

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 February 2015 at 7:00pm.

MEMBERS PRESENT

His Worship the Mayor, S Patterson
Deputy Mayor R Patton
Councillor R Aust
Councillor R Bouchée
Councillor A Bradshaw
Councillor S Charlick
Councillor R Clancy
Councillor K Donaldson
Councillor S Lonie
Councillor J Smedley
Councillor R Snewin
Councillor A Wilson

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
Manager Organisational Sustainability – PE Aukett

1. OPENING

His Worship the Mayor declared the meeting open at 7.00pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting His Worship the Mayor stated:
We acknowledge Kurna 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 Kurna 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 L Yates

His Worship the Mayor expressed the council's condolences to Councillor Yates on the passing of her mother.

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****C100215/045**

That the minutes of the Ordinary Meeting of Council held on 20 January 2015 be taken as read and confirmed.

Moved by Councillor Donaldson, Seconded by Councillor Clancy

Carried**8. PUBLIC PRESENTATIONS**8.1 **Petitions** - Nil8.2 **Presentation** - Nil8.3 **Deputations** - Nil**9. QUESTIONS BY MEMBERS**9.1 **Without Notice**9.1.1 **Buffalo Redevelopment– Councillor Patton**

Councillor Patton asked a question regarding the Buffalo redevelopment.

The Manager Organisational Sustainability, Ms T Aukett provided a response.

9.1.2 **Council Prayer**

Councillor Bouchee asked a question regarding the Council Prayer.

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

9.1.3 **Glenelg Cinema and Carpark Development**

Councillor Bouchee asked a question regarding the access to the development.

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

9.2 **With Notice - Nil**

10. MEMBER'S ACTIVITY REPORTS

10.1 **Immanuel College**

Councillor Patton reported that he attended an opening of a building at Immanuel College.

10.2 **Brighton Croquet Club**

Councillor Bradshaw reported that as the Patron of Brighton Croquet Club she attended their 100 year celebrations.

10.3 **Mayoral Activity Report**

Mayor Patterson reported that he presided at the successful Australia Day Celebrations and a meeting with the Somerton Surf Life Saving Club, Minda Council to clarify titles and emergency access to the building.

11. MOTIONS ON NOTICE

11.1 **Motion on Notice – Company Directors Course – Councillor Snewin** (Report No: 26/15)

BACKGROUND

I have just completed a 2 day update Company Directors Course. I had previously completed and graduated as a Company Director in the course 2 years ago.

It is an excellent course especially outlining the onerous responsibilities of directors and the need for squeaky clean governance. I found the course and update particularly helpful with my role as a Councillor, Show and SACA Board Member and even as the CEO here reporting to the ACMFF Board.

All that said I would encourage our Elected Members to consider doing the course to promote higher standards of professionalism and governance for the COHB.

ADMINISTRATION COMMENT

The Company Directors Course is offered by the Australian Institute of Company Directors. The next course available in Adelaide is scheduled to commence on

the 16 March. This 5 day program run over 2 weeks costs \$6,310 (members) or \$8,835 (non-members). More information on the course, delivery methodology and content is available on the Australian Institute of Company Directors website.

The City of Holdfast Bay Elected Member Training and Development policy requires that if Elected Members wish to participate in appropriate training, other than that provided to all Elected Members, they must seek approval from Council prior to registering.

Motion

C100215/046

That under the Elected Members Training and Development Policy, City of Holdfast Bay Elected Members to assist in their role as Councillors are encouraged note the availability of the AICD Company Directors course.

Moved Councillor Shewin, Seconded Councillor Donaldson

Carried

- 11.2 **Motion on Notice – Transparency in Meetings – Councillor Clancy** (Report No: 29/15)

BACKGROUND

For a council to make good decisions it must have the best available information that is accurate and verifiable. This is anticipated in the elected members Code of Conduct and members making assertions as to the truth of their statements must be able to provide clear evidence of that.

Motion

That the Code of Practice Meeting procedures section 3.5 be amended to include the clause "In accordance with the mandated code of conduct section 2.8, a member providing information to council, asserted as fact, then that member must be able to provide a reference or the source of that information to confirm its validity.

Moved Councillor Clancy, Seconded Councillor Aust

Lost

Division called

A division was called:

Those voting for: Councillor Clancy (1)

Those voting against: Councillors Aust, Patton, Charlick, Smedley, Bouchee, Wilson, Donaldson, Shewin, Lonie and Bradshaw (11).

His Worship the Mayor declared the motion

Lost

11.3 Motion on Notice – Parking Permits for Past Mayors (Report No: 31/15)**BACKGROUND**

From my research Mr Brian Nadilo and Dr Ken Rollond are the only 2 Mayors (still living) that I can find that fulfil this criteria. Because of the length of their tenure, their relationships with many of the community organisations that they were associated with still continue even after they have left office.

