

M I N U T E S

Committee **Ordinary Council**
Meeting Held **Monday, 26 May 2008 at 5.30pm**
Location **Council Chambers, Bay Road, Victor Harbor**

1. PRESENT

Deputy Mayor D Michelmore (Chairperson)
Councillor P Chigwidden
Councillor E Cooper
Councillor K Ewens
Councillor P Lewis
Councillor T Rose
Councillor P Ruciak
Councillor D Sinclair-Warren
Councillor K Trezise

In Attendance:
Mr G Maxwell - City Manager
Ms J Bohnsack - Director of Corporate & Community Services
Mr B Price - Director of Planning & Regulatory 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

Council's vision within the Strategic Directions 2006/09 acknowledges the needs of current and future residents and visitors, and also recognises Victor Harbor's role as the regional retail, commercial, educational and service centre of the Southern Fleurieu.

3. APOLOGIES

Mayor Corcoran and Director of Environment & Infrastructure Services

OC 08/0250	Apologies
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Moved: Cr T Rose

Seconded: Cr P Chigwidden

That the apologies be received.

CARRIED UNANIMOUSLY

4. MINUTES OF THE PREVIOUS MEETING

OC 08/0251	Confirmation of the Minutes of the Previous Meeting
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Moved: Cr P Ruciak Seconded: Cr T Rose

That the Minutes of the Previous Ordinary Council Meeting held on Monday, 12 May 2008 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY

5. MINUTES OF COUNCIL COMMITTEE MEETINGS

OC 08/0252	Minutes of Council Committee Meetings
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Moved: Cr P Chigwidden Seconded: Cr E Cooper

That the Minutes of the:

- 5.1. Occupational Health, Safety & Welfare Committee Meeting held on 14 May 2008;
- 5.2. Old School Building Community Centre Management Group Meeting held on 30 April 2008;
- 5.3. Recreation Centre Management Committee Meeting held on 13 May 2008;
- 5.4. Victor Harbor Economic Development Committee Meeting held on 15 May 2008;

be received and the recommendations contained therein be adopted.

CARRIED UNANIMOUSLY

5.5. Disability Access Steering Committee Meeting

OC 08/0253	Disability Access Steering Committee Meeting Minutes
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Moved: Cr K Ewens Seconded: Cr K Trezise

That the minutes of the Disability Access Steering Committee Meeting held on 23 April 2008 be received and the recommendations contained therein be adopted.

CARRIED UNANIMOUSLY

6. PLANNING & REGULATORY SERVICES**6.1. Planning & Regulatory Services****6.1.1. Monthly Report - April 2008**

OC 08/0254	Monthly Report - April 2008
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Moved: Cr P Lewis

Seconded: Cr T Rose

That the Planning & Regulatory Services Department Report be received.

CARRIED UNANIMOUSLY**6.2. Economic Development****6.2.1. Produce Market**

OC 08/0255	Produce Market
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Moved: Cr T Rose

Seconded: Cr D Sinclair-Warren

That Council adopt a late October 2008 commencement date for the produce market in Grosvenor Gardens, subject to:

- receiving and considering any public feedback;
- the stallholders management sub-committee charter being signed off by Council.

CARRIED**7. CORPORATE & COMMUNITY SERVICES****7.1. Finance****7.1.1. Southern Fleurieu Cancer Support Group - Donation**

OC 08/0256	Matter to Lie on Table
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Moved: Cr E Cooper

Seconded: Cr K Trezise

That the matter lie on the table pending the recommendations of the Policy Working Party on a "Donations Policy" and provision by the applicant of supporting financial statements.

CARRIED

7.1.2. Fleurieu Art Trail Project

OC 08/0257	Lie Matter on the Table
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Moved: Cr E Cooper

Seconded: Cr K Trezise

That the matter lie on the table pending the recommendations of the Policy Working Party on a "Donations Policy" and provision by the applicant of supporting financial statements.

