

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 25 August 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 L Yates
Councillor A Wilson

STAFF IN ATTENDANCE

Acting Chief Executive Officer – IS Walker
General Manager City Assets - SG Hodge
Acting General Manager City Services - PE Aukett
General Manager Corporate Services - IS Walker

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 - Nil
- 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****C250815/182**

That the minutes of the Ordinary Meeting of Council held on 11 August 2015 be taken as read and confirmed.

Moved by Councillor Yates, Seconded by Councillor Clancy

Carried**8. PUBLIC PRESENTATIONS**

- 8.1 **Petitions** - Nil
- 8.2 **Presentations** - Nil
- 8.3 **Deputations** - Nil

9. QUESTIONS BY MEMBERS**9.1 Without Notice****9.1.1 YMCA/Holdfast Bay Community Centre**

Councillor Bouchee asked for any updates on the YMCA/Holdfast Bay Community Centre.

Acting General Manager City Services, Ms Aukett and Acting Chief Executive Officer, Mr Walker provided a response.

9.1.2 Rutland Avenue - Park

Councillor Bouchee asked if Administration had advised potential purchasers that they needed to submit plans for the Rutland Avenue Park.

Mayor Patterson provided a response.

9.1.3 Inner Middle Metropolitan Corridor Infill DPA

Councillor Wilson asked for an update on the Inner Middle Metropolitan Corridor Infill DPA.

Councillor Bouchee asked if there would be a workshop.

Acting Chief Executive Officer, Mr Walker provided a response.

9.1.4 Jetty Road Streetscape Design

Councillors Wilson, Donaldson and Bouchee asked questions on the status, works and plans of the streetscape design for Jetty Road.

Acting Chief Executive Officer, Mr Walker provided a response.

9.1.5 Playground on Foreshore and Kauri Parade

Councillor Smedley asked for an update on projects: Playground on Foreshore and Kauri Parade completion date.

General Manager City Assets, Mr Hodge and Acting General Manager City Services, Ms Aukett provided a response.

9.1.6 Streetscape Plan Clarification and Cinema Carpark

Councillor Bouchee requested clarification on the Streetscape plan and Cinema Carpark.

Councillor Donaldson asked whether the carpark façade will be rendered.

General Manager City Assets, Mr Hodge and Acting General Manager City Services, Ms Aukett provided responses.

9.1.7 Letter in Messenger regarding carpark in Dunbar Terrace

Councillor Yates asked about Dunbar Terrace Carpark.

General Manager City Assets, Mr Hodge provided a response.

9.1.8 Glenelg Streetscape Plans

Councillor Wilson asked if the streetscape plans will be available prior to DPA.

Acting Chief Executive Officer, Mr Walker provided a response.

9.1.9 Rutland Avenue Plans

Councillor Bradshaw asked if it was reasonable for the Rutland Avenue plans to be provided.

Mayor Patterson provided a response.

9.2 With Notice

9.2.1 Question on Notice – Food Trucks, Pop-Up Bars and Mobile Food/Beverage Stalls – Councillor Charlick (Report No: 260/15)

“Does Council have an established policy regarding food trucks, pop-up bars and mobile food/beverage stalls operating in the City of Holdfast Bay?”

“What are the legal/legislative constraints around developing or altering a policy pertaining to non-permanent food/beverage vendors?”

ANSWER – Manager, Tourism & Marketing

Council is able to amend its policies at any time however, it should be noted that Council has been informed by the Commissioner (via LGA circular) that 40A Small Venue Licences will again not be permitted to operate outside of the Adelaide CBD in 2015.

All mobile food and beverage trading event applications are assessed in alignment with the Events Strategy and the Mobile Trading Van Policy to support competition within the precinct and activity across the catchment.

10. MEMBER’S ACTIVITY REPORTS

10.1 Brighton RSL

Councillor Patton represented the Mayor at Brighton RSL.

10.2 Meals on Wheels Annual General Meeting

Councillor Patton attended the Meals on Wheels AGM.

10.3 Friends of Holdfast Bay Library Annual General Meeting

Councillors Yates, Bradshaw and Aust attended the Friends of Holdfast Bay Library AGM.

10.4 Glenelg Oval Advisory Group

Councillor Smedley and Mayor Patterson attended the Glenelg Oval Advisory Group.

10.5 Adelaide Airport Consultative Committee

Councillor Charlick attended the Adelaide Airport Consultative Committee meeting.

11. MOTIONS ON NOTICE**11.1 Motion on Notice – Bus Services in and around Glenelg – Councillor Smedley (Report No: 264/15)****Motion****C250815/183**

Further to recent correspondence between the Minister for Transport & Infrastructure and the Member for Morphett (attached) concerning bus services in and around Glenelg, and at the suggestion of the CEO, it is moved that a deputation of Council, comprising a member of Administration and councillor/s approach the Minister and/or the CEO of the Department of Transport & Infrastructure (DPTI) to:

- 1. enquire about any current plans in formulation for changes to bus services, routes and layovers within Glenelg, and if such plans are under investigation,**
- 2. seek opportunity to assist DPTI by providing local feedback and advice, with the intent of achieving a positive outcome for ratepayers and residents.**

Moved Councillor Smedley, Seconded Councillor Bouchee

Carried

12. ADJOURNED MATTER - Nil**13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL****13.1 Minutes – Development Assessment Panel – 22 July 2015 (Report No: 233/15)**

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

The minutes of the Development Assessment Panel meeting held 22 July 2015 are presented to Council for information.

