiser in Jetty Road, Glenelg

10.2 Activity Report – Councillor Yates

Councillor Yates reported that she had attended the following event:

- 14 March 2015 – Waratah Street, Street Party
- 16 March 2015 – Resilient South Project Workshop
- 22 March 2015 – Glenelg Historical Society presentation on Colonisation in Art

10.3 **Open Mic Glenelg**

Councillor Wilson reported she and His Worship the Mayor judged Open Mic Glenelg on 15 March 2015.

11. **MOTIONS ON NOTICE - Nil**

12. **ADJOURNED MATTERS - Nil**

13. **REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL - Nil**

14. **REPORTS BY OFFICERS**

His Worship the Mayor, Mr S Patterson sought leave of the meeting to consider Item 14.10 Former Brighton Town Hall – Restoration and Associated Works (Report No: 97/15) first due to the interest in the gallery members in this item.

The meeting granted leave and Item 14.10 was considered.

14.10 **Former Brighton Town Hall – Restoration and Associated Works** (Report No: 97/15)

In 2010 Council adopted a Conservation Management plan for the former Brighton Town Hall. The broad objectives of the plan were to guide the conservation, restoration and adaptation of the building and consider options for the potential redevelopment of the building and its surrounds.

In more recent times however, Council has discussed the sale of the site (with specific conditions of sale) and a deputation from the community on a future redevelopment and use of the property.

Following a recent Council workshop Administration were tasked with reviewing this property with a view to refurbishing it to a habitable state whilst retaining the original structure with all resultant restoration to be sympathetic to and aligned with the Local and State Heritage status of the building.

In addition to this Administration were to source valuations of the site as a whole and valuations of the various separable components of the site.

With this in mind a well-respected local architectural company was engaged to develop a scope of works to satisfy Councils request in this matter.

The outcomes of this property review have established some criteria for a refurbishment of the original building to a condition suitable for community use.

Motion

C240315/069

1. **That Council calls for expressions of interest for the sale or lease of the property with associated conditions of sale/lease that will satisfy all the conditions set down in the Local and State Heritage listing criteria.**
2. **That His Worship the Mayor to contact Jo Close and discuss council's decision in relationship to the future of the Brighton Town Hall.**

Amendment

That Council call for an Expression of Interest for the two **sites as identified by the valuation given in Jo Close's proposal. This would exclude the land on which the Former Brighton Town Hall stands.**

Moved Councillor Yates

Lapsed for want of a seconder

Further Amendment

1. That the town hall building and surrounding land be placed with a letting agent who shall call for expressions of interest to lease the building and area of land around (to be negotiated) which building the council will redevelop to the prospective lessees reasonable specifications (but not the fit out) provided that the lessee will pay commercial rent and agree to a long term lease.
2. On the entering of an agreement to lease the remainder of the land be sold.
3. In the event that no agreement to lease is entered into within 60 days to the motion, that the whole of the land be sold including the Town Hall building.

Moved Councillor Wilson

His Worship the Mayor ruled that the Further Amendment significantly altered the motion and was not accepted as a Further Amendment.

His Worship the Mayor put the original motion.

Moved Councillor Clancy, Seconded Councillor Charlick

Carried

Division called

A division was called:

Those voting for: Councillors Aust, Patton, Charlick, Smedley, Clancy, Snewin and Lonie (7)

Those voting against: Councillors Bouchee, Wilson, Donaldson, Bradshaw and Yates (5).

His Worship the Mayor declared the motion

Carried

14.1 **Items in Brief** (Report No: 85/15)

These items are presented for the information of Members.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

Motion

C240315/070

That the following items:

- **Speed Check Sign Locations**
- **Non Complying Petition – Speeding Traffic Folkestone Road, South Brighton**
- **Resilient South Update**
- **Outdoor Adventure Challenge**
- **Be Active at the Bay 2015**
- **Economic Reform – Activity Centre and Shopping Review Development Plan Amendment**

be noted and items of interest discussed.

Moved Councillor Lonie, Seconded Councillor Wilson

Carried/Lost

Councillor Wilson left the chamber at 7.55pm.

Councillor Yates left the chamber at 7.55pm.

Councillor Yates re-joined the chamber at 7.56pm.

Councillor Wilson re-joined the chamber at 7.57pm.