CARRIED

7.2. Corporate Services

7.2.1. South Australian Tarmac Rally Championship - Road Closures

OC 08/0258	South Australian Tarmac Rally Championship - Road Closures
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Moved: Cr E Cooper

Seconded: Cr D Sinclair-Warren

That the Council exercises its power pursuant to Section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 17 June 2006 to:

1.1 Pursuant to Section 33 (1) of the Road Traffic Act 1961, declare that the South Australian Tarmac Rally Championship 2008, that is to take place on the roads described below, is an event to which Section 33 of the Road Traffic Act 1961 applies; and

1.2 Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an order directing that the road on which the event is to be held and any adjacent or adjoining roads specified below, be closed to traffic on Sunday 29 June 2008, for the period as specified below:

Nettles Hill Road between Hindmarsh Valley Road and Sawpit Road, and Sawpit Road between Nettles Hill Road and Strangways Road from 1155 to 1735.

1.3 Pursuant to Section 33(1)(b) of the Road Traffic Act 1961, make an order directing that persons taking part in the event be exempted, in relation to the road, from the duty to observe the Australian Road Rules specified below subject to any conditions described below and attaching to the exemption.

Australian Road Rules Exemption and Conditions.

1.4 That in exercise of the powers contained in Section 44 of the Local Government Act 1999, the powers, functions and duties are delegated to the person occupying the office of Director of Environment and Infrastructure Services of the Council;

1.5 Pursuant to Section 17 of the Road Traffic Act 1961 and Clause A1 of the Instrument of General Approval of the Minister dated 17

June 2006, the power to install or alter a traffic control device to give effect to this resolution.

CARRIED UNANIMOUSLY

7.2.2. Whaletime Playtime Festival – Speed Restriction

OC 08/0259

Whaletime Playtime Festival - Speed Restriction

Moved: Cr P Chigwidden Seconded: Cr P Lewis

That approval be granted for a speed restriction to 25 km/h on the following roads, from 0800 to 1800 on the 1 June 2008 for the Whaletime Playtime Festival.

- Esplanade, Victor Harbor, between Albert Place and Flinders Parade
- Albert Place, Victor Harbor, between Esplanade and Crozier Road
- Esplanade, Victor Harbor, between Albert Place and Wills Street
- Railway Terrace, Victor Harbor, between Albert Place and Coral Street
- Flinders Parade, Victor Harbor, between Esplanade and Coral Street.

CARRIED UNANIMOUSLY

7.3. Governance

7.3.1. Review of Register of Authorised Officers

OC 08/0260

Review of Register of Authorised Officers

Moved: Cr D Sinclair-Warren Seconded: Cr E Cooper

That the City of Victor Harbor:

- 1. Revoke all previous appointments in relation to Authorised Officers; and**
- 2. Appoint the following officers as Authorised Officers for the City of Victor Harbor to carry out the powers and functions vested or conferred under the said Acts as delegated by the City Manager:**

LOCAL GOVERNMENT ACT 1999, (Section 260)

BAILLIE, Matthew Ian (Compliance Officer)
BATELY, Kevin Crawford (Infrastructure Asset Co Ordinator)

BOHNSACK, Jane	(Director of Corporate & Community Services)
BOND, Peter Andrew	(Director of Environment & Infrastructure Services)
BUCKLEY, David Mark	(Technical Support Co Ordinator)
BUDARICK, Roger Donald	(Manager, Infrastructure)
BUTTON, Trevor Wayne	(Senior General Inspector)
CIRIC, Andrew	(Infrastructure Asset Co Ordinator)
COMAS, Andrew Thomas	(Group Leader Open Space)
COVENTRY, Ben	(Planning Officer)
DEATCHON, David	(General Inspector)
DOMAN, Brian William	(Manager, Open Space)
HENDERSON, Bruce James	(Co ordinator Waste & Environment)
LINTERN, Malcolm Brian	(Group Leader operations)
MAXWELL, Graeme Keith	(City Manager)
OVERALL, Kym Matthew	(Senior Building Officer)
PARKINSON, Timothy James	(IRGC Environmental Projects Officer)
PRICE, Bronte Leland	(Director of Planning & Regulatory Services)
READ, David Andrew	(Principal Planning Officer)
READ, Timothy John	(General Inspector)
ROBERTS, Malinda Jane	(Project Officer/Sustainable Water)
ROSE, Norman William	(Environmental Health Officer)
VACANT	(Senior Planner)
WALKER, Kyla Jade	(Para Planning Officer)

