

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 9 June 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 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 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 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 K Donaldson

4.2 Absent - Nil

5. ITEMS PRESENTED TO COUNCIL - Nil

5.1 Centenary of the Brighton Croquet Club History Book

Centenary of the Brighton Croquet Club History Book was presented to Mayor Patterson at their function held on 3 May 2015.

6. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES

Motion

C090615/123

That the minutes of the Ordinary Meeting of Council held on 26 May 2015 be taken as read and confirmed.

Moved by Councillor Bouchee, Seconded by Councillor Lonie

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 Former Brighton Town Hall – Expression of Interest

Councillor Charlick asked a question regarding the Expression of Interest process for the Former Brighton Town Hall.

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

9.1.2 The Moseley Hotel Public Consultation

Councillor Bouchee asked a question regarding the consultation on The Moseley Hotel.

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

Councillor Wilson asked a question regarding the size of the encroachment.

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

9.2 With Notice

9.2.1 Question on Notice – Inner and Middle Metropolitan Corridor Infill Development Plan Amendment – Councillor Wilson (Report No: 183/15)

"I refer to Motion C120515/102 of 12 May 2015 and seek a detailed time frame of when all reports and assessments will be completed.

I seek confirmation that the Council has formally requested DPTI to assess the effects of Wind Tunnelling on the foreshore."

ANSWER – Senior Policy Planner

Council's request to undertake wind modelling was first verbally raised with officers from the Department of Planning, Transport and Infrastructure (the Department) during the initial staff briefing held on 15 May 2015.

As confirmed in Council Report No: 174/15, the Department is currently undertaking spatial modelling to determine potential (and realistic) building heights within the proposed investigation areas based on building envelope requirements, site dimensions, and so on. At the time of writing, the outcome of this modelling was anticipated in early June, following which the Department will then build in setback requirements and other quantitative measures to further refine its approach. Importantly, application of this modelling criteria is likely to propose a range of building heights within the affected areas as occurred during Stage 1 of the Inner Metro Growth Project rather than applying a blanket approach to heights.

Consequently, and as also confirmed in Report No: 174/15, it would be premature for Council to engage significant investigations into the impacts of taller buildings in terms of potential overshadowing and wind/climatic conditions until potential building heights and locations for taller buildings are known based on the Government's modelling. This position was also confirmed in the technical response provided to the Department by Administration on 28 May in accordance with Resolution C260515/119. A copy of the technical response is located at Attachment 1 for Members' reference.

Once the final outputs of the Government's modelling has been obtained, Administration will clarify the extent and cost of specialist research required to determine wind and climatic assessments based on realistic building heights and envelopes with the affected areas. We have also suggested further discussions with the Department regarding how to coordinate this further analysis within the

Government's proposed work program given the significant extent of areas to be investigated and likely time required to complete this analysis. Procurement of this further advice will also need to accord with Council's Procurement (Contracts and Tendering) Policy.

9.2.2 Question on Notice – Loss of Sand on Beach at Seacliff – Councillor Yates (Report No: 187/15)

“There has been considerable loss of sand from the beach at Seacliff and elsewhere along the coast so can you please explain what is being done about this?”

ANSWER – General Manager City Assets

The Adelaide's Living Beaches sand pumping system is operating effectively and as planned. In July the system will be relocated to pump sand from Glenelg to Seacliff. This pattern of pumping from Glenelg to Seacliff in Spring, is repeated each year.

The recent dune erosion between Seacliff and Brighton, is not unusual for this time of year. During autumn and winter each year storms, such as the recent one on 5 May, 2015, cause dune erosion due to the high sea water levels (storm surge) and larger waves. This is a natural process. The waves erode the dunes and shift sand into offshore sand bars. During calmer conditions, these sand bars move back onto the shore, rebuilding the beach and dune system.

This natural process of erosion and rebuilding is supplemented by the sand pumping system. This was previously done using trucks to shift the sand, but under the Adelaide's Living Beaches (ALB) strategy, the sand is now shifted along the Glenelg to Seacliff section of the coast using a system of pumps and pipelines. The same amount of sand is shifted each year, it is just that now it is shifted using the pipeline system instead of trucks. In the past all the sand transferred from Glenelg to Seacliff was run out at the tide line on Seacliff beach which gave the impression of a great deal of sand but with the advent of the sand transfer pumping project the sand is delivered at intervals along the coast wherever it is most needed and there can be a perception that less sand is being transported.

