

**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 10 June 2014 at 7:00pm.**

**MEMBERS PRESENT**

His Worship the Mayor, AK Rollond  
Deputy Mayor, S Patterson  
Councillor RM Bouchée  
Councillor PW Dixon  
Councillor LR Fisk  
Councillor JD Huckstepp  
Councillor SC Lonie – 7.02pm  
Councillor TD Looker  
Councillor RA Clancy  
Councillor AP Roe  
Councillor LJ Yates – 7.07pm

**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

**1. OPENING**

His Worship the Mayor declared the meeting open at 7.01pm.

**2. KAURNA ACKNOWLEDGEMENT**

With the opening of the meeting His Worship the Mayor stated:  
We acknowledge Kaurna people as the traditional owners and custodians of this land.

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

**3. PRAYER**

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

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

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

**4. APOLOGIES**

4.1 Apologies Received - Councillor RC Patton and Councillor KM Donaldson

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. COUNCIL MEETING ADJOURNMENT – 7.02pm**

**Motion**

**C100614/1125**

**That the Council Meeting be adjourned so that the Strategic Planning and Development Policy Committee can meet at this time.**

**Councillor Lonie joined the chamber at 7.02pm.**

Moved Councillor Looker , Seconded Councillor Patterson

**Carried**

Councillor Yates joined the chamber during the Strategic Planning and Development Policy Committee at 7.07pm

**8. RESUMPTION OF COUNCIL MEETING – 7.08pm**

**Motion**

**C100614/1126**

**That the Council Meeting be resumed.**

Moved Councillor Looker, Seconded Councillor Lonie

**Carried**

**9. CONFIRMATION OF STRATEGIC PLANNING & DEVELOPMENT POLICY COMMITTEE RESOLUTION**

The Strategic Planning and Development Policy Committee adjourned consideration of the item on its agenda and there were no resolutions to confirm.

**10. CONFIRMATION OF MINUTES**

**Motion**

**C100614/1127**

**That the minutes of the Ordinary Meeting of Council held on 27 May 2014 be taken as read and confirmed.**

Moved by Councillor Lonie, Seconded by Councillor Clancy

**Carried**

**11. PUBLIC PRESENTATIONS**

- 11.1 **Petitions** - Nil
- 11.2 **Presentation** - Nil
- 11.3 **Deputations** - Nil

## **12. QUESTIONS BY MEMBERS**

### **12.1 Without Notice**

#### **9.1.1 Operator of the Glenelg Cinema– Councillor Bouchee**

Councillor Bouchee asked a question regarding the response from the Cinema Developer in writing to confirm if there is an operator for the proposed cinema complex.

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

#### **9.1.2 Bus Route Changes – Glenelg – Councillor Bouchee**

Councillor Bouchee asked a question regarding the proposed changes to the Bus Routes in Glenelg and if Council has received in writing anything from the Minister.

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

### **12.2 With Notice - Nil**

## **13. MEMBER'S ACTIVITY REPORTS - Nil**

### **13.1 Nomination to Ministerial Advisory Panel**

Councillor Looker advised that he had been nominated by the Local Government Association of South Australia to be a representative on the Ministerial Advisory Panel for the use of School Buildings for out of hours community use.

## **14. MOTIONS ON NOTICE**

### **14.1 Motion on Notice – Review of Heritage Assistance – Councillor Looker (Report No: 171/14)**

#### **BACKGROUND**

The community is demanding efficiencies as Council plans its budget and spending must deliver the maximum cost/benefit. Council has not reviewed its strategies for assisting in the preservation of heritage properties for some time and it is appropriate that current practices be reviewed and if required a more targeted approach be developed. The current blanket discount approach is done without any consideration as to what outcomes are delivered and may be inefficient.

