

MINUTES

Committee Ordinary Council

Meeting Held Monday, 27 August 2007 at 5.37pm

Location Council Chambers, Bay Road, Victor Harbor

1. PRESENT

Her Worship the Mayor, M Corcoran (Chairperson)

Councillor P Chigwidden

Councillor E Cooper

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

Mrs J Bohnsack - Director of Corporate & Community Services (6.03pm)

Mr B Price - Director of Planning & Regulatory Services

Mr R Budarick - Acting Director of Environment and Infrastructure Services

Mrs G Riley - Minute Secretary

2. LOCAL GOVERNMENT PRAYER & VISION

<u>Prayer</u>

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

Cr Kay Ewens, Cr Peter Lewis

OC 07/0443	Apologies			
	Moved:	Cr K Trezise	Seconded:	Cr D Sinclair-Warren
	That the apologies be received.			

CARRIED UNANIMOUSLY

4. MINUTES OF THE PREVIOUS MEETING

OC 07/0444	Confirmation of the Minutes of the Previous Meeting		
	Moved: Cr E Cooper Seconded: Cr T Rose		
	That the Minutes of the Previous Ordinary Council Meeting held on Monday, 13 August 2007 be confirmed as a true and correct record.		

CARRIED

5. <u>MINUTES OF COUNCIL COMMITTEE MEETINGS</u>

OC 07/0445	Minutes of Council Committee Meetings			
	Moved: Cr P Chigwidden Seconded: Cr D Michelmore			
	That the Minutes of the			
	5.1.	5.1. Recreation Centre Management Committee Meeting held on 14 August 2007;		
	5.2.	Victor Harbor Economic Development Committee Meeti held on 9 August 2007		ment Committee Meeting

be received and the recommendations contained therein be adopted.

CARRIED UNANIMOUSLY

6. <u>PETITIONS</u>

6.1. Petition - Mill Road, Bay Road and Tabernacle Road Intersection

OC 07/0446	Petition - Mill Road, Bay Road and Tabernacle Road Intersection				
	Moved:	Cr D Michelmore	Seconded:	Cr D Sinclair-Warren	
	That the	petition calling for the ac	doption of O	ption 2 for the Mill Road,	

Bay Road and Tabernacle intersection as the preferred treatment be received.

CARRIED UNANIMOUSLY

7. MAYORAL REPORT

OC 07/0447 Mayoral Report

Moved: Cr P Ruciak Seconded: Cr P Chigwidden

That the Mayoral Report be received.

CARRIED UNANIMOUSLY

8. PLANNING & REGULATORY SERVICES

8.1. Planning

8.1.1. Use of Footpaths Within Town Centre

5.40pm Cr M Richards declared a conflict of interest on the basis of his employment and left the meeting.

Cr D Sinclair-Warren also declared a conflict of interest on the basis of her business being in the Town Centre and left the meeting.

OC 07/0448 Use of Footpaths Within Town Centre

Moved: Cr K Trezise Seconded: Cr P Chigwidden

That Council amend By-Law No 2 - Moveable Signs, to specifically prohibit the placement of moveable signs on any footpath within the area defined as the proposed Regional Town Centre Zone (as depicted on Maps - Attachment E), apart from those signs already exempt under Clause 5.1 of the current By-Law, so as to ensure safe and convenient pedestrian movement along footpaths and enhance the amenity of the locality, as per the provisions of Section 226 of the Local Government Act 1999; and

CARRIED

OC 07/0449 Use of Footpaths in the Town Centre

Moved: Cr T Rose Seconded: Cr P Ruciak

That Council vary Policy F10 - Footpaths, so as to prohibit the sale of goods on any roadway, footpath or any public area within the City of Victor Harbor, except on specific short-term occasions approved by Council (and subject to compliance with any conditions and fees as

deemed appropriate by Council).

CARRIED

5.46pm Crs Richards & Sinclair-Warren re entered the meeting.