Sand moves in a net northerly direction along Adelaide's beaches as a result of the prevailing south westerly winds and waves. Since the 1970s, the Coast Protection Board has been “recycling” the sand back from areas where it builds up (against breakwaters and harbours) to areas of erosion. This used to be done using trucks, but is now done at Glenelg,-Seacliff and West Beach using the pumping system. Trucks continue to be used at other sections of the Adelaide coast.)

Adelaide's Living Beaches (2005-2025) is the Government's long-term strategy for managing Adelaide's sandy beaches. It is based around “recycling” sand – collecting sand from areas where it builds up and

shifting it back to areas of erosion. This used to be done using trucks, but is now done from Glenelg to Seacliff and the River Torrens to West Beach using a sand pumping system. Sand pumping from Glenelg to the Seacliff to Somerton section of coastline occurs in Spring of each year. The sand pumping replaces sand that has been eroded during winter storms and moved northwards by the wind and waves.

The City of Holdfast Bay is responsible for day to day management of the beaches in the Brighton area, including responding to any dune scarps that may form following storm events to ensure that they do not present a public hazard.

10. MEMBER'S ACTIVITY REPORTS

10.1 Presentation to Mr Vousey

Councillor Patton reported that on behalf of Mayor he presented a book to Mr Vousey at the Glenelg Football Club Home Game.

10.2 Southern Region Waste Resource Authority

Councillor Yates reported that she and Councillor Smedley attended a meeting of the Southern Region Waste Authority.

11. MOTIONS ON NOTICE

11.1 Motion on Notice – Heads of Agreement – Cinema Development – Councillor Bouchee (Report No: 182/15)

Councillor Bouchee requested that this Motion be withdrawn.

11.2 Motion on Notice – Pensioner Rate Refund – Councillor Yates (Report No: 188/15)

Councillor Yates requested that this Motion be withdrawn.

11.3 Motion on Notice – Hall – Kauri Parade, Seacliff – Councillor Clancy (Report No: 189/15)

Background

The present rent being received from this property is minimal. It is therefore an excellent opportunity for the tenant to move to a new facility. There will also be an opportunity for the tenant to use an area in the new Kauri Parade sports building on completion. Proceeds from the sale are to be used at Kauri Parade to offset some of the cost of the new community facility being built.

Motion

C090615/124

That Administration report back at the last meeting in August on the process of the sale of the hall on Kauri Parade Seacliff and advise council of any issues.

Moved Councillor Clancy, Seconded Councillor Bouchee

Carried

- 11.4 **Motion on Notice – Verge Management Policy – Councillor Charlick** (Report No: 190/15)

BACKGROUND

Council at its meeting held on 26 May 2015 endorsed the verge management policy with some significant amendments. I believe that these amendments were creating policy on the run, as members had ample opportunity to have meaningful input into the policy's development prior to the council meeting.

Some of the debate about artificial turf was based on the 'fact' that it renders soil toxic. This is quackery and not based on sound scientific evidence when artificial turf is laid correctly with adequate drainage, which the original policy called for. Removing "synthetic lawn" from the policy renders it less clear as to the permissibility of it.

The Verge Management Policy as amended, does not align in with meaningful policy around plant species permitted on the verge. Why are native grasses, for example, given exemption to height restrictions, when the one clear reason for height restrictions is public safety, visibility and access.

I believe that Council has created a policy which is difficult to interpret and enforce will lead to confusion and angst amongst residents and it is best that we rescind the current policy and review the document again, allowing members to develop a draft document so that we provide the community a clear and enforceable verge management policy.

Motion

1. **That Council rescinds Resolution No: "C260515/115: That Council endorse the Verge Management Policy as at 14 April 2015 with the following amendments:**
 - ***That Clause 2.4(b) to not include flower stems, native grass stems or annual plantings***
 - ***To remove all references to synthetic grass from the policy – not retrospective."***
2. **That Council endorses Verge Management Policy as at 14 April 2015 (presented to Council as Attachment 1 to Report No: 173/15).**

Moved Councillor Charlick, Seconded Councillor Aust

Lost

12. ADJOURNED MATTER

- 12.1 **Adjourned Report – Final Report – Complaint to Office of Public Integrity** (Report No: 180/15)

Council at its meeting held 26 May 2015, resolved to adjourn Report No: 172/15 to allow members to allow members to consider the further information provided to Members from Dr Ken Rollond and be represented to Council at its next meeting.

This report represents Report No: 172/15 for council's consideration.

