

**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 10 September 2013 at 7:00pm.**

**MEMBERS PRESENT**

His Worship the Mayor, AK Rollond  
Councillor RM Bouchée  
Councillor PW Dixon  
Councillor KM Donaldson  
Councillor LR Fisk  
Councillor JD Huckstepp  
Councillor SC Lonie  
Councillor TD Looker  
Councillor S Patterson  
Councillor RC Patton  
Councillor AP Roe  
Councillor LJ Yates

**STAFF IN ATTENDANCE**

Chief Executive Officer - JP Lynch  
General Manager City Assets – SG Hodge  
General Manager Corporate Services - IS Walker  
Acting Manager Organisational Sustainability – S Galliford  
Manager Development Services – A Marroncelli

**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 - Deputy Mayor, RA Clancy
- 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****C100913/1024**

**That the minutes of the Ordinary Meeting of Council held on 27 August 2013 be taken as read and confirmed.**

Moved by Councillor Huckstepp, Seconded by Councillor Donaldson

**Carried****8. QUESTIONS BY MEMBERS****8.1 Without Notice****8.1.1 City of Holdfast Bay Participation in Adelaide Airport Committees–  
Councillor Bouchee**

Councillor Bouchee asked a question if the City of Holdfast Bay had representatives on the AMAC committee for the Adelaide Airport.

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

**8.1.2 Savings from Environmental Initiatives**

Councillor Bouchee asked a question regarding a response on what the savings from the environmental initiatives are being used for.

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

**8.1.3 Election Funding Pledges**

Councillor Patton asked a question regarding how council accesses the funds for projects promised during the Federal Election campaign.

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

**8.1.4 Update on Performing Arts Centre**

Councillor Looker asked a question regarding the construction of the new Recital Hall at Brighton Secondary School and if there was an update on the operation of the Performing Arts Centre.

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

**8.2 With Notice - Nil****9. MEMBER'S ACTIVITY REPORTS - Nil****10. PUBLIC PRESENTATIONS****10.1 Petitions - Nil****10.2 Presentation - Nil****10.3 Deputations - Nil****11. MOTIONS ON NOTICE Nil****12. ADJOURNED MATTER****12.1 Adjourned Report – Brighton Oval Telecommunications Site (Report No: 305/13)**

On 27 August 2013 Council considered a report recommending the approval be granted for Telstra Corporation to undertake a public consultation process in regard to the construction of a telecommunications facility at the Brighton Oval Complex.

This report was adjourned with Council resolving as follows;

*"That the motion be adjourned until it is determined if Council has a policy on this matter and be presented to the next meeting".*

A search has been undertaken of all policies for the City of Holdfast Bay back to approximately the year 2000 and no such policy has been located.

**Motion****C100913/1025**

- 1. That public consultation be undertaken by Telstra Corporation Limited regarding the proposal to erect a telecommunication site on the Brighton Oval.**
- 2. That a further report be provided to Council detailing the results of the public consultation.**

Moved Councillor Lonie, Seconded Councillor Huckstepp

**Carried**

**Division called**

A division was called:

Those voting for: Councillors Patton, Patterson, Looker, Lonie, Roe and Huckstepp (7)

Those voting against: Councillors Fisk, Bouchee, Donaldson and Yates (4).

His Worship the Mayor declared the motion

**Carried**

**13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL****13.1 Minutes - Alwyndor Aged Care Committee – 20 August 2013 (Report No: 306/13))**

The Minutes of the Alwyndor Aged Care Management Committee for 20 August 2013 are provided for information.

**Motion****C100913/1026**

**That the Minutes of the Alwyndor Aged Care Management Committee for 20 August 2013 be noted by Council.**

Moved Councillor Lonie, Seconded Councillor Looker

**Carried**

**13.2 Minutes – Jetty Road Mainstreet Management Committee – 7 August 2013 (Report No: 289/13)**

The Minutes of the Jetty Road Mainstreet Management Committee meeting held 7 August 2013 are attached and presented for Council's information.

**Motion****C100913/1027**

**That the minutes of the Jetty Road Mainstreet Management Committee held 7 August 2013 be received.**

Moved Councillor Patton, Seconded Councillor Dixon

**Carried**

**14. REPORTS BY OFFICERS****14.1 Items in Brief (Report No: 308/13)**

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****C100913/1028****That the report be noted and items of interest discussed.**

Moved Councillor Looker, Seconded Councillor Huckstepp

**Carried****14.2 Preliminary 2012/13 Financial Statements and 2012/13 Budgets Carried Forward (Report No: 307/13)**

This report provides preliminary unaudited financial statements for the 2011/12 financial year together with the final details of budget amounts for incomplete projects and programs as at 30 June 2012 to be carried forward.