14.2 Development Assessment Panel Extension of Appointments (Report No: 66/15)

The current term for Independent Members serving on the City of Holdfast Bay Development Assessment Panel (the Panel) expires on 30 April 2015. However, the State Government is yet to make a decision on the future of Council Panels, which could be abolished in favour of Regional Boards, in line with the recommendations of the State Planning Reform. This report recommends that Council extends the period of appointment of the current Independent Panel Members for a further eight (8) months until 31 December 2015 due to the uncertainty surrounding the Panel's future, and the time and expense involved in recruiting members for a potentially short-lived Panel.

Motion

- 1. That the term of appointment for Graham Goss, Jenny Newman, Nathan Sim and Ivan Winter to serve as Independent Members of the City of**

Holdfast Bay Development Assessment Panel is extended for the period commencing 1 May 2015 and ending 31 December 2015.

2. **That the term of appointment for Graham Goss to serve as Independent Presiding Member of the City of Holdfast Bay Development Assessment Panel is extended for the period commencing 1 May 2015 and ending 31 December 2015.**

Moved Councillor Clancy, Seconded Councillor Lonie

Lost

Motion

C240315/071

That the positions on the Council Development Assessment panel be advertised, for a two year term, as soon as possible and existing members are encouraged to reapply.

Moved Councillor Clancy, Seconded Councillor Bouchee

Carried

Declaration of Interest

Councillor Clancy declared an interest in the matter due to her past membership of the Development Assessment Panel and left the meeting at 8.12pm.

Declaration of Interest

Councillors Bouchee and Bradshaw declared an interest in the matter due to their membership of the Development Assessment Panel and remained in the chamber.

- 14.3 **Request for Funds to Defend an Appeal in the Environment, Resources and Development Court for a Verandah at Glenelg North** (Report No: 67/15)

This report seeks Council's permission to engage legal assistance to defend an appeal lodged with the Environment, Resources and Development Court against a decision of the Development Assessment Panel (the Panel) made on 24 September 2014. The appeal is against the Panel's decision to refuse an application for a verandah located along the adjoining property boundary at Unit 3, 7 Sturt Street, Glenelg North.

Motion

C240315/072

That Council Administration is permitted to expend funds to resource the proper defence of the appeal described in Attachment 1 to this report lodged with the Environment, Resources and Development Court against a decision of the City of Holdfast Bay Development Assessment Panel to refuse an application for a verandah located along the adjoining property boundary at Unit 3, 7 Sturt Street, Glenelg North.

Moved Councillor Yates, Seconded Councillor Lonie

Carried

14.4 Development Assessment Panel 2014 Annual Report (Report No: 68/15)

Council's Development Assessment Panel ('the Panel') is charged with the function of reporting to Council in respect of development trends, issues and other matters. This provides important feedback from the Panel to Council as part of its policy making role. A range of statistical data in relation to the Panel's activities during 2014 is provided as part of this report for the information of Elected Members. In addition, a report from the Presiding Member of the Panel is also provided, representing the Panel's observations in relation to various development issues of note.

Motion**C240315/073**

- 1. That Council note the information provided as Attachment 1 to this report.**
- 2. That Council receive the report from the Presiding Member of the Panel provided as Attachment 2 for information.**
- 3. That the advice from the Presiding Member of the Development Assessment Panel addressing Development Plan policy and provided as Attachment 2, be referred to the Strategic Planning section for consideration for inclusion in future suitable Development Plan Amendments and/or the general review of the Holdfast Bay (City) Development Plan under Section 30 of the Development Act.**

Councillor Charlick left the chamber at 8.18pm.

Councillor Charlick re-joined the chamber at 8.20pm.

Councillor Patton left the chamber at 8.21pm.

Moved Councillor Bouchee, Seconded Councillor Wilson

Carried**Division called**

A division was called:

Those voting for: Councillors Charlick, Smedley, Bouchee, Wilson, Snewin, Donaldson, Bradshaw and Yates (9)

Those voting against: Councillors Aust, Clancy and Lonie (3).

His Worship the Mayor declared the motion

Carried**14.5 Juniper and Pine – Application for Restaurant Liquor Licence** (Report No: 83/15)

A new fresh gourmet style restaurant (Juniper and Pine) is set to open at shops 2 & 3 450 Brighton Road Brighton. Development approval for the establishment of a

restaurant (DA 110/00885/14) was approved 25/11/2014, and the business operator now seeks to obtain a Restaurant Liquor Licence to operate from the premises.