DEVELOPMENT ACT, 1993, (Section 18)

BAILLIE, Matthew	(Compliance Officer)
BOHNSACK, Jane	(Director of Corporate & Community Services)
BOND, Peter Andrew	(Director of Environment & Infrastructure Services)
BUDARICK, Roger Donald	(Manager, Infrastructure)
COVENTRY, Ben	(Planning Officer)
DOMAN, Brian William	(Manager, Open Space)
HENDERSON, Bruce James	(Co ordinator Waste & Environment)
MAXWELL, Graeme Keith	(City Manager)
OVERALL, Kym Matthew	(Senior Building Officer)
PARKINSON, Timothy James	(IRGC Environmental Projects Officer)
PRICE, Bronte Leland	(Director of Planning & Regulatory Services)
READ, David Andrew	(Principal Planning Officer)
ROBERTS, Malinda Jane	(Project Officer/Sustainable Water)
ROSE, Norman William	(Environmental Health Officer)
VACANT	(Senior Planner)
WALKER, Kyla Jade	(Para Planning Officer)

DOG AND CAT MANAGEMENT ACT 1995, (Section 27(1); Section 68 (1))

BAILLIE, Matthew Ian	(Compliance Officer)
BOHNSACK, Jane	(Director of Corporate & Community Services)
BUTTON, Trevor Wayne	(Senior General Inspector)
DEATCHON, David	(General Inspector)
MAXWELL, Graeme Keith	(City Manager)
PRICE, Bronte Leland	(Director of Planning & Regulatory Services)
READ, Timothy John	(General Inspector)

ENVIRONMENT PROTECTION ACT 1993, (Part 10 Division 1)

BAILLIE, Matthew Ian	(Compliance Officer)
BOHNSACK, Jane	(Director of Corporate & Community Services)
BOND, Peter Andrew	(Director of Environment & Infrastructure Services)
BUDARICK, Roger Donald	(Manager Infrastructure)
BUTTON, Trevor Wayne	(Senior General Inspector)
DEATCHON, David	(General Inspector)
HENDERSON, Bruce James	(Co-ordinator Waste & Environment)
MAXWELL, Graeme Keith	(City Manager)
OVERALL, Kym Matthew	(Senior Building Officer)
PARKINSON, Timothy James	(IRCG Environmental Projects Officer)
PRICE, Bronte Leland	(Director of Planning & Regulatory Services)
READ, Timothy John	(General Inspector)
ROBERTS, Malinda Jane	(Project Officer/Sustainable Water)

EXPIATION OF OFFENCES ACT 1996 [4(1) issuing authority (b)]

BAILLIE, Matthew Ian	(Compliance Officer)
BOHNSACK, Jane	(Director of Corporate & Community Services)
BUTTON, Trevor Wayne	(Senior General Inspector)
DEATCHON, David	(General Inspector)
MAXWELL, Graeme Keith	(City Manager)
PRICE, Bronte Leland	(Director of Planning & Regulatory Services)
READ, Timothy John	(General Inspector)
ROSE, Norman William	(Environmental Health Officer)

FIRE AND EMERGENCY SERVICES ACT 2005 (Part 3 Division 8 and Part 4 Divisions 7 & 8)

BAILLIE, Matthew Ian	(Compliance Officer)
BOHNSACK, Jane	(Director of Corporate & Community Services)
BUTTON, Trevor Wayne	(Senior General Inspector/Fire Prevention Officer)

MAXWELL, Graeme Keith (City Manager)
 PRICE, Bronte Leland (Director of Planning & Regulatory Services)
 READ, Timothy John (General Inspector)

FOOD ACT 2001, (Div 3, Section 94)

