

## **M I N U T E S**

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Committee        **Ordinary Council**  
Meeting Held    **Monday, 12 February 2007 at 6.42pm**  
Location        **Christian Gospel Centre, George Main Road, Victor Harbor**

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### **1. PRESENT**

Her Worship the Mayor, M Corcoran (Chairperson)  
Councillor P Chigwidden  
Councillor E Cooper  
Councillor K Ewens  
Councillor P Lewis  
Councillor D Michelmore  
Councillor M Richards  
Councillor T Rose  
Councillor P Ruciak  
Councillor D Sinclair-Warren  
Councillor K Trezise

#### **In Attendance:**

Mr G Maxwell - City Manager  
Ms J Bohnsack - Director Corporate & Community Services  
Mr B Price - Director Planning & Regulatory Services  
Mr P Bond - Director Environment & Infrastructure Services  
Mrs G Riley - Minute Secretary

### **2. LOCAL GOVERNMENT PRAYER & VISION**

#### **Prayer**

Almighty God, we humbly beseech Thee to grant Thy blessings on the works of this Council. Direct and prosper its deliberations to the advancement of Thy glory and the true welfare of the people of the district. Amen.

#### **Vision**

Victor Harbor, "A unique, prosperous and sustainable regional centre offering a wide range of attractive, high amenity lifestyle choices to our local community, the wider Fleurieu region, our visitors, and future generations".

### **3. APOLOGIES**

Nil.





### 7.3. General Inspectorial

#### 7.3.1. Review of Specific Parking Zones

OC 07/0032	Review of Specific Parking Zones
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Moved: Cr D Michelmores      Seconded: Cr P Lewis

That the report be received.

CARRIED UNANIMOUSLY

The Director of Planning & Regulatory Services indicated that his department and that of the Environment & Infrastructure Services were currently undertaking a review of current loading zones, disabled permit zones, drop off zones, taxi zones, bus zones and proposed zones within the central business district of Victor Harbor to enable a more proactive, strategic approach to be adopted in relation to the installation of specialised parking zones.

#### 7.3.2. Taxi Licence

OC 07/0033	Taxi Licence
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Moved: Cr K Ewens      Seconded: Cr P Chigwidden

That the report be received.

CARRIED UNANIMOUSLY

### 7.4. Tourism

#### 7.4.1. Victor Harbor Triathlons - Road Closures

OC 07/0034	Victor Harbor Triathlons - Road Closures
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Moved: Cr E Cooper      Seconded: Cr D Sinclair-Warren

1. That the report be received.
2. That Council approve the road closures required for the conduct of the 2007 Victor Harbor Triathlons and Fun Run to be held on Sunday, 11 March 2007, as administered under the authority of the Commissioner of Police:

Total Road Closures

**BARTEL BOULEVARD** from Bay Road intersection to Franklin Parade intersection between 6.00am to 2.00pm.

**FRANKLIN PARADE** from Harbour View Terrace intersection to the Jagger Road intersection between 8.30am and 9.15am.

**HARBOUR VIEW TERRACE** from the intersection of

**Franklin Parade to the intersection of Bay Road, between 8.30am and 9.15am.**

**INMAN VALLEY ROAD from the roundabout at George Main Road/Ring Road to the intersection of Sawpit Road between 9.00am and 12.00pm.**

**GEORGE MAIN ROAD ROUNDABOUT at George Main Road/Ring Road to the southern side of the intersection of Crozier Road between 9.00am and 12.00pm.**

**MILL ROAD from the intersection of Maude Street to the intersection of Waitpinga Road between 9.00am and 12.00pm.**

**MAUDE STREET from the intersection of Mill Road to the intersection of Bay Road between 9.30am and 12.00pm.**

**BAY ROAD between Tabernacle Road and Harbour View Terrace between 9.30am and 12.00pm.**

**CARRIED UNANIMOUSLY**

**7.4.2. Tour Down Under**

<b>OC 07/0035</b>	<b>Tour Down Under</b>
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**Moved: Cr P Chigwidden                      Seconded: Cr P Lewis**

**That the report be received.**

**CARRIED UNANIMOUSLY**

The Mayor displayed the Tour Down Under Best Dressed Town Award 2007 – Stage 3 that Victor Harbor won for its fantastic presentation of a warming carnival atmosphere with community involvement from the local schools, local food and wine. The Judges were impressed with the use of re-usable streamers, which looked fabulous and were a great eco-friendly initiative.

