

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 28 April 2015 at 7:01pm.

MEMBERS PRESENT

His Worship the Mayor, S Patterson
Deputy Mayor R Patton
Councillor R Bouchée
Councillor A Bradshaw
Councillor R Clancy
Councillor K Donaldson
Councillor S Lonie
Councillor J Smedley
Councillor R Snewin
Councillor L Yates
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 7.01pm.

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 - Councillor R Aust and Councillor S Charlick

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

C280415/079

That the minutes of the Ordinary Meeting of Council held on 14 April 2015 be taken as read and confirmed.

Moved by Councillor Bouchee, Seconded by Councillor Smedley

Carried

8. PUBLIC PRESENTATIONS

8.1 **Petitions - Nil**

8.2 **Presentation - Nil**

8.3 **Deputations - Nil**

9. QUESTIONS BY MEMBERS

9.1 **Without Notice**

9.1.1 **Removal of Anzac Day Tributes– Councillor Bradshaw**

Councillor Bradshaw asked a question regarding the removal of the Anzac Day tributes from the memorials.

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

9.2 **With Notice - Nil**

10. MEMBER'S ACTIVITY REPORTS

10.1 **Councillor Patton, Deputy Mayor**

Councillor Patton reported that he attended the following functions representing the Mayor:

- 17 April 2015 - Cemeteries and Crematoriums Conference
- 19 April 2015 – Started Bay City Fun Run
- 23 April 2015 – Alwyndor Men's Shed Anzac Service
- 25 April 2015 – Anzac Day Dawn Service at Glenelg

10.2 **Friends of the Library Event**

Councillor Wilson reported that she and Councillor Bouchee attended a Friends of the Library Event at Partridge House.

10.3 **Kingston Park Masterplan Review**

Councillor Yates reported that she and Councillor Yates attended a briefing on the Kingston Park Masterplan Review.

10.4 **Memorial for Mr Trevor Griffin**

Councillor Bouchee reported that she attended the Memorial for Mr Trevor Griffin who was the leader of the government in the Legislative Council from September 1979 to November 1982 and served as attorney-general twice from September 1979 to November 1982 and again from December 1993 to December 2001.

10.5 **Anzac Day Dawn Service - Brighton**

His Worship the Mayor, Mr S Patterson reported that he attended Brighton Anzac Day ceremony.

11. MOTIONS ON NOTICE

11.1 **Motion on Notice – Supported Residential – Councillor Clancy** (Report No: 123/15)

BACKGROUND

This is discriminatory as stated by Anne Gale Commissioner for Equal Opportunity, Geoff O'Connell President of the Supported Residential Facility Association and Uniting Communities Manager, Mark Henley.

Holdfast Bay has always prided itself on providing accommodation for those with disabilities including the Somerton Crippled Children's Home, Townsend House, Minda, supported residential facilities, boarding houses and aged care.

I wish to have it recorded that historically Holdfast Bay Council, which was formed by the amalgamation of Brighton and Glenelg, has always supported the inclusion of those with disabilities in their community.

As a Council we cannot turn our backs on those in most need.

ADMINISTRATION COMMENT – General Manger City Services

The City of Holdfast Bay has been providing 'Life Links', a regional grant funded program that provides social support to people who are regarded as 'tertiary homeless' since 2003, assuming the auspice for the inner southern region comprising the cities of Mitcham, Marion and Holdfast Bay in 2008. There are currently six SRF's across the region of Mitcham, Marion and Holdfast Bay, with 3.4FTE staff and 40 volunteers providing support to approximately 200 residents who live in these facilities.

Other organisations such as Anglicare provide the hands-on personal care that some of these residents need, with Life Links focussing on providing wellbeing focussed opportunities that promote social inclusion, enhance self-esteem and build confidence and life-skills.

Through partnerships with neighbouring community centres, rotary clubs and other stakeholders such as MIFSA and GROW, a range of support activities are offered, including The Singing Magpies choir and other music appreciation activities, gentle exercise and walking groups, art & craft activities, community outings, cooking classes, movie nights, library and cultural centre visits, special events such as the annual regional Easter BBQ and participation in the Glenelg Christmas Pageant, photography, fishing and other special interest groups.

Weekly visits by staff and volunteers in the facilities ensure that 1:1 support is offered to residents and targeted assistance is provided such as helping residents to access support programs to quit smoking, assistance to prepare for work or seek employment opportunities, and guidance to access disability advocacy services and volunteering opportunities.

Through the work that LifeLinks has done, some of the barriers that exist for these most marginalised people in the community have been broken down, giving these local residents the opportunity to participate meaningfully and remain connected to their community.

Motion

That Council accepts the advice from the Presiding Member of Council's Development Assessment Panel addressing the Development Plan policy and provided as Attachment 2 to Report No: 68/15, and referred to the Strategic Planning section for consideration for inclusion in future suitable Development Plan Amendments and/or the general review of the Holdfast of the Holdfast Bay (City) Development Plan under Section 30 of the Development Act. With the exception of the final dot point on page 4 which states "*Consideration given to discouraging further increasing Supported Residential Housing in the Residential Character Zone to the north of Jetty Road, via making this type of development non-complying*", which is not for consideration in any future Development Plan Amendments.