**ADMINISTRATION COMMENT**

Council needs to be aware there may have been residents who did not oppose the recent heritage listing of their properties based on the undertaking of financial incentives that would follow. The explanatory material which accompanied the notification to residents made it clear that a rate rebate would apply. There may therefore be community concern if such a written undertaking is suspended only a few months after the Heritage DPA was finalised. The following is an extract from the information provided to residents:

***"8. Will Council provide any assistance?"***

*Council will grant a rate rebate in accordance with Section 166(c) of the Local Government Act ('Act') to Local and State Heritage listed properties provided they are not otherwise in receipt of a rebate pursuant to Sections 160 to 166 of the Act. The value of this rate rebate will be determined as part of the annual review of Council's Rating Policy."*

**Motion****C100614/1128**

**That Council review the current rating policy that grants a 25% rebate to State and Heritage listed properties as per the State Heritage List under the Heritage Act and Development Act. That the review examine the most appropriate, fair and targeted way for council to support the preservation of properties on the State Heritage List.**

Moved Councillor Looker, Seconded Councillor Bouchee

**Carried****15. ADJOURNED MATTER - Nil****16. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL****16.1 Minutes – Alwyndor Management Committee – 15 April and 20 May 2014 (Report No: 164/14)**

The Minutes of the Alwyndor Aged Care Management Committee for 15 April and 20 May 2014 are provided for information.

**Motion****C100614/1129**

**That the minutes of the Alwyndor Management Committee for 15 April and 20 May 2014 be noted and that C acknowledge the service of the retiring chair.**

Moved Councillor Clancy, Seconded Councillor Lonie

**Carried****16.2 Minutes – Audit Committee – 21 May 2014 (Report No: 165/14)**

The minutes of the Audit Committee meeting held 21 May 2014 are presented to Council for information and endorsement.

**Motion**

**C100614/1130**

**That the minutes of the Audit Committee meeting held 21 May 2014 be received and note the following recommendations:**

**That the Audit Committee advises Council that it has considered the third budget update of the 2013/14 budget as at 31 March 2014 and:**

- **notes the increase in operating deficit over the year as a result of a decline in revenue from ticket machines and parking fines as well as additional backlog maintenance at the caravan park;**
- **notes the increase in the net financial liabilities ratio above Council's current ceiling of 35% and recommends to Council that it review its net financial liabilities ratio.**
- **notes that Council's interest cover ratio at 2% remains below the 5% maximum.**

**That the Audit Committee advise Council that it has reviewed the Draft 2014/15 Annual Business Plan and Budget and makes the following comments:**

- **notes the proposed 3.8% rate revenue increase;**
- **notes the proposed balanced operating result;**
- **notes the quality of life survey results;**
- **recommends the standardisation method of the quality of life survey and number of respondents be included;**
- **notes the peak net financial liabilities ratio expected in 2015/16; and**
- **recommends Council implement strategies to ensure its net financial liabilities ratio is effectively managed.**

Moved Councillor Looker, Seconded Councillor Roe

**Carried**

**17. REPORTS BY OFFICERS**

**17.1 Items in Brief (Report No: 146/14)**

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**

**C100614/1131**

**That the report be noted and items of interest discussed.**

Moved Councillor Looker, Seconded Councillor Lonie

**Carried****17.2 Community Centre Review (Report No: 158/14)**

During 2013 a review was undertaken of the management of Council's Community Centres. The full report is attached. The review discussed the current management models, user groups, a SWOT analysis and notes current and future risks.

The key findings from the review identifies opportunities for Council to provide support in the areas of

1. Governance
2. Development of management plans
3. Compliance and regulatory issues
4. Program development
5. Increasing community participation.

The review concludes by recommending a more centralised support model, whereby Council creates a role of Community Centre's Co-ordinator to provide assistance in the above areas.

**Motion****C100614/1132**

1. **That Council provides centralised coordination in the form of a full time Community Centre Coordinator.**
2. **That Council notes the attached Community Centres Review where council staff works collaboratively with independent management committees.**

Moved Councillor Looker, Seconded Councillor Lonie

**Carried****Division called**

A division was called:

Those voting for: Councillors Dixon, Patterson, Looker, Clancy, Lonie, Roe and Yates (7)

Those voting against: Councillors Fisk, Bouchee and Huckstepp (3).