**Motion****C100913/1029****That Council:**

- 1. Notes the preliminary 2012/13 financial statements and carried forward budgets.**
- 2. Approves the final amounts carried forward from the 2012/13 budget to the current year 2013/14 being \$71,936 net operating expenditure, \$1,261,722 capital expenditure and \$2,000,000 property sale income.**

Moved Councillor Looker, Seconded Councillor Bouchee

**Carried****14.3 Stormwater Management Plan – Community Consultation (Report No: 310/13)**

The development of a Stormwater Management Plan is a requirement of the Local Government Amendment Act and requires Councils within the catchment area to develop a plan to manage stormwater.

The Cities of Marion and Holdfast Bay have been working collaboratively since 2010 on this plan. The recommendations of this plan are far reaching (flood protection, water quality improvements and recommended changes to the Development Plan) and will require both Councils to continue to work together and commit significant financial resources to deliver these outcomes.

This report provides a summary of the recent community consultation undertaken with respect to the joint Stormwater Management Plan (SMP) between the Cities of Marion and Holdfast Bay and details the next step in the endorsement of this document.

**Motion****C100913/1030**

1. Council notes the feedback received from the community with respect to the Stormwater Management Plan and based on this feedback and proposed minor changes endorse the current draft plan for submission to the State Government for approval.
2. The adopted plan be forwarded to the Department Natural Resources Adelaide Mount Lofty Ranges for comment and then to the Stormwater Management Authority for approval.
3. That the Chief Executive Officer be delegated the authority to negotiate a joint agreement between the Cities of Marion and Holdfast Bay for the progression of the recommendations detailed in the Stormwater Management Plan.
4. That an allocation of \$15,000 be considered in the next budget review to fund cost already incurred for brochures and flood plain mapping associated with community consultation of the plan and expected costs to gain approval of the plan from the State Government.

Moved Councillor Yates, Seconded Councillor Looker

**Carried**14.4 **Resilient South Update – Climate Change Scenarios Report** (Report No: 311/13)

The Resilient South Project is a joint initiative between the Cities of Marion, Mitcham, Onkaparinga and Holdfast Bay and aims for the development of a Regional Action Plan for adaptation to Climate Change.

One of the key initial stages of this project was the research and development of a report that identifies the various climate change scenarios that can be expected in the coming years within the Southern Region if climate change continues to increase at the current and projected rates. This report forms the basis of future planning for the project and it is recommended for endorsement by Council as a key focus document in adapting to climate change.

**Motion****C100913/1031**

1. That Council endorse the Climate Change Scenarios Report, which forms Attachment 1 to this report.
2. That Council notes the Resilient South project's completed and upcoming stakeholder engagement activities.

Moved Councillor Patterson, Seconded Councillor Yates

**Carried**

14.5 **Donation of Land to Council** (Report No: 309/13)

Council has been approached by the owner of land comprised in the Certificate of Title 5853 Folio 53 (part of which is known as Pine Gully) with a desire of making a donation of a portion of this land to Council to enable preservation of the land as natural reserve. This report details the negotiations that have taken place with the property owner and seeks Council's endorsement to enter into a lease which will lead to subsequent ownership by Council.

**Motion**

**C100913/1032**

1. **That Council accepts the offer of land from Mrs Mary Trott shown as Allotments 301 and 302 in attachment 1.**
2. **That the Mayor and Chief Executive Officer be authorised to sign and seal all documents associated with the lease and transfer of the land identified in the lease as Allotments 301 and 302.**
3. **That Council endorse the draft Community Land Management Plan for public consultation as required under the Local Government Act.**
4. **That an allocation of \$10,000 be considered in the 2013/14 Budget Review 1 to enable the creation of the new Certificate of Titles for Allotments 301 and 302.**

Moved Councillor Yates, Seconded Councillor Huckstepp

**Carried**

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

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

17. **ITEMS IN CONFIDENCE**

17.1 **Ombudsman's Investigation into Whistleblowers Complaint – Conflict of Interest Provisions Breach** (Report No: 312/13)

**Motion**

1. **That under provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, General Managers and administrative staff in attendance in order to consider in confidence this item.**
2. **That the Chief Executive Officer is satisfied that it is necessary that the public be excluded to enable the Council to discuss and to consider the matter at the meeting on the following grounds:**

- g. matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.**

Moved Councillor Looker, Seconded Councillor Donaldson

**Carried**

Ombudsman's Investigation into Whistleblowers Complaint – Conflict of Interest Provisions Breach (Report No: 312/13)

Councillor Fisk declared an interest in the matter as it involves his conduct and left the chamber at 7.47pm.

**17.1 Ombudsman's Investigation into Whistleblowers Complaint – Conflict of Interest Provisions Breach (Report No: 312/13)**

**ORDER TO RETAIN DOCUMENTS IN CONFIDENCE**

**Motion**

**C100913/1034**

- 1. That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the documents relating to Report No: 312/13 including:**

- Minutes**
- Report**
- Attachment**

**relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(g).**

- 2. This resolution will be reviewed within 12 months by the Council.**

Moved Councillor Looker, Seconded Councillor Lonie

**Carried**

**CLOSURE**

The Meeting closed at 7.52pm.

**CONFIRMED Tuesday 24 September 2013**

**MAYOR**