Motion

C090615/125

1. **That Report No: 180/15 is received and noted.**
2. **That Council notes the contents of this report and authorises the Chief Executive Officer to write to the ICAC Commissioner confirming Council's view that no further action is required.**
3. **That Council notes the Ombudsman's report 2013/10802 and the final assessment of the SA Ombudsman "... In light of the above, my assessment is that the Mayor (Dr A K Rollond) did not commit misconduct in public administration through breaching the confidentiality of the meeting of the council held on 13/8/13 by announcing the next morning in an interview on ABC 891 that a departure date had been set for the tenants of the Brighton Caravan Park".**

Moved Councillor Bouchee, Seconded Councillor Wilson

Carried

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

13.1 Minutes – Jetty Road Mainstreet Management Committee – 6 May 2015 (Report No: 161/15)

The Minutes of the meeting of the Jetty Road Mainstreet Management Committee held on 6 May 2015 are attached and presented for Council's information.

Motion

C090615/126

That the minutes of the Jetty Road Mainstreet Management Committee held on 6 May 2015 be received.

Moved Councillor Patton, Seconded Councillor Lonie

Carried

Councillor Bouchee left the chamber at 7.31pm.

13.2 Minutes – Audit Committee – 20 May 2015 (Report No: 176/15)

The minutes of the Audit Committee meeting for 20 May 2015 are presented to Council for information and endorsement.

Motion

C090615/127

1. That the minutes of the Audit Committee meeting held 20 May 2015 be received.
2. That the minutes of the Special Meeting of the Audit Committee held on 1 April 2015 be taken as read and confirmed.
3. That Council endorses the following recommendations of the Audit Committee:
 - That the Audit Committee advises Council that it has considered the third budget review of the 2014/15 budget as at 31 March 2015.
 - That the Audit Committee advise Council that it has reviewed the Draft 2015-16 Annual Business Plan and Budget and makes the following comments:
 - That the reference to the Audit Committee and risk management framework on page 26 be modified to reflect the position that the Committee is supporting and guiding the development of a contemporary risk management framework.
 - That the charts on pages 33 to 35 inclusive, showing operating result, net financial liabilities and interest cover ratio be removed as these may be misinterpreted by readers as projections instead of indicating financial capacity.
 - On page 9 use consistent measures (instead of mixing \$000 and \$m) and rank the figures and the wheel in order of magnitude.
 - Highlight that Alwyndor is self-funding and self-sustaining, and that it does not rely on rate revenue nor are its financial surpluses returned to ratepayers.
 - Change the statements about concessions for seniors on page 31 following the State Government's recent announcement about payments to pensioners and self-funded retirees.
 - That the Audit Committee advises Council that:
 - It has considered a review of the useful life of road surfaces and recommends where applicable the extension of their standard useful lives as contained in this report.

- It has considered a review of the accounting treatment of the sub-base of roads and recommends the introduction of a residual value to reflect current replacement practice.
- It recommends that the current accounting policies be updated to reflect these changes.
- That the Audit Committee advises Council that it has received and considered the Internal Audit Update Report of May 2015 and that Mr Spadavecchia provided a template for consideration of future reporting of internal audit action items and treatment plans for strategic risks.
- That the Audit Committee notes the draft Risk Management Policy and Risk Framework as attached to this report; and
- That the Audit Committee recommends the policy and framework to Council with minor amendments to Roles and Responsibilities and the Consequence Scale and Descriptions.
- That the Audit Committee notes that Mr Spadavecchia provided risk management templates for consideration.
- That the Audit Committee advises Council that it has considered a draft Treasury Management Policy and advises Council as follows :
 - That, subject to minor amendments, it recommends the policy to Council.
 - That the Committee notes that Council is currently in breach of its self-imposed net financial liabilities ceiling and recommends that Council review the ceiling and/or take action to bring it down under the ceiling.

Moved Councillor Smedley, Seconded Councillor Snewin

Carried

14. REPORTS BY OFFICERS

14.1 Items in Brief (Report No: 186/15)

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

C090615/128

That the minutes of the Murray Darling Association Inc – 21 May 2015 be noted and discussed.

Councillor Bouchee rejoined the chamber at 7.32pm.

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

14.2 **Treasury Management Policy** (Report No: 178/15)

Council's current Treasury Management Policy was adopted in March 2011. The policy supported the financial principle of managing debt and cash in a holistic manner which minimised financial risk. Given the current economic and budgetary conditions it is prudent and timely to review this policy.

The Audit Committee received a report covering this topic on 20 May 2015. The committee has recommended that Council receive and approve the updated policy. The committee also considered the current treasury management strategy to maintain the net financial liabilities ratio target ceiling set by Council at 35%. The committee has recommended that the ceiling be increased to accommodate current budget forecasts or that financial strategies be commenced to reduce the forecast.