<b>OC 07/0036</b>	<b>Tour Down Under - Congratulations</b>
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**Moved: Cr K Trezise                              Seconded: Cr P Lewis**

**That congratulations be passed onto Andy Kneebone, Council’s Tourism Marketing Officer and the working party for all their tremendous efforts on the day.**

**CARRIED UNANIMOUSLY**

In response to a query from Cr Rose regarding the budget over-run, the City Manager indicated that the budget was based on previous years but this year several new and different initiatives had been undertaken. The City Manager also indicated that there was an opportunity to generate additional income with the sale of Victor Harbor glasses but that the over run would be considered during the quarterly budget review.

## 8. ENVIRONMENT & INFRASTRUCTURE SERVICES

### 8.1. Infrastructure Matters

#### 8.1.1. Lot 4 Bashams Road - Access

OC 07/0037	Lot 4 Bashams Road - Access
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Moved: Cr K Trezise                      Seconded: Cr P Lewis

That Mr Barnaby be permitted to make a presented to Council.

**CARRIED**

OC 07/0038	Lot 4 Bashams Road - Access
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Moved: Cr D Sinclair-Warren      Seconded: Cr K Trezise

That in relation to the upgrading of Bashams Road to provide access to Lot 4 Bashams Road, Mr Barnaby be advised:

- That Council will consider the project for inclusion in future works programs and will assess the priority of the project against other necessary works when it prepares future budgets.
- That if Mr Barnaby is prepared to meet 50% of the cost of the works, Council will endeavour to fund the remaining 50% in its 2007/08 budget.
- That if the works are required immediately then the full cost of construction must be met by Mr Barnaby.
- That staff negotiate the allotment access location to the road with Mr Barnaby.

**CARRIED UNANIMOUSLY**

**8.1.2. Hindmarsh River Levee Upgrade**

<b>OC 07/0039</b>	<b>Hindmarsh River Levee Upgrade</b>
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Moved: Cr D Michelmore                      Seconded: Cr P Chigwidden

1. That a Hindmarsh River Levee Upgrade scheme comprising an earth mound adjacent to Pearsons Road and a concrete levee structure adjacent to the properties in Anderson Grove as described in Item No 8.1.2 on the Agenda of the Council meeting held on 12 February 2007, form the basis of Council's submission to the Natural Disaster Mitigation Programme for funding.
2. That the residents of Pearsons Road and Anderson Grove be advised of the proposal to be submitted for funding.

**CARRIED UNANIMOUSLY**

**8.1.3. Foreshore Protection Study**

<b>OC 07/0040</b>	<b>Foreshore Protection Study</b>
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Moved: Cr P Lewis                                      Seconded: Cr D Michelmore

1. That the Foreshore Protection Study undertaken by Magryn & Associates Pty Ltd be received and the recommendations therein be endorsed.
2. That Magryn & Associates Pty Ltd be engaged to prepare design and tender documentation to enable tenders to be invited for the foreshore protection works for the sum of \$7,500.

**CARRIED UNANIMOUSLY**

There was general discussion on the need at this point for remedial works to counteract previous works undertaken in 1997.

**8.1.4. Encounter Bay Bowling Club - Stormwater Drainage**

<b>OC 07/0041</b>	<b>Encounter Bay Bowling Club - Stormwater Drainage</b>
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Moved: Cr K Trezise                                      Seconded: Cr P Chigwidden

That the Encounter Bay Bowling Club be advised that the provision of drainage infrastructure to enable stormwater from the Encounter Bay Bowling Club to be discharged to the existing stormwater drainage network will be considered by Council, along with other stormwater drainage works, when it prepares the 2007/08 Council budget.

**CARRIED UNANIMOUSLY**

9. **CORPORATE & COMMUNITY SERVICES**

9.1. **Finance**

9.1.1. **Financial Report as at 31 January 2007**

OC 07/0042	Financial Report as at 31 January 2007
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Moved: Cr E Cooper                      Seconded: Cr D Sinclair-Warren

That the Financial Report as at 31 January 2007 be received as presented.

**CARRIED UNANIMOUSLY**

9.2. **General Administration**

9.2.1. **Expressions of Interest - Café in Civic Complex**

OC 07/0043	Expressions of Interest - Cafe in Civic Complex
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Moved: Cr D Michelmores                      Seconded: Cr P Ruciak

That the report be received.

**CARRIED UNANIMOUSLY**

OC 07/0044	Expressions of Interest - Cafe in Civic Complex
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Moved: Cr P Lewis                                      Seconded: Cr E Cooper

That staff explore further options including the purchase or lease of vending machines.