ROSE, Norman William (Environmental Health Officer)

FREEDOM OF INFORMATION - FOI Officer ({4(1)})

BOHNSACK, Jane (Director of Corporate & Community Services)

IMPOUNDING ACT 1920 (Gazettal Notice required)

BAILLIE, Matthew Ian (Compliance Officer)
 BOHNSACK, Jane (Director of Corporate & Community Services)
 BUTTON, Trevor Wayne (Senior General Inspector)
 DETCHON, David (General Inspector)
 MAXWELL, Graeme Keith (City Manager)
 PRICE, Bronte Leland (Director of Planning & Regulatory Services)
 READ, Timothy John (General Inspector)

HARBORS AND NAVIGATION ACT 1993

Appointment by Department Transport, Energy and Infrastructure pursuant to Section 11(2) and Section 12 of the Act.

BAILLIE, Matthew Ian (Compliance Officer)
 BOHNSACK, Jane (Director of Corporate & Community Services)
 BUTTON, Trevor Wayne (Senior General Inspector)
 DETCHON, David (General Inspector)
 MAXWELL, Graeme Keith (City Manager)
 PRICE, Bronte Leland (Director of Planning & Regulatory Services)
 READ, Timothy John (General Inspector)

PUBLIC & ENVIRONMENTAL HEALTH ACT 1987 [Division 1 - Section 7(1)]

ROSE, Norman William (Environmental Health Officer)

ROAD TRAFFIC ACT 1961 [Section 35 (1a)]

BATELY, Kevin Crawford (Infrastructure Asset Co Ordinator)
 BOND, Peter Andrew (Director of Environment &

	Infrastructure Services)
BOHNSACK, Jane	(Director of Corporate & Community Services)
BUCKLEY, David Mark	(Technical Support Co Ordinator)
BUDARICK, Roger Donald	(Manager, Infrastructure)
CIRIC, Andrew	(Infrastructure Asset Co Ordinator)
LINTERN, Malcolm Brian	(Group Leader Operations)
MAXWELL, Graeme Keith	(City Manager)

SUPPORTED RESIDENTIAL FACILITIES ACT 1992 [Division 4 - Section 21]

PRICE, Bronte Leland	(Director of Planning & Regulatory Services)
ROSE, Norman William	(Environmental Health Officer)

CARRIED UNANIMOUSLY

7.3.2. Report on Outstanding Council Resolutions

OC 08/0261	Report on Outstanding Council Resolutions
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Moved: Cr P Chigwidden Seconded: Cr T Rose

That the status Report on Council Motions as at 20 May 2008 be received as presented.

CARRIED UNANIMOUSLY

8. REPRESENTATIVES REPORTS

- 8.1. Carrickalinga Board of Management
- 8.2. Fleurieu Regional Development Incorporated
- 8.3. Southern & Hills Local Government Association
- 8.4. South Australian Regional Organisation of Councils (SAROC)
- 8.5. South Australian South Central Area Consultative Committee
- 8.6. Granite Island Management Committee
- 8.7. Inman River Catchment Group
- 8.8. National Sea Change Taskforce
- 8.9. Victor Harbor Coastcare

Cr Sinclair-Warren report on meeting held last week.

- 8.10 Encounter Group (Youth Week)
- 8.11 Fleurieu Community Road Safety Group
- 8.12 Fleurieu Alliance
- 8.13 Victor Harbor High School Governing Council
Report distributed with Agenda.
- 8.14 Provincial Cities Association of South Australia
- 8.15 Fleurieu Peninsula & Kangaroo Island Waste Management Strategy Committee
- 8.16 District Bushfire Prevention Committee
- 8.17 Murray Darling Association
- 8.18 Hindmarsh Tiers Biodiversity Group
- 8.19 Southern Fleurieu Coastal Reference Group
- 8.20 Ranges to River NRM Local Government Group
Report distributed with Agenda
- 8.21 Regional Community Consultative Committee
- 8.22 LGA State Executive
- 8.23 S A Water Re-Use Group
- 8.24 SA Boating Council

9. MATTERS OF URGENCY

9.1. Temporary Road Closure – Tabernacle Road

OC 08/0262	Temporary Road Closure - Tabernacle Road
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Moved: Cr D Sinclair-Warren Seconded: Cr P Lewis

That Council exercise its power pursuant to Section 212 of the Local Government Act 1999, that Tabernacle Road between a point 190 metres north of Matthew Flinders Drive and Bay Road be temporarily closed to all vehicular traffic in order to carry out roadworks for the period 26 May 2008 to 30 June 2008.