8.1.2. Victor Harbor and Port Elliot Lions Club - Waiving of Fees

OC 07/0450	Victor Ha	Victor Harbor and Port Elliot Lions Club - Waiving of Fees			
	Moved:	Cr P Chigwidden	Seconded:	Cr E Cooper	
		ncil waives or refunds hed by the Victor Harbo		n with the development of tlions Club.	

CARRIED UNANIMOUSLY

8.1.3. Monthly Report

OC 07/0451	Monthly F	Report						
	Moved:	Cr D Micheln	ore	Se	conded:	Cr T Rose		
	That the received.	Planning and	Regulate	ory	Services	Department	Report	be

CARRIED UNANIMOUSLY

8.2. Economic Development

8.2.1. Adoption of Economic Development Strategy - August 2007

OC 07/0452	Adoption of Economic Development Strategy - August 2007		
	Moved: Cr K Trezise	Seconded: Cr D Sinclair-Warren	
	That Council adopts the rev August 2007.	ised Economic Development Strategy -	

CARRIED UNANIMOUSLY

8.2.2. Christmas Pageant Support

OC 07/0453	Christmas Pageant Support		
	Moved:	: Cr P Chigwidden	Seconded: Cr D Sinclair-Warren
		1. That Council supports the Victor Harbor Business Associ request for \$500 as sponsorship for the 2007 Christmas Pa and notifies the Economic Development Committee of its sufor the event.	
	2.	That Council stresses that	at this sponsorship is neither an

automatic nor annual contribution.

CARRIED UNANIMOUSLY

8.3. Health

8.3.1. Community Flu Clinic During an Influenza Pandemic

OC 07/0454	Community Flu Clinic During an Influenza Pandemic		
	Moved: Cr E Cooper Seconded: Cr P Ruciak		
	That the Southern Australia Department of Health be advised that Council agrees to enter into a Memorandum of Understanding with the		
	Department of Health for use of the Recreation (Centre as a Community	
	Flu Clinic, should the need arise during a flu pand	lemic.	

CARRIED UNANIMOUSLY

9. ENVIRONMENT & INFRASTRUCTURE SERVICES

9.1. Infrastructure Matters

9.1.1. Tabernacle Road - Footpath

OC 07/0455	Tabernac	Tabernacle Road – Footpath		
	Moved:	Cr P Chigwidden	Seconded:	Cr M Richards
	That:			

- 1. Ms Berich be advised that:
 - Council notes her request for construction of a footpath in Tabernacle Road; and
 - Funding for footpath construction in Tabernacle Road will be considered for inclusion in future Council budgets in accordance with the priorities at the time.
- 2. A draft Pedestrian Strategy be presented to Council with six months for its consideration at a future meeting.

CARRIED UNANIMOUSLY

9.1.2. McKinlay Street Car Park

OC 07/0456	McKinlay Street Car Park			
	Moved:	Cr D Michelmore	Seconded:	Cr T Rose
	That the report be received.			

CARRIED UNANIMOUSLY

9.2. Open Space

9.2.1. Relay for Life, Victor Harbor Oval - Hire Fees

6.10pm Cr Sinclair-Warren declared a conflict of interest being a Committee member and left the meeting.

OC 07/0457	Relay for Life, Victor Harbor Oval - Hire Fees		
	Moved: Cr E Cooper Seconded: Cr P Ruciak		
	That the fees for the hire of Victor Harbor Oval from Friday, 28 March 2008 till Sunday, 30 March 2008 by the Cancer Council of South Australia be waived, but that the applicant still meet all other conditions normally expected of a hirer, including payment of the bond and provision of evidence of current public liability insurance.		

CARRIED UNANIMOUSLY

6.11pm Cr Sinclair-Warren re entered the meeting

10. CORPORATE & COMMUNITY SERVICES

10.1. Corporate Services

10.1.1. LGA Annual General Meeting 2007

OC 07/0458	LGA Annual General Meeting 2007			
	Moved:	Cr P Chigwidden	Seconded:	Cr T Rose
	That the r	eport be received.		