**CARRIED UNANIMOUSLY**

There was general discussion on Council investigating further options including the purchase or lease of vending machines. Over time a level of demand will be established and it may be more attractive to lease to a commercial operation. There was also discussion on the possibility of a community group running the café operation with the profits being returned to the Library.

9.2.2. **Expressions of Interest - Old Library Building**

OC 07/0045	Expressions of Interest - Old Library Building
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Moved: Cr d Sinclair-Warren                      Seconded: Cr K Ewens

That the report be received.

**CARRIED UNANIMOUSLY**



**OC 07/0046 Expressions of Interest - Old Library Building****Moved: Cr K Trezise                      Seconded: Cr D Sinclair-Warren**

**That Council, whilst acknowledging the potential scope for Business Office space expansion within the CBD area, form a non-commercial focus of tenancy, for the old Library Building area, with regard to Strategic Plan Reference 3.14 approach to Community objectives.**

**LOST**

Cr Trezise spoke to the motion stating that the call for Expressions of Interest were required by 19 January 2007 and there was a need for identification of a scope of works which would possibly reflect the level of work required to upgrade the area, dependent upon whether it was a *community* or *commercial* focus.

**OC 07/0047 Expressions of Interest - Old Library Building****Moved: Cr E Cooper                      Seconded: Cr K Ewens**

**That Council defer this item for discussion until the Strategic Projects Workshop.**

**CARRIED UNANIMOUSLY**

Following considerable discussion on the scope of works required for the safe upgrade of the building, whether for commercial or non-commercial ventures including business incubator centres, it was agreed that this matter be deferred to the Strategic Projects workshop scheduled for later in the month.

**9.3. Community Services****9.3.1. In the Bin Film Fest****OC 07/0048 In the Bin Film Fest****Moved: Cr P Chigwidden                      Seconded: Cr D Michelmore**

**That the Council receive this report.**

**CARRIED UNANIMOUSLY**

## 9.4. Governance

### 9.4.1. Audit Committee

OC 07/0049	Audit Committee
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Moved: Cr P Chigwidden                      Seconded: Cr D Michelmore

That the Audit Committee Charter be adopted, as amended.

**CARRIED UNANIMOUSLY**

The City Manager indicated that the Charter should have a minor amendment to include the words: 'risk management' so that the last dot point under its Purpose should read: "reviewing the adequacy of the accounting, internal control *risk management* reporting and other financial management systems and practices of the council on a regular basis".

Cr Richards proposed that the title of the Committee be changed to the Audit & Risk Management Committee.

The issue of risk management and what it entailed was debated. However, it was concluded that the name of the Committee would remain as the Audit Committee, consistent with the legislative requirement.

OC 07/0050	Audit Committee
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Moved: Cr P Lewis                                      Seconded: Cr D Sinclair-Warren

That the membership of the Audit Committee consist of:

- Crs Michelmore, Richards and Rose
- Independent member (to be appointed)
- Mayor (ex-officio)

**CARRIED UNANIMOUSLY**

OC 07/0051	Audit Committee
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Moved: Cr P Lewis                                      Seconded: Cr K Trezise

That the Chairman of the Audit Committee be Cr Trevor Rose.

**CARRIED**

Cr Richards nominated Cr Rose as Chairman of the Audit Committee, seconded by Cr Michelmore.

Cr Rose accepted the nomination.

Cr Richards question whether the sitting fee for independent members of both the Audit Committee and the Development Assessment Panel included GST or not, and what the circumstances may be if the appointee provided an ABN number.

The City Manager took the question on notice.

<b>OC 07/0052</b>	<b>Audit Committee</b>
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Moved: Cr D Sinclair-Warren      Seconded: Cr P Chigwidden

That the independent member of the Audit Committee be paid a sitting fee of \$250 per meeting attendance, payable quarterly in arrears.

**ACTION**

<b>OC 07/0053</b>	<b>Audit Committee</b>
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Moved: Cr E Cooper      Seconded: Cr K Ewens

1. That Council calls for nominations for the independent member position on the Audit Committee; and
2. that Council endorses attendance of Audit Committee members at the LGA Audit Committee training course on suitable dates.

**CARRIED UNANIMOUSLY**

**9.4.2. Register of Interests**

<b>OC 07/0054</b>	<b>Register of Interests</b>
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Moved: Cr P Ruciak      Seconded: Cr D Sinclair-Warren

That the Independent Members of the City of Victor Harbor Development Assessment Panel and Internal Audit Committee be required to submit a primary and an ordinary return of interests, pursuant to section 72(1) of the Local Government Act 1999, for entry in the Register of Interests.