His Worship the Mayor called a Point of Order and asked Councillors Bouchee and Smedley to cease disrupting the meeting.

Moved Councillor Clancy, Seconded Councillor Lonie

Lost

Division called

A division was called:

Those voting for: Councillors Clancy, Lonie and Yates (3)

Those voting against: Councillors Patton, Smedley, Bouchee, Wilson, Donaldson, Snewin and Bradshaw (7).

His Worship the Mayor declared the motion

Lost

- 11.2 **Motion on Notice – Hammerhead Blocks – Councillor Yates** (Report No: 127/15)

BACKGROUND

At the recent meeting with the DPTI planner, several elected members expressed dissatisfaction with the effects of hammerhead blocks on streets - increased noise and reduction of privacy to neighbouring backyards, increasing paved surfaces causing reductions in number of garden trees and issues with stormwater.

ADMINISTRATION COMMENT – Strategic Planner Policy

Hammerhead allotments are not a desirable means of sub-dividing allotments, nor creating additional dwellings.

To create more opportunity for 'side by side' land divisions, a reduction in the minimum frontage widths in the Holdfast Bay Council Development Plan is required. Presently minimum frontages range from 10m -12m depending on the housing type.

To amend the Holdfast Bay Council Development Plan land use policy, a Development Plan Amendment is required.

This policy direction is being considered as part of the Housing and Lifestyle Strategy.

Motion

C280415/080

That a report be produced investigating alternatives to hammerhead blocks as a means of splitting up an existing house block e.g. reducing the required minimum site width so as to encourage 2 narrower houses to be built side-by-side and both thus in line with the current setback of houses in a street. The report should consider the impact on neighbouring blocks and the general streetscape aesthetics as well as stormwater issues and how to encourage less paved gardens with more trees.

Moved Councillor Yates, Seconded Councillor Clancy

Carried

12. **ADJOURNED MATTER - Nil**

13. **REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL - Nil**

14. **REPORTS BY OFFICERS**

- 14.1 **Items in Brief** (Report No: 117/15)

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

C280415/081

That the following items:

- **Jetty Road Vacancy Rates**
- **Bay to the Battlefield project**
- **An Army of Women exhibition**
- **Visitor Information Centre upgrade**
- **Closed Circuit Television Grant Program 2015**
- **State Planning Reform update**

be noted and items of interest discussed.

Moved Councillor Lonie, Seconded Councillor Smedley

Carried

14.2 **Appointments to External Organisations** (Report No: 118/15)

Council has been approached by the Brighton and Seacliff Yacht Club to nominate a Council 'liaison' representative to the Club. It is also necessary to nominate an Elected Member to the Metropolitan Seaside Councils Committee.

The roles and responsibilities of a 'liaison' representative and a committee member are different and, before accepting a nomination, Council members should be clear on the extent of their duties and responsibilities.

Motion

C280415/082

1. **That Council nominates Councillor Yates to the Metropolitan Seaside Councils Committee.**
2. **That Council nominates a council 'liaison' representative Councillor Yates to the Brighton and Seacliff Yacht Club Committee.**

Moved Councillor Donaldson, Seconded Councillor Bouchee

Carried

14.3 **Elected Member – Breach of the DAP Code of Conduct** (Report No: 119/15)

Councillor Bouchee declared an interest in this matter, due to the report investigating her conduct and left the chamber at 7.40pm.

The Chief Executive Officer received a written complaint by a member of the public with an interest in a development decision before the Development Assessment Panel on 25 March 2015. The complaint alleged that a member of the Panel breached the DAP Code of Conduct (the Code) in a number of ways. The CEO conducted an investigation, and concluded that the member of the Panel did breach the Code on at least one occasion. The Mayor has accepted

the CEO's recommendation that the Member receive additional training on the Code, with particular reference to its requirement for members to consider an application based on the requirements of the Development Plan.

Motion

C280415/083

That this report is received, noting that Councillor Bouchee is required to attend formal training on her responsibilities as a DAP member with particular reference to the DAP Code of Conduct as soon as practicable.

Moved Councillor Patton, Seconded Councillor Lonie

Carried

Councillor Bouchee rejoined the chamber at 7.43pm.

14.4 Procurement (Contracts & Tendering) Policy (Report No: 120/15)

It is a requirement under s49 of the Local Government Act that Council adopts policies on procurement, specifically contracting, tendering and the use of local goods and services. The purpose of this policy is to ensure that Council achieves value for money when purchasing, and establishing processes to protect staff and ensure probity.

The Procurement (Contracts and Tendering) Policy has been updated to reflect changes to the Work Health and Safety Legislation; recommendations of the Industry Participation Advocate for increased support of local business; and industry best practice in relation to increased environmental and social benefits arising from purchasing processes.