His Worship the Mayor declared the motion

**Carried****17.3 Review of Council Delegations – Alwyndor – Part 1 (Report No: 162/14)**

Section 44(6) of the *Local Government Act 1999*, requires Council to review its delegations at least once each financial year.

Delegations are the means by which Council can formally pass on its powers and functions to other bodies or individuals in order to efficiently and effectively manage the business of council. Alwyndor Aged Care is governed by a Committee of Council and Council is required to delegate such powers and functions to allow for the efficient and effective management of Alwyndor to the Alwyndor Management Committee.

This report delegates those powers and functions arising under the Aged Care Act 1997 (Commonwealth), and the Local Government Act (1999) and Regulations.

**Motion**

**C100614/1132**

**That having conducted its annual review of the Council's Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Council:**

- 1. Revocations**
  - 1.1 Hereby revokes its previous delegations, to come into effect from the midnight 30 June 2014, to the Alwyndor Management Committee of those powers and functions under the following:**
    - 1.1.1 Aged Care Act 1997**
    - 1.1.2 Local Government Act 1999 and its Regulations**
- 2. Delegations made under Local Government Act 1999**
  - 2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instrument of Delegation contained in Appendix 1 are hereby delegated this 10<sup>th</sup> day of June 2014 to the Alwyndor Management Committee subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation. These delegations will come into effect from 12.01 am on 1 July 2014.**
    - 2.1.1 Aged Care Act 1997**
    - 2.1.8 Local Government Act 1999**

Moved Councillor Lonie, Seconded Councillor Clancy

**Carried**

- 17.4 **Kauri Parade and Barwell Avenue Seacliff – Glenelg Rotary Club – Lease** (Report No: 166/14)

The Glenelg Rotary Club Inc. has been occupying portion of the premises located on the corner of Kauri Parade and Barwell Avenue Seacliff for a number of years without a formal lease.

Recent discussions with the Rotary Club of Glenelg Inc resulted in a lease of 5 years with a commencing rental of 5 years being offered with a commencing rental of \$250 per annum..

On 21 January 2014 Council approved a lease to the Rotary Club of Glenelg Inc over portion of the land contained in allotment 62 in DP54730 in Certificates of Title Volume 5828 Folio 590 for a period of 5 years from 1 November 2013 to 31 October 2018.

The Glenelg Rotary Club Inc has now requested that the rental be reduced from \$250 per annum to \$1 per annum.

**Motion**

**C100614/1133**

**That Council approve reducing the rental payable in respect of this lease from \$250 to \$1 per annum, payable on demand.**

Moved Councillor Clancy, Seconded Councillor Fisk

**Carried**

17.5 **Somerton Tennis Club Inc - Licence** (Report No: 167/14)

This item has been withdrawn and will be considered at a future meeting.

17.6 **H & A Coffee House Liquor Licence – Trial Period Review** (Report No: 160/14)

At its meeting held Tuesday 22 January 2013 Council endorsed a Restaurant Liquor Licence application (resolution No.: C221103/795) for 'H & A Coffee House'.

Subsequently, based on Council's recommendations, on 16 May 2013 the Liquor and Gambling Commissioner granted a Restaurant Licence for the premises to serve liquor in accordance with section 34(1)(a)(b)&(c) of the Liquor Licensing Act 1997 for a twelve (12) month trial period.

As the twelve (12) month trial period is now to be evaluated, Administration has undertaken a review of the operation of the licence. As no official complaints have been received during the trial period it is suggested that Consumer and Business Services be notified that Council hold no objection to the trial period restrictions being removed.