**CARRIED UNANIMOUSLY**

**9.4.3. Local Government Association Conference & General Meeting**

<b>OC 07/0055</b>	<b>Local Government Association Conference &amp; General Meeting</b>
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Moved: Cr D Michelmore      Seconded: Cr P Chigwidden



**10.5. Inman River Catchment Group**

Meeting held last week with Cr Sinclair-Warren elected as President of this Group. Waiting for minutes.

**10.6. National Sea Change Taskforce**

Meeting scheduled 15 and 16 March 2007 in Cowes, Philip Island, Victoria.

**10.7. Victor Harbor Coastcare**

No meeting.

**10.8. Encounter Group (Youth Week)**

Meeting scheduled for Thursday, 8 March 2007 which is open to the public.

**10.9. Fleurieu Community Road Safety Group**

Possibility of meeting on Monday, 19 February 2007.

**10.10. Fleurieu Alliance**

Meeting held 2 February 2007 with the following issues discussed:

- Update on Economic Development Boards throughout South Australia
- Public Transport in the area
- Country Health Service
- Drought Task Force and the Exceptional Circumstances grants funds
- Weir at Wellington
- Brief discussion on change to State Electoral boundaries, which would see Goolwa move out of Finnis Electorate and Willunga Hill and a section of Aldinga move into the Finnis Electorate.

In response to a question from Cr Rose, the City Manager named the members of this Committee.

**10.11. Victor Harbor High School Governing Council**

The Annual General Meeting is scheduled for 14 March 2007.

**10.12. Provincial Cities Association of South Australia**

Meeting scheduled for 30 March 2007.

**10.13. Fleurieu Peninsula & Kangaroo Island Waste Management Strategy Committee**

No meeting.

**10.14. District Bushfire Prevention Committee**

No meeting

**10.15. Regional Swimming Pool Working Party**

Informal minutes from the Regional Swimming Pool Working Party were distributed to members.

**11. MATTERS OF URGENCY****11.1. Naming Rights - Victor Harbor Oval**

OC 07/0057	Naming Rights - Victor Harbor Oval
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Moved: Cr D Michelmore                      Seconded: Cr D Sinclair-Warren

**That the rename of the *Victor Harbor Oval* under a football sponsorship arrangement not be approved.**

**CARRIED**

The City Manager indicated that a request had been received from the Victor Harbor Football Club to rename the Oval as part of a sponsorship package, however several issues would need to be considered, including:

- Ensuring no inappropriate naming of oval e.g. cigarette or alcohol sponsorship
- The property is subject to a Trust
- There is a joint lease arrangement with the High School
- The history associated with the oval name may cause some community sensitivities
- Would a re-naming set a precedent for other sporting grounds
- Council is still trying to negotiate a formal lease arrangement with the Football Club

There was discussion on this issue and it was agreed that as the relationship between Council and sporting clubs is that of landlord/tenant and that Council was trying to bring all clubs under similar formal arrangements including a common risk management platform. It was also agreed that reserves and ovals were Council property for the use by the whole of the community.

There was a suggestion that the Football Club could perhaps name the clubrooms after major sponsor(s).

8.37pm Cr Trevor Rose left the meeting.



**15.1. Engineers**

Ms B Bond asked: Will Council please consider employing an engineer again as the expertise and contributions of past city engineers were invaluable to Council in a wide range of functions including planning, drainage, roads, assessing water tables – and making appropriate recommendations to Council?

The Director of Environment & Infrastructure responded stating that Council currently employed two qualified engineers: Roger Budarick, Manager Infrastructure who is a qualified Bachelor of Engineering (Civil) and Bruce Henderson, Coordinator Waste & Environment, whose qualifications are Bachelor of Engineering (Civil & Environmental) 1st class Honours, and Bachelor of Science.

**15.2. Parking - Ocean Street**

Ms B Bond asked: Will Council please take cognisance of previous requests and correspondence (latest about early 05) for car parking for the disabled outside the Ocean Street Medical Centre, and note that precedents already exist for narrowing pedestrian footways in Ocean and Coral Streets, the Esplanade and Albert Place, particularly adjacent to hotels and cafes?

The Director of Planning & Regulatory Services responded by stating that his department and that of the Environment & Infrastructure Services were currently undertaking a review of current loading zones, disabled permit zones, drop off zones, taxi zones, bus zones and proposed zones within the central business district of Victor Harbor to enable a more proactive, strategic approach to be adopted in relation to the installation of specialised parking zones.