CARRIED UNANIMOUSLY

9.2. Closure of Bluff Boat Ramp

OC 08/0263	Closure of Bluff Boat Ramp
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Moved: Cr D Sinclair-Warren Seconded: Cr P Ruciak

That Council endorse the closure of the Bluff Boat Ramp from Monday, 2 June 2008 until Tuesday, 30 September 2008 to undertake Stages 2 and 3 of the Bluff Boat Ramp Redevelopment.

CARRIED UNANIMOUSLY

9.3. LGA Committee – Anti-Social Behaviour / Binge Drinking

OC 08/0264	LGA Committee - Anti-Social Behaviour / Binge Drinking
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Moved: Cr P Chigwidden Seconded: Cr K Ewens

That Council endorse the nominations of Mayor Corcoran and Cr Lewis to the above working party of the LGA.

CARRIED UNANIMOUSLY

9.4. Fleurieu Peninsula Tourism Marketing Board

The City Manager brought to the notice of Elected Members that the Fleurieu Peninsula Tourism Marketing Board had called for nominations via an advertisement in the local media.

9.5. Leave of Absence – Cr K Trezise

OC 08/0265	Leave of Absence - Cr K Trezise
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Moved: Cr T Rose Seconded: Cr E Cooper

That Council endorse the request for leave of absence for the next three meetings (10 June, 23 June and 14 July 2008 inclusive).

CARRIED UNANIMOUSLY

10. QUESTIONS ON NOTICE**10.1. Breckan Catchment Update**

At the Ordinary Meeting of Council dated 12 May 2008 the following question was asked from the gallery to the Director of Environment and Infrastructure Services:

Ms B Bond asked: In the early 2000s funding was in hand to remove weeds and feral trees from the area and I believe to establish a form of wetland in the reserve area south of Galpin Avenue. What is the status of progress?

The Mayor took the question on notice.

In response to Ms Bond's question, the Stock Reserve (Breckan Catchment) Project was initiated in 2002/3 following a grant from the Coast & Clean Seas Program.

The initial phase which was grant funded, involved the installation of a Gross Pollutant Trap adjacent the Youth Park on the foreshore, and removal of exotic vegetation, including olives, boneseed, buckthorn, pines and ivy. Engineering designs were considered for a wetland system, but it was found to be too steep to form an effective stormwater holding and wetland system. The costs for the project were:

GROSS POLLUTANT TRAP	\$65,000
STOCK RESERVE WOODY WEED REMOVAL	\$14,000
TOTAL EXPENDITURE	\$79,000
COAST AND CLEAN SEAS GRANT	\$49,200

Since this time Council has continued to remove exotic weeds and replant indigenous vegetation. The reserve includes a Bush For Life site which is maintained by a volunteer, removing weeds to encourage natural biodiversity. For the last 6 years Council has been working with the bushcarers, Lions Club and Apex club to re-establish the indigenous vegetation in the reserve. Plantings have been carried out by the clubs (Lions & Apex), bushcarers, council staff, contractors and the Victor Harbor High School. These plantings have included:

STOCK RESERVE: 2003-2007 - 3,400 with a further 1750 this year totalling 5,150 plants for the 6 years.

SOLLY RESERVE: 2002-2007 - 1,045 plants with a further 300 planned for 2008

TOTAL PLANTINGS 2002-2008 in Breckan Catchment 6,495 plants.

Future plantings and weed control will continue to enhance Stock Reserve and Solly Reserve as biodiversity assets in the Urban environment.