Motion

C280415/084

- 1. That Council approve the amended Procurement (Contracts & Tendering) Policy provided at Attachment 1.**
- 2. That any decisions made under Clause 2.2.3 of the Procurement (Contracts & Tendering) Policy are brought to Council's formal attention at the next possible council meeting.**

Moved Councillor Clancy, Seconded Councillor Smedley

Carried

14.5 Budget Update – as at March 2015 (Report No: 121/15)

This report covers the third review of Council's 2014/15 budget conducted as at 31 March 2015.

For Municipal funds it has resulted in a decrease in the projected operating deficit after profit on sale of assets of \$87,562 and a decrease in funding requirements of \$65,000. Forecast savings have been identified in employment and operational areas offset by increased waste management costs for recyclables, hard waste and disposal. An overall capital variances forecast reduction of \$65,000 is the result of reviewing completed projects and forecasting costs for current capital work in progress.

For Alwyndor funds it has resulted in a decrease in the projected operating surplus of \$180,000 and an increase in funding requirements of \$320,000. The major operational variance refers to reduced funding for residential and transitional care programs combined with increased employment costs. The capital variance refers to the final costs of the building redevelopment and equipment requirements.

Motion

C280415/085

1. **That Council notes the third 2014/15 budget review for Council's municipal operations including:**
 - (a) a decrease of \$87,562 in the projected operating deficit from \$833,729 to \$746,167 (compared to an operating surplus of \$4,282 in the original budget);
 - (b) a decrease in the projected capital expenditure of \$65,325 from \$18.67 million to \$18.60 million (compared with \$15.97 million in the original budget);
 - (c) a decrease in the projected capital revenue of \$21,610 from \$4.72 million to \$4.70 million (compared with \$7.47 million in the original budget);
 - (d) a decrease in projected net financial liabilities at 30 June 2015 of \$64,784 from \$20.93 million to \$20.87 million (compared to \$17.78 million in the original budget).

2. **That Council notes the third 2014/15 budget review for Alwyndor operations including:**
 - (a) a decrease of \$180,000 in the projected operating surplus of \$170,059 to a projected operating deficit of \$9,941 (compared to an operating surplus of \$477,219 in the original budget);
 - (b) an increase in the projected capital expenditure of \$140,000 from \$2.04 million to \$2.18 million (compared with \$1.85 million in the original budget);
 - (c) an increase in the projected net financial liabilities at 30 June 2015 of \$320,000 from \$15.20 million to \$15.52 million (compared to a net financial liabilities amount of \$13 million in the original budget).

Moved Councillor Bouchee, Seconded Councillor Smedley

Carried

14.6 **Draft 2015-16 Annual Business Plan** (Report No: 122/15)

The Draft 2015-16 Annual Business Plan is presented for endorsement and release for community engagement.

It has been developed having regard to the "Our Place" Community Plan 2012-15 (Our Place Plan) Asset Management Plans, Long Term Financial Plan and directions provided by Council.

Motion**C280415/086**

1. **That the Draft 2015-16 Annual Business Plan contained at Attachment 1 be released for community engagement subject to minor alterations and design.**
2. **That the process for community engagement on the Draft 2015-16 Annual Business Plan, as described in this Report, be endorsed.**

Moved Councillor Patton, Seconded Councillor Smedley

Carried**Division called**

A division was called:

Those voting for: Councillors Patton, Smedley, Wilson, Donaldson, Clancy, Snewin and Lonie (7)

Those voting against: Councillors Bouchee, Bradshaw and Yates (3).

His Worship the Mayor declared the motion

Carried

- 14.7 **Resilient South Update and Budget Consideration for 2015/16** (Report No: 124/15)

The Resilient South Regional Climate Change Adaptation Plan (the Regional Adaptation Plan) reached a key milestone when it was adopted by all four Councils in August/September 2014. Since that time the representatives from the four Councils have been working on the fifty seven objectives identified within the plan, along with delivering the administrative objectives sought by Council last year. This report provides an update to Elected Members and seeks endorsement to part fund a project officer for the 2015/16 financial year along with the three other Councils to drive the project and its objectives for the coming twelve months.

Motion**C280415/087**

That consideration be given in the 2015/16 financial year budget for an allocation of \$25,000 being the City of Holdfast Bay contribution to funding a project officer for Resilient South.

Moved Councillor Yates, Seconded Councillor Clancy

Carried

- 14.8 **Gordon Street, Glenelg – 2015 Street Tree Planting** (Report No: 125/15)

Gordon Street Glenelg will be block planted during the 2015 season in conjunction with kerb and watertable replacement and road reseal. A number of Norfolk Island Pines and Cook Island Pines that are dead or are in poor condition are to be removed. In line with Council's adopted Street Tree Strategy & Planting Guide, these trees will be replaced with Jacaranda.

Motion

That Council note the street tree planting plan and proposed street tree removals for Gordon Street Glenelg.

Moved Councillor Clancy, Seconded Councillor Lonie

Tied Vote

His Worship the Mayor used his casting vote against the motion and declared the motion **Lost**

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

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

17. ITEMS IN CONFIDENCE - Nil

CLOSURE

The Meeting closed at 8.29 pm.

CONFIRMED Tuesday 12 May 2015

MAYOR