CARRIED UNANIMOUSLY

10.2. Governance

10.2.1. Status Report on Council Motions

OC 07/0459	Status Re	port on Council Motions			
Moved:		Cr D Sinclair-Warren	Seconded:	Cr T Rose	

That the Status Report on Council Motions as at 21 August 2007 be received as presented.

CARRIED UNANIMOUSLY

10.2.2. Staff Movements

OC 07/0460	Staff Movements			
	Moved: Cr K Trezise Seconded:			Cr P Chigwidden
	That the staff movements be noted and the report be received.			

CARRIED UNANIMOUSLY

11. REPRESENTATIVES REPORTS

- 11.1. Carrickalinga Board of Management
- 11.2. Fleurieu Regional Development Incorporated
- 11.3. Southern & Hills Local Government Association

AGM held on Kangaroo Island 17 August 2007.

11.4. Granite Island Management Committee

Next meeting scheduled for 5 September 2007 at Council offices.

11.5. Inman River Catchment Group

11.6. National Sea Change Taskforce

AGM held in Queensland with Mayor Joe Natoli re-appointed as Chair of the Taskforce Committee. An excellent conference. Council's attendees will present a paper to the next Council meeting.

11.7. Victor Harbor Coastcare

11.8. Encounter Group (Youth Week)

Meeting scheduled for 6 September 2007

11.9. Fleurieu Community Road Safety Group

11.10. Fleurieu Alliance

Meeting held on Friday, 24 August 2007. A draft Schoolies Bill has been introduced into the Upper House with very little consultation.

11.11. Victor Harbor High School Governing Council

Cr Trezise reported on the accolades received on the Civic Reception and Concert held on 20 August 2007.

- 11.12. Provincial Cities Association of South Australia
- 11.13. Fleurieu Peninsula & Kangaroo Island Waste Management Strategy Committee
- 11.14. District Bushfire Prevention Committee
- 11.15. Murray Darling Association

Communiqué - July 2007 attached to the agenda.

- 11.16. Hindmarsh Tiers Biodiversity Group
- 11.17. Ranges to River NRM Local Government Group

Cr Trezise reported on the first meeting of this Group.

Cr E Cooper

11.18. Southern Fleurieu Coastal Reference Group

The Mayor thanked the Elected Members who have represented her over the past two weeks being Cr K Trezise (Indigenous Group); Cr P Chigwidden (Presentation of Trophy at Orchid Club); CR P Ruciak (Green Corps Graduation); and Cr K Ewens (Chinese Civic Reception).

12. MATTERS OF URGENCY

12.1. Donation - Surf Life Saving

Moved:

OC 07/0461	Donation - Surf Life Saving

-

Seconded:

That a donation of \$100 be made to the Port Elliot Surf Life Saving Club.

CARRIED UNANIMOUSLY

Cr D Sinclair-Warren

12.2. Horse Drawn Tram

The City Manager reported that the Horse Drawn Tram had been withdrawn from operations due to the restrictions imposed on horse movements because of the equine influenza.

13. QUESTIONS ON NOTICE

At the Council meeting of Monday, 13 August 2007 Cr Kay Ewens raised several questions relating to obstruction on and/or the closure of the footpath adjacent to numbers 27 – 29 Seaview Road by the contractors undertaking a new development, (Signatures Homes, development application number 453/676/06, 8 dwellings). The question was taken "on notice" and the Director of Environment & Infrastructure Services provided an initial response. Pursuant to regulation 10 (1) of the Local Government (Proceedings at Meetings) Regulations 2000, the following response is provided:

By way of further information, it is advised that Council is currently working with the Local Government Association to develop templates for permits (including an appropriate fee schedule) in respect to temporary footpath closures in association with construction projects (eg building sites, the installation of hoardings and the location of cranes). It is understood that it is likely that the development of this permit process will be completed within the next six months.

The current process is somewhat informal. Generally, a proponent contacts Council with a request, following which staff from the Environment & Infrastructure Services and Planning & Regulatory Services Departments consult and, if necessary, undertake a site inspection to determine the most safe and convenient outcome in terms of pedestrian traffic. The decisions of staff, including any conditions and/or timeframes, are generally conveyed to the proponent by way of correspondence.