OC 08/0266

Breckan Catchment Update

Moved: Cr E Cooper

Seconded: Cr P Ruciak

That the Question on Notice from Ms Barbara Bond regarding the Breckan Catchment and the answer thereto be received.

CARRIED UNANIMOUSLY

10.2. Finance

At the meeting held on 12th May 2008, Mrs N Dunsmuir asked the question "Is Council's ability to obtain ongoing finance based on income from rates?"

The Council is able to borrow money in any form considered appropriate by the Council, in accordance with Section 134 of the Local Government Act 1999.

While the Council's loans are secured against its general rate base, the actual ability to borrow is in no way connected to revenue collected from property rates.

Mrs Dunsmuir further asked "Will the falling equity in the housing market affect Council's ability to access adequate funding?"

Property rates are Council's main source of revenue and are raised primarily by applying a rate in the dollar to current property valuations.

It is very common for these valuations to increase each year reflecting increasing market values, which has generally produced a reduction in the rate in the dollar to raise the predetermined total revenue required by the annual budget.

In the unlikely event that large numbers of district valuations would decrease, Council would need to consider raising the rate in the dollar to compensate.

The net effect of large scale increases and reductions of property valuations is therefore negligible.

OC 08/0267**Finance****Moved: Cr P Chigwidden****Seconded: Cr D Sinclair-Warren**

That the Questions on Notice from Mrs Dunsmuir and the answers thereto be received.

CARRIED UNANIMOUSLY

11. QUESTIONS WITHOUT NOTICE

11.1. Traders Meeting

This meeting will be held on 17 June 2008 commencing at 5.00pm at the Hotel Victor.

12. MOTIONS WITHOUT NOTICE

12.1. Thank You

OC 08/0268**Thank You****Moved: Cr P Ruciak****Seconded: Cr D Sinclair-Warren**

That Council endorse the forwarding of a thank you letter to the Port Elliot Senior Citizens Club Inc for their generous donation of \$1000 to the Southern Communities Transport Scheme.

CARRIED UNANIMOUSLY

12.2. Donations Policy

OC 08/0269	Donations Policy
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Moved: Cr K Trezise

Seconded: Cr P Ruciak

That in the development of a Donations Policy, all requests for donations/contributions should include a current financial statement of the organisation involved.

CARRIED UNANIMOUSLY

12.3. Whale Centre - Formal Recognition

OC 08/0270	Whale Centre - Formal Recognition
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Moved: Cr P Lewis

Seconded: Cr P Chigwidden

That Council formally recognise the efforts and enthusiasm of the Tourism staff and volunteers in achieving the re-opening of the Whale Centre.

CARRIED UNANIMOUSLY

13. QUESTIONS FROM THE GALLERY**13.1. Victor Harbor City Band**

Mr Jim Dunsmuir: Inviting members to attend the Annual Concert of the Band at 2.00pm in the Recreation Centre on Sunday, 1 June 2008.

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.

7.09pm The Director of Corporate & Community Services and the Director of Planning and Regulatory Services left the meeting for the confidential item.

The City Manager spoke briefly about difficulties being incurred in scheduling Committee and other meetings due to the number of representative structures in place and the availability restrictions of some members. He also addressed to the members concerns regarding the filling of vacancies within the existing staffing compliment.

7.14pm The City Manager left the meeting for the confidential item.

14. CONFIDENTIAL**14.1. Motion to Revoke****OC 08/0271****Motion to Revoke****Moved: Cr P Ruciak****Seconded: Cr T Rose**

That pursuant to Section 90 (2) & (3) (a) of the Local Government Act, 1999, the public and staff be excluded from the meeting to enable the Notice of Motion to Revoke regarding the CEO contract considerations to be considered in confidence, as the item is a personnel matter of potential sensitivity.

CARRIED UNANIMOUSLY

7.15pm The Minute Secretary left the meeting for the confidential item.

The Report and resolutions relating to this matter are filed in Council's safe

15. CLOSURE

The Chair declared the meeting closed at 7.30pm.

Date : _____

Chairperson : _____