**16. ITEMS FOR INFORMATION****OC 07/0060****Items for Information****Moved: Cr E Cooper****Seconded: Cr P Ruciak****That the Items for Information be received.****CARRIED UNANIMOUSLY**

Pursuant to Section 83(5) of the Local Government Act 1999, it is recommended that the following items be considered in confidence under Part 3, Section 90(2) of the Act.

**17. CONFIDENTIAL****17.1. Wright Terrace - Stormwater Drainage Contract****OC 07/0061****Wright Terrace - Stormwater Drainage Contract****Moved: Cr P Chigwidden****Seconded: Cr P Lewis**



That pursuant to Section 90 (2) & (3) (k) of the Local Government Act 1999, the public be excluded from the meeting, with the exception of staff required to service the meeting, to enable this information to be considered in confidence as it relates to consideration of tenders for the provision of a service and the carrying out of works for the Council.

CARRIED UNANIMOUSLY

OC 07/0062	Wright Terrace - Stormwater Drainage Contract
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Moved: Cr D Michelmore                      Seconded: Cr K Trezise

That the tender from South Coast Sand & Civil for the construction of a stormwater drain in Wright Terrace between Dodson Road and Rumbelow Street for the sum of \$75,752.00 (excluding GST) be accepted.

CARRIED UNANIMOUSLY

OC 07/0063	Wright Terrace - Stormwater Drainage Contract
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Moved: Cr P Lewis                                      Seconded: Cr P Chigwidden

That the resolution of Council be removed from confidence.

CARRIED UNANIMOUSLY

**17.2. Encounter Bay Recreation Ground, Irrigation Tenders**

OC 07/0064	Encounter Bay Recreation Ground, Irrigation Tenders
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Moved: Cr E Cooper                                      Seconded: Cr D Sinclair-Warren

That pursuant to Section 90 (2) & (3) (k) of the Local Government Act 1999 as amended, the public be excluded from the meeting with the exception of staff required to service the meeting, to enable the item relating to the Encounter Bay Recreation Ground Irrigation Tenders to be considered in confidence as it relates to tenders for the supply of goods and the carrying out of works.

CARRIED UNANIMOUSLY

OC 07/0065	Encounter Bay Recreation Ground, Irrigation Tenders
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Moved: Cr D Michelmore                      Seconded: Cr P Chigwidden

1. That the Tender for the supply and installation of the Encounter Bay Recreation Ground Irrigation be awarded to Proud Irrigation & Pumps at the tendered price of \$160, 716.
2. That Council present for consideration \$110,000 in the 2007/8 draft

**budget for Stage 2 of the Encounter Bay Recreation Ground Irrigation.**

3. That staff investigate grant funding opportunities and where appropriate apply for funding to assist with this project.

**CARRIED UNANIMOUSLY**

OC 07/0066

**Encounter Bay Recreation Ground, Irrigation Tenders**

**Moved: Cr P Lewis**

**Seconded: Cr T Rose**

**That the report and resolution be released from confidence.**

**CARRIED UNANIMOUSLY**

### 17.3. Causeway Kiosk Lease

8.50pm Cr Kay Ewens declared a conflict of interest in this matter as she also operates a business in this area, and left the meeting.

OC 07/0067

**Causeway Kiosk Lease**

**Moved: Cr M Richards**

**Seconded: Cr E Cooper**

**That pursuant to Section 90 (2) & (3) (g) of the Local Government Act 1999, the public be excluded from the meeting, with the exception of staff required to service the meeting, to allow the Causeway Kiosk lease to be discussed in confidence, to ensure that the Council does not breach any duty of confidence.**

**CARRIED UNANIMOUSLY**

*The report and resolution relating to this matter are filed in Council's safe.*

8.55pm Cr Kay Ewens re-entered the meeting

### 17.4. Confidential Minutes - 29 January 2007

OC 07/0070

**Confidential Minutes - 29 January 2007**

**Moved: Cr T Rose**

**Seconded: Cr M Richards**

**That pursuant to Section 90 (2) & (3) (h) of the Local Government Act 1999, the public be excluded from the meeting, with the exception of staff required to service the meeting, to enable the matter to be considered in confidence as it relates to legal advice on Council conduct.**

**CARRIED UNANIMOUSLY**

*The resolution relating to this matter is filed in Council's safe.*

**18. CLOSURE**

The Chairman declared the meeting closed at 9.04pm.

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Date : \_\_\_\_\_

Chairperson : \_\_\_\_\_