The personal commitment for this position and for this length of time I believe should be acknowledged.

Motion

That those who have held the Mayoral position for the City of Glenelg/City of Brighton and the City of Holdfast Bay Council of a combined period of 10 or more years , receive one street Parking Permit for their designated vehicle whilst they are still a resident/ratepayer of this City for the term of this Council.

Moved Councillor Bouchee, Seconded Councillor Smedley

Lost

12. ADJOURNED MATTER - Nil**13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL****13.1 Minutes – Development Assessment Panel – 10 December 2015 (Report No: 03/15)**

Council's Development Assessment Panel is established under the Development Act 1993.

The minutes of the Development Assessment Panel meeting held 10 December 2014 are presented to Council for information.

Motion

C100215/047

That the minutes of the Development Assessment Panel meetings held on 10 December 2014 be received.

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

14. REPORTS BY OFFICERS**14.1 Items in Brief (Report No: 27/15)**

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**C100215/048****That the following items:**

- **No Change to Bus Services in Glenelg**
- **ICAC and Ombudsman SA - Resolution of Complaints plus Additional Correspondence**
- **Jetty Road Green Rooms**
- **Adelaide Airport Master Plan 2014**
- **Planning Reforms – Release of Expert Panel’s Final Recommendations Report to the Minister**
- **Partridge Street Cinema and Car Park Update**

be noted and items of interest discussed.

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

Councillor Snewin left the chamber at 7.34pm.

Councillor Snewin rejoined the chamber at 7.36pm.

Councillor Bouchee sought leave of the meeting to speak to this item again. Leave of the meeting was granted.

14.2 **Ministerial Minda Brighton Campus and General Section Amendments Development Plan Amendment for Consultation – Final Submission** (Report No: 30/15)

On 20 January 2015, Council’s Strategic Planning and Development Policy Committee considered an initial draft response in relation to the Minda Brighton Campus and General Section Amendments Development Plan Amendment (DPA) that was released by the Minister for consultation on 27 November 2014.

The purpose of this report is to seek Council’s endorsement of a revised response to the Minister’s appointed Development Policy Advisory Committee on the draft DPA.

Motion**C100215/049**

That Council endorses the revised response, subject to minor amendments, to the Minister’s appointed Development Policy Advisory Committee located at Attachment 1 to Report No: 30/15 in relation to the draft Minda Brighton Campus and General Section Amendments Development Plan Amendment by the Minister.

Moved Councillor Lonie, Seconded Councillor Clancy

Carried

14.3 **Mid Year Budget Review – as at 31 December 2014** (Report No: 25/15)

This report covers the mid-year review of Council’s 2014/15 budget as at 31 December 2014.

For Municipal funds it has resulted in an increase in the projected operating deficit after profit on sale of assets of \$489,114 and in increase in funding requirements of \$2.3m. The major operational variance is the lower forecast income from the Caravan Park. This reflects the lower level of bookings as a result of adverse publicity associated with the now resolved legal action, withdrawal of cabins for essential refurbishment and the delay in development approval for new cabins originally planned for completion before the peak demand summer season. Other offsetting variances include the delayed timing of the additional Roads to Recovery grant funds offset by the transfer of the operational boat lock renewal budget to the overall barrage gates, lock and walkway capital renewal project. The major capital variances are due to lower proceeds on disposal of the property at Lot 48 McFarlane Street Glenelg, and the timing of proposed expenditure on the Seacliff Community and Sporting Precinct and Coast Park projects in 2014/15.

For Alwyndor funds it has resulted in a decrease in the projected operating surplus of \$307,210 and an increase in funding requirements of \$305,210. The major operational variance refers to additional building maintenance and security, combined with additional forecast depreciation on the new facilities. The capital variance refers to the completion of Stage 3 of the building redevelopment which had been previously approved by Council in June 2014.

Motion

C100215/050

- 1. That Council notes the second 2014/15 budget update for Council's municipal operations including:**
 - (a) an increase of \$489,114 in the projected operating deficit to a projected operating deficit of \$833,729 (compared to an operating surplus of \$4,282 in the original budget);**
 - (b) a decrease in the projected capital expenditure of \$3.65 million to \$18.67 million (compared with \$15.97 million in the original budget);**
 - (c) a decrease in the projected capital revenue of \$5.42 million to \$4.72 million (compared with \$7.47 million in the original budget);**
 - (d) an increase in projected net financial liabilities at 30 June 2015 of \$2.32million from \$18.61 million to \$20.93 million (compared to \$17.78 million in the original budget).**

- 2. That Council notes the second 2014/15 budget update for Alwyndor operations including:**
 - (a) a decrease of \$307,210 in the projected operating surplus to a projected operating surplus of \$170,059 (compared to an operating surplus of \$477,219 in the original budget);**
 - (b) an increase in the projected capital expenditure of \$195,000 to \$2.04 million (compared with \$1.85 million in the original budget);**

(c) an increase in the projected net financial liabilities at 30 June 2015 of \$305,210 to \$15.2 million (compared to a net financial liabilities amount of \$13 million in the original budget).