In accordance with section 34 of the *Liquor Licensing Act 1997*, a restaurant liquor licence permits the provision of liquor at any time on any day provided it is accompanied by a meal supplied by the licensee. It is recommended that the endorsed hours for liquor consumption reflect those outlined in Council's current liquor licensing policy, being: Monday to Thursday 8:00am to 12:00midnight; Friday and Saturday 8:00am and 1:00am the following day; Sunday 11:00am and 12:00midnight.

As part of the application the applicant also seeks a section 34(1)(c) exemption which will allow the premises to supply liquor to a patron seated at a table without the provision of a meal.

The applicant now seeks comment from Council prior to the scheduled hearing date of 8 April 2015.

Motion

C240315/074

That Council advises the applicant and Consumer and Business Services that it supports the granting of a Restaurant Liquor Licence for the premises located at shops 2 & 3 450 Brighton Road Brighton subject to the following conditions:

1. **In accordance with section 2.12.1 of Council's current *Liquor Licensing Policy* the hours of liquor service be restricted to:**
 - a. **Monday to Thursday 8:00am to 12:00midnight the same day;**
 - b. **Friday and Saturday 8:00am and 1:00am the following day;**
 - c. **Sunday 11:00am and 12:00midnight the same day;**
2. **In accordance with section 2.10.1 of Council's current *Outdoor Dining Policy* no liquor is to be supplied on the premises between the hours of 2:00am and 8:00am on any day;**
3. **That the sought section 34(1)(c) exemption reflect the above hours;**
4. **That in accordance with condition 4. of DA 110/00885/14 a maximum capacity of 60 persons be imposed for the premises.**

Moved Councillor Charlick, Seconded Councillor Aust

Carried

Councillor Patton rejoined the chamber at 8.23pm.

14.6 **Coco House Café – Application for Restaurant Liquor Licence** (Report No: 84/15)

The restaurant currently known as 'Blue Ginger' (located at shop 16 Holdfast Walk Glenelg) has until now been both owned and operated by the adjacent business and

as such, has been a licensed area under the adjoining business's Special Circumstances Licence (51206976). The 'Blue Ginger' component of the business however has recently been purchased by a subsequent party (N&C Family Pty Ltd) who now seek to obtain an independent liquor licence for the associated business; which is also to be renamed to 'Coco House Café'.

N&C Family Pty Ltd seek a Restaurant Liquor Licence which in accordance with section 34 of the *Liquor Licensing Act 1997* ("Act"), entitles the licensee to provide liquor at any time on any day provided it is accompanied by a meal supplied by the licensee. As part of the application the applicant also seeks a section 34(1)(c) exemption which will allow the licensee to supply liquor to a patron seated at a table without the provision of a meal.

In accordance with section 2.12.1 of Council's current Liquor Licensing Policy, it is recommended that the hours of liquor service be limited to: Monday to Thursday 8:00am to 12:00midnight, Friday and Saturday 8:00am and 1:00am the following day, and Sunday 11:00am and 12:00midnight.

The applicant now seeks Council comment prior to lodging their application with Consumer and Business Services.

Motion

C240315/075

That Council advises the applicant and Consumer and Business Services that it supports the granting of a Restaurant Liquor Licence subject to the following conditions:

- 1. In accordance with section 2.12.1 of Council's current *Liquor Licensing Policy* the hours of liquor service be restricted to:**
 - a. Monday to Thursday 8:00am to 12:00midnight the same day;**
 - b. Friday and Saturday 8:00am and 1:00am the following day;**
 - c. Sunday 11:00am and 12:00midnight the same day;**
- 2. That the sought section 34(1)(c) exemption reflect the above hours.**

Moved Councillor Lonie, Seconded Councillor Aust

Carried

14.7 Review of Hard Waste Collection Service (Report No: 87/15)

With the current contract for the collection and disposal of hard waste about to expire, Council is presented with a timely opportunity to discuss and review the level of service that is provided to the community. This report looks at the performance of the contract over the last three years and what options are available going forward for the delivery of the service and the corresponding cost of each of these services.

Council currently offer two free pickups per household per year.

Motion**C240315/076**

1. That Administration prepare an open tender to enable a suitable contractor to be appointed for a three year period (2015/16 to 2017/18) for the provision of hard waste services.
2. That the preferred option for the delivery of hard waste services from 2015/16 financial year be the provision of one (1) free kerb side (on request) collection/year and one subsequent request in the same financial year incur a fee of \$50/pick up and \$25 pensioner concession for the second pick up.