**Motion**

**C100614/1134**

**That Council advises Consumer and Business Services that it does not object to the trial period restrictions being removed from Restaurant Liquor Licence No.: 50625224.**

Moved Councillor Bouchee, Seconded Councillor Patterson

**Carried**

17.7 **Beach Burrito Company – application for Restaurant Liquor Licence** (Report No: 161/14)

A new restaurant, Beach Burrito Company (4 Eyes Pty Ltd) is set to open at 56 Jetty Road Glenelg. As part of the restaurant's establishment 4 Eyes Pty Ltd is seeking to



obtain a Restaurant Liquor Licence which will permit the licensee to provide liquor to customers in addition to food and beverage services.

As part of the Restaurant Licence application, the applicant seeks: an Extended Trading Authorisation (ETA) for Sundays (only) that will permit them to provide liquor Monday to Sunday between the hours of 8:00am and 12:00midnight; a standard section 69 approval to serve liquor in the outdoor dining area; and 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.

This application is in line with Council's current Liquor Licencing Policy (2011) and it is recommended that Council endorse the proposal subject to the successful application of 'change of use' development application DA 110/00375/14.

Consumer and Business Services is now seeking Council's comments prior to the liquor licence hearing date of 18 June 2014.

**Motion**

**C100614/1135**

**That Council advise Consumer and Business Services that it supports the approval of a Restaurant Liquor Licence to sell and/or supply liquor in accordance with section 34 (1) (a), (b) & (c) of the Liquor Licensing Act 1997, subject to the following:**

1. **That Council's endorsement is given ONLY subject to final approval of Development Application DA 110/00375/14**

**Restaurant Liquor Licence – Section 34:**

2. **That the hours of liquor service for the internal areas of the restaurant be limited to Monday to Sunday between 8:00am and 12midnight the same day;**
3. **That the hours of liquor service for the outdoor dining area (approved under section 69 of the Act) cease no later than 11:00pm on any day;**
4. **That the sought section 34 (1) (c) exemption reflect the above hours;**

Moved Councillor Dixon, Seconded Councillor Fisk

**Carried**

**17.8 Alwyndor Aged Care Management Committee Appointments (Report No: 163/14)**

The two year appointment term for Alwyndor Aged Care Committee members Mr Mick Bower, Ms Kathy Stevens and Ms Claire Cotton will expire on the 30 June 2014. All three members have confirmed their availability and willingness to extend their membership for a further two year term. The Alwyndor Management Committee at its meeting held on 20 May 2014, considered Mr Mick Bower, Ms

Kathy Stevens and Ms Claire Cotton's offer and subsequently recommended a two year term extension.

**Motion**

**C100614/1136**

**That Council endorses the recommendation of the Alwyndor Management Committee in relation to the reappointment of Mr Mick Bower, Ms Kathy Stevens and Ms Claire Cotton to the Management Committee for a further two year term to expire on 30 June 2016.**

Moved Councillor Lonie, Seconded Councillor Yates

**Carried**

**18. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**

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

**16.1 Liquor Licencing – Broadway Hotel**

Councillor Bouchee requested that His Worship the Mayor seek leave of the meeting to provide members an update on the Liquor Licencing changes at the Broadway Hotel.

His Worship the Mayor sought leave of the meeting and leave was granted.

Councillor Bouchee provided members an update on the mediation process regarding the liquor licencing changes for the Broadway Hotel.

**16.2 Queens Birthday Honours – Superintendent Tom Rieniets**

Councillor Looker requested that His Worship the Mayor seek leave of the meeting to congratulate Superintendent Rieniets on his Queens Birthday Honours.

His Worship the Mayor sought leave of the meeting and leave was granted.

**Motion**

**C100614/1137**

That the City of Holdfast Bay sends its congratulations to Superintendent Reiniets on his Australian Police Medal (APM) announced in the Queens Birthday Honours list on 9 June 2014.

Moved Councillor Looker, Seconded Councillor Bouchee

**Carried**

**17. ITEMS IN CONFIDENCE - Nil**

**CLOSURE**

The Meeting closed at 8.16 pm.

**CONFIRMED 24 June 2014**

**MAYOR**