OC 07/0462 Question on Notice - Temporary Footpath Closures

Moved: Cr D Michelmore Seconded: Cr T Rose

That the questions from Cr K Ewens regarding obstructions on footpaths and the answers thereto be received.

CARRIED UNANIMOUSLY

14. QUESTIONS WITHOUT NOTICE

14.1. Building Materials

Cr Rose asked what permits have been issued for the dumping of building rubbish on the land on the corner of Range Road and Waitpinga Road.

The Director of Planning and Regulatory Services took the question on notice.

14.2. Underground Spring Water

Cr Rose asked whether Council was involved in any review in resolving the underground spring water flows coming from The Frontage Apartments. Cr Rose stated that there is approximately 80,000 litres per day flowing into the sea.

The Mayor indicated that a meeting had been arranged with the Victor Harbor Bowling Club for the morning of 30 August 2007.

The Director of Planning and Regulatory Services indicated that a considered response would be presented to the next meeting.

14.3. Planning Developments and Applications

Cr Richards asked why The Times seemed to have knowledge of the proposed development for the Whalers site.

The Director of Planning and Regulatory Services indicated that the application was first lodged on 16 July 2007, with the fees being paid on 30 July 2007. As required with a Category 2 development application, a letter was sent to owners of adjoining properties. This application will be considered by CDAP. Elected Members who are also members of CDAP receive a summary sheet of pending Category 2 and 3 applications.

The Director of Planning and Regulatory Services indicated that he would look at procedures relating to notification of Elected Members on major developments."

14.4. Rabbits

Cr Chigwidden asked whether Council could take any action to reduce the numbers of rabbits in the area, particularly in the vicinity of Viking Street.

The Director of Planning and Regulatory Services indicated that the Department of Health do not classify rabbits as vermin and as such there was little Council could do to control numbers. The Director also took the question on notice and will report to the next meeting.

14.5. Light on Bikeway/Pedestrian Bridge over Inman River

Cr Cooper asked if it was possible to have a light erected on the caravan park side of the bikeway/pedestrian bridge over the Inman River adjacent to Kent Reserve.

The Acting Director of Environment and Infrastructure Services will follow up this request.

14.6. Tabernacle Road

Cr Sinclair-Warren asked if work could be undertaken to trim the vegetation back on at least one side of Tabernacle Road between the Kirribilli Nursing Home and Matthew Flinders Drive.

The Acting Director of Environment and Infrastructure Services took note of this request.

15. MOTIONS WITHOUT NOTICE

15.1. Reception for Local Scouts Group

OC 07/0463 Reception for Local Scouts Group

Moved: Cr E Cooper Seconded: Cr K Trezise

That a Civic Reception be held for the local Scouts Group in recognition of the Scouting century of activities.

CARRIED UNANIMOUSLY

15.2. Review of Delegated Authority

OC 07/0464	Review of Delegated Author	Review of Delegated Authority			
	Moved: Cr K Trezise Seconded: Cr M Richards				
	That staff undertake a review, with Elected Members, of the level delegated authority given to Council staff for planning approvals.				

CARRIED UNANIMOUSLY

15.3. 12 Month Review of Council Activities

OC 07/0465	12 Month Review of Council Activities					
	Moved: Cr T Rose Seconded: Cr P Ruciak					
	That a review of the first 12 months of Council be undertaken in forum/workshop to look back on what has been achieved and then look forward to the next 12 months and what Council wants to achieve.					

CARRIED UNANIMOUSLY

15.4. Renaming Draft Pedestrian Strategy

OC 07/0466				
Moved: Cr K Trezise Second				Cr P Ruciak
	That Council staff give consideration to renaming the draft pedestrian strategy to the Draft Footpath/Pedestrian Strategy.			