3. That Council approves total loan borrowings of up to \$8.4 million, comprising the current adopted budget requirement of \$6.1 million and additional borrowings of \$2.3 million in accordance with Council's treasury policy, to meet projected funding requirements through to June 2015 as required.

Moved Councillor Smedley, Seconded Councillor Bouchee

Carried

14.4 **Request for Funding – Winter Wonderland** (Report No: 02/15)

During the winter months, trading at Jetty Road, Glenelg and surrounds decreases significantly.

In an effort to encourage residents and visitors to continue to regularly visit Glenelg during this period, the Jetty Road Mainstreet Management Committee (JRMMC) ran a programme of events entitled "Winter Wonderland" in 2014.

The main theme of the event was an undercover ice rink in Moseley Square that operated for a four week period during July. The event was a sell-out with all 16,000 available tickets selling out within the first week. The event also attracted strong interest from the media with over \$430,000 worth of free media coverage including TV, radio and advertorial. 88% of attendees were day trip visitors from outside the City of Holdfast Bay and the event generated \$1.1 million¹ expenditure to the local economy.

Based on the success of the programme in 2014, at its meeting on 3 December 2014, the JRMMC committed to fund up to \$75,000 for the event and requested that matched funding of up to \$75,000 be sought from Council. The projected budget for 2015 is \$344,000 and the funding sought from Council assumes a take-up of 60% to generate the remaining income.

Motion

C100215/051

1. That Council contribute up to \$75,000 towards the cost of the Winter Wonderland program from the 2015/16 budget.
2. That Council endorse an alternative procurement process of directly engaging the supplier without conducting a tender process.

Moved Councillor Patton, Seconded Councillor Wilson

Carried

14.5 **Jetty Road Mainstreet Management Committee Nominations** (Report No: 18/15)

¹ *2013 average expenditure of visitors information supplied by South Australian Tourism Commission

The Jetty Road Mainstreet Management Committee (JRMMC) is a special purpose committee of the City of Holdfast Bay formed under Section 41 of the Local Government Act 1999. The JRMMC has delegated powers from Council which are reviewed annually.

The term of appointment of all members of the JRMMC will, subject to Section 45(1) of the Local Government Act 1999, coincide with the term of the Council, and be for a period of two years, with an option to renew for a further two years. Where Members elect not to take up their option of a further two year term, new Members will be appointed in accordance with Section 11 Method of Appointment of Community Members for two years or until the end of the current term of Council. [NOTE: Council at its meeting held 12/12/2010 C141210/025 resolved to appoint nine members for a two year term].

19 nominations were received.

Motion

C100215/052

1. That Council resolves to continue with the appointment of nine members until the end of the current term of the Council.
2. That Council resolves the following persons be appointed as Community Members of the JRMMC and remain so until the appointment by Council of persons to fill these positions following the next General Election of the Council:

**Mike Hooper, The Moseley Bar and Kitchen
 Mark Faulkner, Enve Hair and Beauty
 Triston Goc, Jetts 24/7 Gym
 Con Maios, Don Maios Investments
 Eve Leenaerts, Telstra Store Glenelg
 Rocco Caruso, Caruso
 Andoni Fotopoulos, Ikos Holdings Trust
 Tony Beatrice, Cibo Espresso
 Tara Buckerfield, Bank SA.**

Moved Councillor Patton, Seconded Councillor Wilson

Carried

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

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

16.1 Councillor Clancy – Personal Explanation – Letter to the Editor – Payment of Allowances

His Worship the Mayor granted leave of the meeting to Councillor Clancy to make a personal explanation.

Councillor Clancy made the following statement:

On the 25 November 2014 at the council meeting there was a motion regarding elected member benefits and this matter was moved by Councillor Bouchee and seconded by Councillor Lonie, and subsequently there was an article in the Guardian Messenger in December and then a further letter to the editor by Mr Tim Looker. It is my understanding, that Mr Looker used publically available information sources and at no time while I have been a member of a council I have never discussed confidential information and have never discussed matters that are raised at workshops. I am upset that it has been inferred that I have been identified as a leak of information. I would like to make it clear to the members that at no time do I discuss what is discussed at council with members of the public, my family or the media.

Councillor Clancy tabled copies of the Guardian Messenger story "Three months' pay claimed" dated 17 December 2014.

Councillor Patton left the chamber at 8.14pm.

His Worship the Mayor granted Councillor Bouchee a reply to the Personal Explanation by Councillor Clancy.

Councillor Patton rejoined the chamber at 8.16pm.

CLOSURE

The Meeting closed at 8.16pm.

CONFIRMED 24 February 2015

MAYOR