Moved Councillor Donaldson, Seconded Councillor Snewin

Carried14.8 **Broadway Kiosk – Proposal to Change Permitted Use Clause** (Report No: 88/15)

The Lessee of the Broadway Kiosk is seeking Council approval, as landlord, for a 12 month trial liquor license to extend the operations of the Broadway Kiosk. The proposed times for the 12 month trial liquor licence are from Monday to Saturday 8:00am to 10:00pm, and Sunday 11:00am to 10:00pm.

The Broadway Kiosk currently closes around 5pm each day, dependant on weather and trading, and the proposed closing hours for the 12 month trial liquor licence are a substantial increase in operating hours. Such a variation may impact the properties to the east of the Broadway Kiosk.

Item 9 of the Schedule in the current lease 'Permitted Use' prohibits a liquor licence for the premises as it includes the words '...not being a restaurant or licenced under the Liquor Licensing Act 1997 or similar legislation'.

Therefore prior to considering the application for a 12 month trial liquor licence, under the terms of the current lease, Council first needs to consider whether it is prepared to amend the Permitted Use clause of the lease to allow for such use.

Motion**C240315/077**

That Council prior to considering the proposal to change the Permitted Use Clause Council undertakes community consultation in line with Council's Community Consultation and Engagement Policy to seek the view of the community to amending the Permitted Use Clause of the lease to allow for the application of a Liquor Licence.

Moved Councillor Donaldson, Seconded Councillor Bouchee

Carried14.9 **Monthly Financial Report – February 2015** (Report No: 89/15)

Attached are financial reports as at 28 February 2015. They comprise a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor Aged Care. They include the mid-year budget adjustments adopted by Council on 10 February 2015 as detailed in report 25/15.

The mid-year report identified that for municipal funds the major operational variance to the original budget is the lower forecast income from the Caravan Park. This is due to lower levels of bookings as a result of the delay in development approval for new cabins. Other major offsetting variances included the delayed timing of the additional Roads to Recovery grant funds offset by the transfer of the operational boat lock renewal budget to the overall barrage gates, lock and walkway capital renewal project. The major capital variances to the original budget are the timing of proposed expenditure on the Caravan Park cabin upgrades, Seacliff Community and Sporting Precinct and Coast Park projects in 2014/15. The timing of Council funded expenditure on the Seacliff Community and Sporting Precinct and Coast Park projects is directly linked to the timing of grant funds.

For Alwyndor funds the major operational variance to the original budget refers to additional building maintenance and security, combined with additional forecast depreciation on the new facilities. The capital variance refers to the completion of Stage 3 of the building redevelopment which had been previously approved by Council in June 2014.

Motion

C240315/078

That Council receives the financial reports for the 8 months to 28 February 2015 and notes that there has been no change to the forecast for 2014/15:

Municipal Activities

- a projected operating deficit for 2014/15 of \$833,729
- a projected capital expenditure for 2014/15 of \$18.671 million
- a projected funding requirement for 2014/15 of \$6.729 million

Alwyndor Aged Care

- a projected operating surplus for 2014/15 of \$170,059
- a projected capital expenditure for 2014/15 of \$2.044 million
- a projected funding requirement for 2014/15 of \$835,797

Moved Councillor Lonie, Seconded Councillor Clancy

Carried

14.11 **Brighton Caravan Park Update** (Report No: 91/15)

Council appointed FreeSpirit to manage the re-development and operations of the Brighton Caravan Park for a term of 5 years commencing 1 July 2013. Since then, the dispute with the annual renters has been resolved, and the park is being re-

developed to offer a more attractive visitor experience for the longer-term. This report provides an update on the re-development and business operations.

Motion

C240315/079

That Council receives and notes the report on the re-development and operations of the Brighton Caravan Park

Moved Councillor Patton, Seconded Councillor Lonie

Carried

14.12 2014 Annual Report from Audit Committee (Report No: 90/15)

The Audit Committee presents its annual report to Council for calendar year 2014.

Motion

C240315/080

That Council receive and note the annual report for calendar year 2014 from the Audit Committee.