Motion**C250815/184**

That the minutes of the Development Assessment Panel meeting held on 22 July 2015 be noted.

Moved Councillor Clancy, Seconded Councillor Bradshaw

Carried

14. REPORTS BY OFFICERS**14.1 Items in Brief (Report No: 258/15)**

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**C250815/185**

That the following items be noted and items of interest discussed:

- **Update on Tender for Disposal of Residential Waste**
- **Jetty Road Vacancy Rates Update**
- **Seacliff Park Residential and Centre Development Plan Amendment**
- **Western Region Waste Management Authority – Garden Island Landfill**
- **Temporary Short-Term Dry Areas.**

Moved Councillor Lonie, Seconded Councillor Yates

Carried**14.2 Information Report – Southern Region Waste Resource Authority – 3 August 2015 (Report No: 259/15)**

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the “constituent councils”), pursuant to Section 43 of the Local Government Act, 1999.

Under its charter, SRWRA is responsible for providing and operating waste management services on behalf of the constituent councils and ensuring that a long term waste management strategy exists in the southern region of Adelaide.

Motion**C250815/186**

That the information report of the Southern Region Waste Resource Authority for its meeting held 3 August 2015 be received and noted.

Moved Councillor Yates, Seconded Councillor Smedley

Carried**14.3 2014-15 Provisional Funding Statements and 2014-15 Budget Carried Forwards (Report No: 261/15)**

This report provides provisional funding statements for the 2014/15 financial year including explanations of the provisional results and major budget variations. The report also confirms the final details for incomplete projects and programs as at 30 June 2015.

The provisional result for municipal operations shows a decrease of \$1,437,502 in the forecast operating deficit resulting in a provisional operating surplus of \$629,783. This result is largely affected by a Federal Government decision to prepay the first two instalments of the 2015/16 Financial Assistance Grant totalling \$588,830. The provisional profit from the Southern Region Waste Resource Authority has also exceeded the forecast by \$295,800. Other net operational savings totalling \$363,077 have occurred and are detailed in this report.

The provisional result for Alwyndor operations shows a net decrease of \$75,071 in operating costs resulting in a \$65,130 operating surplus. Major variances have occurred due to the introduction of the consumer directed care Federal Government funding arrangement and are detailed in this report.

Motion

C250815/187

That Council:

1. **Notes the provisional unaudited 2014/15 funding statements and carried forward budgets.**
2. **Approves the final amounts carried forward from the 2014/15 budget to the current year 2015/16 being \$152,782 operating expenditure, \$5,719,606 capital expenditure and \$600,714 capital income.**

Moved Councillor Bouchee, Seconded Councillor Smedley

Carried

14.4 **Establishment of Executive Committee** (Report No: 262/15)

This report recommends the establishment of an Executive Committee to undertake the Chief Executive Officer's annual performance appraisal.

Councillor Snewin left chamber at 7.44pm

Councillor Snewin rejoined the chamber at 7.46pm

Motion

C250815/188

That Council establish an Executive Committee pursuant to Section 41 of the Local Government Act with terms of reference as set out in Attachment 1 to Report 262/15, with membership comprising:

Mayor

Deputy Mayor

Councillors Smedley, Snewin, Charlick, and Bradshaw.

Moved Councillor Aust, Seconded Councillor Donaldson

Carried

14.5 **Glenelg – Moseley Square – Moseley Hotel – encroachment on Footpath** (Report No: 263/15)

The Lessee of the Moseley Hotel has recently undertaken significant investment into redeveloping the internal areas of this facility and since completion of this redevelopment has recently won awards for excellence from the Australian Hotels Association of SA. To further enhance the facility the Lessee is proposing to extend the alfresco dining facilities into Moseley Square Glenelg which will require a Deed of Encroachment to be entered into.

Initial negotiations were centred on an initial term of 5 years, but as those negotiations progressed the Lessee of the Moseley requested a term of 6 years from a date to be negotiated, with three further terms of five years.

As Moseley Square, Glenelg is classified as 'Community Land' and Section 202 of the Local Government Act, 1999, provides that any alienation of community land over a five year period Council must undertake public consultation in accordance with its own public consultation policy. Subsequently public consultation commenced on 9 June 2015 and closed on 30 June 2015.

This report details the results of that public consultation.

Motion

C250815/189

1. **That Council notes the outcomes of the community consultation on the proposal for The Moseley Hotel to encroach into Moseley Square Glenelg.**
2. **That Council enters into a Deed Of Encroachment with John Upman Holdings Pty Ltd, (ACN 073 123 458), as the owner, and MHM Unley No 34 Pty Ltd, (ACN 137 926 722), as Lessee, over portion of the land contained in Certificate of Title Volume 6054 Folio 22 for a period of 6 years from a date to be negotiated, with 5 years extension with the encroachment fee to be reviewed to market value after 6 years.**
3. **That the Mayor and Chief Executive Officer be authorised to execute the Deed of Encroachment.**

Moved Councillor Clancy, Seconded Councillor Donaldson

Carried

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 8.05pm.

CONFIRMED Tuesday 8 September 2015

MAYOR