Motion

C090615/129

That Council approve the updated Treasury Management Policy provided at Attachment 1.

Moved Councillor Smedley, Seconded Councillor Snewin

Carried

14.3 **Review of Items Held in Confidence** (Report No: 179/15)

Council's practice is to review documents held in confidence every 12 months and this practice has continued with a formal review occurring in June 2015.

This report recommends 16 items be released from confidence.

Motion

C090615/130

1. **That the Confidential Items presented at Attachment 1 to Report No: 179/15 be released from Confidence.**
2. **That the Confidential Items presented at Attachment 2 to Report No: 179/15 be retained in confidence until 30 June 2016 and a further review conducted.**

Moved Councillor Lonie, Seconded Councillor Yates

Carried

14.4 **Draft 2015-16 Annual Business Plan Consultation Outcomes Report** (Report No: 184/15)

Council has received 6 submissions in response to its Draft 2015-16 Draft Annual Business Plan community consultation.

If Members wish to discuss or ask any questions regarding these submissions, it is advisable that Council use a short term suspension of meeting procedures, in accordance with Regulation 20 of the *Local Government (Procedures at Meetings) Regulations 2013*, to allow informal sharing of ideas, opinions and information without the constraints of the Regulations in regard to speaking to motions.

Motion

C090615/131

That the submissions arising from the community consultation on the Draft 2015-16 Annual Business Plan be received and noted.

Moved Councillor Wilson, Seconded Councillor Smedley

Carried

14.5 **2015/16 Rate Parameter Setting** (Report No: 175/15)

That having determined the amount of rate revenue to be raised for 2015/16, Council now needs to determine how the rate contribution is to be apportioned across ratepayers.

Motion

C090615/132

1. **That the minimum rate for 2015/16 be \$897.**
2. **That the differential general rate for Commercial, Industrial and Vacant land be set such that the amount of rate revenue raised be in the same proportion as in the current 2014/15 budget (ie 13.8% of general rate revenue).**
3. **That the rate capping percentage applying to residential properties for 2015/16 be 8%.**
4. **That the current rating policy, 2015/16 annual business plan and budget be amended to include the above recommendations.**

Moved Councillor Lonie, Seconded Councillor Yates

Amendment

1. **That the minimum rate for 2015/16 be \$897.**
2. **That the differential general rate for Commercial, Industrial and Vacant land be set such that the amount of rate revenue raised be in the same proportion as in the current 2014/15 budget (ie 13.8% of general rate revenue).**
3. **That the rate capping percentage applying to residential, commercial and industrial properties for 2015/16 be 8%**

4. That the current rating policy, 2015/16 annual business plan and budget be amended to include the above recommendations.

Moved Councillor Charlick, Seconded Councillor Aust

The amendment on being put was **Lost**

The substantive motion was put and **Carried**

14.6 Purchase of Section of Road and Footpath (Report No: 185/15)

Council has been approached by MRS Property Managers on behalf of the owners of the Brighton Foodland Shopping Centre to purchase the eastern most section of the Rutland Avenue roadway and footpath.

The owners of the shopping centre currently own numbers 1 and 2 Rutland Avenue and number 10 Edwards Street which is contiguous to this section of road and it is intended to demolish these three homes to enable the expansion of the shopping centre car park. Once this is undertaken if the section of roadway remains it will serve no purpose to the residents or the users of the shopping centre as it will remain as a dead end that doesn't serve any purpose for access to residential properties.

If Council were to agree to the sale of the land then on today's values it could yield somewhere in the order of \$200,000.

Motion **C090615/133**

That this item be adjourned to enable the council to receive a deputation from the proposed purchaser.

Moved Councillor Smedley, Seconded Councillor Bouchee **Carried**

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS

Presented for the information of Members was a listing of resolutions subject to formal resolutions, to adjourn or lay on the table items of Council business, for the current term of Council.

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

16.1 New Cost of Living Concession for Pensioners

Councillor Bouchee asked a question regarding the new cost of living concession for pensioners.

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

16.2 Petition from Residents for Change – Purchase of Section of Road and Footpath

Councillor Snewin presented a petition from Residents and will be presented formally to Council as a report in the next council meeting agenda.

17. ITEMS IN CONFIDENCE - Nil

CLOSURE

The Meeting closed at 7.58 pm.

CONFIRMED Tuesday 23 June 2015

MAYOR