CARRIED UNANIMOUSLY

15.5. Signs on Furniture at Warland Reserve

OC 07/0467	Signs on Furniture at Warland Reserve			
	Moved: Cr D Sinclair-Warren Seconded: Cr K Trezise			
	That signs reading, "Please Do Not Feed the Seagulls" be placed on furniture in Warland Reserve.			

CARRIED UNANIMOUSLY

16. QUESTIONS FROM THE GALLERY

16.1. Timing of Surfacing of McKinlay Street Car Park

Ms Nadia Dunsmuir asked: When does Council expect the surfacing of the McKinlay Street Car Park to be completed?

The Acting Director of Environment and Infrastructure Services responded that the works were due to commence mid-September and would take approximately 6-8 weeks to complete but will be completed by the school holidays.

16.2. Development at Whalers

Mr Jim Dunsmuir asked: Is the 5 storey development at Whalers Inn Resort a Category 2 because it is a tourist zone? And will this not devalue the recently sold units for about \$.5million each as well as blocking out their views.

The Director of Planning and Regulatory Services responded that it was correct that it was a Category 2 because it was located in the tourist zone. Council planning staff simply ensured that any applications complied with the Development Act 1993 and Councils Development Plan.

The Mayor responded that it was not up to Council to have consideration for valuation issues associated with adjoining properties when determining a development application.

17. <u>ITEMS FOR INFORMATION</u>

OC 07/0468	Items for	Information		
	Moved:	Cr T Rose	Cr M Richards	
	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.

18. CONFIDENTIAL

18.1. Victor Harbor Yacht Club - Sewerage Tender August 2007

OC 07/0469	Victor Harbor Yacht Club - Sewerage Tender August 2007			
	Moved: Cr D Sinclair-Warren Seconded: Cr P Chigwidden			
	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 the information to be considered in confidence as it relates to consideration of quotations for the provision of a service and the carrying out of works for the Council.			

CARRIED UNANIMOUSLY

OC 07/0470 Victor Harbor Yacht Club - Sewerage Tender August 2007

> Moved: Cr D Michelmore Seconded: Cr T Rose

That the quotation from CR Adams Plumbing Pty Ltd to undertake the Victor Harbor Yacht Club drainage works for the sum of \$63,250.00 (GST

included) be accepted.

CARRIED UNANIMOUSLY

OC 07/0471 Victor Harbor Yacht Club - Sewerage Tender August 2007

> Moved: Cr P Chigwidden Seconded: Cr D Michelmore

That the resolution of Council be released from confidence.

CARRIED UNANIMOUSLY

18.2. South Coast Master Plan - August 2007

OC 07/0472	South Coast Master Plan - August 2007

Moved: Cr P Chigwidden Seconded: Cr T Rose

That pursuant to Section 90 (2) & (3) (j) of the Local Government 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 so as not to breach a duty of confidence.

CARRIED UNANIMOUSLY

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

7.21 pm. The Staff were then asked by the Mayor to vacate the Council Chambers while the elected

members discussed a matter amongst themselves. The Mayor indicated that the City

Manager and Executive Secretary would be recalled in approximately 15 minutes.

7.22pm The Meeting was adjourned.

8.02pm The Meeting reconvened.

19. ELECTED MEMBERS/SENIOR MANAGEMENT PROTOCOL WORKSHOP

OC 07/0476

Elected Members/Senior Management Protocol Workshop

Moved: Cr P Chigwidden Seconded: Cr D Sinclair-Warren

That as a Council we hold a workshop as soon as possible on the roles detailed in our Code of Conduct and that Council ask Rob Wallace from the LGA to facilitate and assist us in developing a set of protocols to clarify to the Mayor, Elected Members, CEO and senior staff the conduct and communication required to move forward in a positive and efficient manner.

CARRIED UNANIMOUSLY

20. MEDIA POLICY

OC 07/0477	Media Policy				
	Moved:	Cr E Cooper	Seconded:	Cr T Rose	
		only the Mayor and/or the municate with the media.			

CARRIED UNANIMOUSLY

21. CLOSURE

The Chairman declared the meeting closed at 8.14pm.

Date :	Chairperson:
	1