Moved Councillor Smedley, Seconded Councillor Snewin

Carried

14.13 2015/16 Capital Projects Information – Stormwater Drainage (Report No: 98/15)

As part of Council's budget considerations for the 2015/16 financial year, Elected Members have been involved in a series of workshops which have included prioritisation of strategic capital projects for the current financial year. One of those selected was the construction of one or more of the projects identified in the Stormwater Management Plan (SMP).

The SMP provides a mechanism for funding of large projects such as these that have a catchment area greater than 40 hectares. This funding model identifies the State Government through the Stormwater Management Authority as source of funding (up to fifty percent) as well as a contribution from the contributing Council being the City of Marion (thirty percent of half the project cost which equates to \$720,000). Information is provided within the report on the progress of this funding application and when funding should be available from both parties.

This report provides Council with an overview of the SMP and its progress to date and the two highest priority projects identified in the SMP (currently being designed) and provides a number of options for Council to consider with respect to delivery of these projects in 2015/16 and beyond.

Motion

C240315/081

- 1. That based on previous studies that the project referred to as Tarlton Street drainage be considered as the priority project for construction over two financial years in 2015/16 and 2016/17.**

2. That funding (estimated at \$4,800,000) for the construction of Tarlton Street drainage as identified in the Stormwater Management Plan be budgeted for over two financial years net (\$1,000,000 in 2015/16 and \$680,000 in 2016/17) and tendered and delivered as one contract subject to additional funding from third parties.
3. That funding for future projects identified within the Stormwater Management Plan be included in future Long Term Financial Plans.
4. That Council write to the City of Marion informing it of its intent to undertake construction of the Tarlton Street drainage application over two financial years and asks the City of Marion to consider funding its agreed portion (\$720,000) of the works in the 2016/17 financial year.
5. That Council's endorsement of the construction of Tarlton Street drainage is subject to funding being available from the Stormwater Management Authority and if this funding is not available then a further report be provided to Council on options to fund and deliver future stormwater projects.

Moved Councillor Lonie, Seconded Councillor Yates

Carried

Division called

A division was called:

Those voting for: Councillors Aust, Patton, Charlick, Smedley, Bouchee, Wilson, Donaldson, Clancy, Snewin, Lonie, Bradshaw and Yates (12)

Those voting against: Nil.

His Worship the Mayor declared the motion

Carried

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil

16.1 Election of Board Members and Deputy Board Members Representing Metropolitan Local Government Group to the Local Government Association Board (Report No: 104/15)

Following a call for nominations for metropolitan representatives to the Local Government Association (LGA) Board has received 14 nominations for the 12 positions available (comprising 8 members and 4 deputy members).

This report seeks Council's preferences for the positions.

Motion

C240315/082

That Council cast a vote for the 8 Metropolitan Representatives and 4 Proxy Members numbering the ballot paper (as shown below) 1 to 14:

4	BRIA, Robert	Mayor	City of Norwood, Payneham & St Peters
11	KENEALLY, Angela	Mayor	City of Charles Sturt
13	CLEARIHAN, Sue	Councillor	Adelaide City Council
3	CLYNE, Lachlan	Mayor	Corporation of the City of Unley
7	JAMIESON, Peter	Councillor	City of Port Adelaide Enfield
14	BOWMAN, Alison	Councillor	Campbelltown City Council
8	WHITTAKER, Jillian	Councillor	Campbelltown City Council
10	SPEAR, Glen	Mayor	City of Mitcham
12	SHETCLIFFE, David	Councillor	Corporation of the Town of Walkerville
6	SPRAGG, William	Mayor	Adelaide Hills Council
9	KNIGHT, Kevin	Mayor	City of Tea Tree Gully
2	PARKIN, David	Mayor	City of Burnside
5	ALDRIDGE, Gillian	Mayor	City of Salisbury
1	ROSENBERG, Lorraine	Mayor	City of Onkaparinga

His Worship the Mayor sought leave of the meeting to suspend standing orders at 8.53pm to discuss this item informally for 15 minutes.

Leave of the meeting was granted.

Councillor Donaldson left the chamber at 8.54pm.

Councillor Donaldson re-joined the chamber at 8.56pm.

The meeting recommenced again at 8.57pm.

Moved Councillor Bouchee, Seconded Councillor Yates

Carried

17. ITEMS IN CONFIDENCE - Nil

CLOSURE

The Meeting closed at 8.57pm.

CONFIRMED Tuesday 14 April 2015

MAYOR