

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 8 September 2015 at 7:05pm.

MEMBERS PRESENT

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

1. OPENING

His Worship the Mayor declared the meeting open at 7.05pm.

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 R Snewin and Councillor R 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

C080915/190

That the minutes of the Ordinary Meeting of Council held on 25 August 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 **Preliminary Draft Ministerial Inner and Middle Metropolitan Corridor Infill DPA– Councillor Bouchee**

Councillor Bouchee asked a question about holding a workshop for members to discuss the Preliminary Draft Ministerial Inner and Middle Metropolitan Corridor Infill DPA.

The Acting Chief Executive Officer, Mr I Walker provided a response.

His Worship the Mayor, Mr S Patterson provided a response.

9.2 **With Notice** - Nil

10. MEMBER'S ACTIVITY REPORTS

10.1 **Deputy Mayor's Activity Report – December 2014 – August 2015** (Report No: 271/15)

Presented for the information of Members is the Activity Report for the Deputy Mayor for December 2014 - August 2015.

Motion

C080915/191

That the Deputy Mayor's Activity Report for December 2014 - August 2015 be received and noted.

Moved by Councillor Bouchee, Seconded by Councillor Aust

Carried

10.2 **Councillor Yates**

Councillor Yates reported she had attended:

- Football Game
- Brighton Secondary School Music Spectacular
- Meeting of the Brighton and Seacliff Yacht Club Committee

11. MOTIONS ON NOTICE

11.1 **Motion on Notice – Partridge House Income and Expenditure – Councillor Bouchee**
(Report No: 273/15)

It is important to know what income is being generated from this Council asset. It was previously indicated that the number of funerals would increase with the extension of days that were made available...

Recently there has been a major upgrade of the rooms inside the house.....the target market was weddings.....

This information would update Council on the success of the present marketing strategy and indicate a possible income forecast for the future budget discussions.

Motion

C080915/192

That Council be advised on a quarterly basis (as a trial for twelve months) of events at Partridge House as set out below:

- **Number of Weddings (income/expenditure including staff costs)**
- **Number of Funerals (income/expenditure including staff costs)**
- **Number of Community Functions (income/expenditure including staff costs)**
- **Number of Conferences (income/expenditure including staff costs)**
- **Number of Meetings (income/expenditure including staff costs).**

Moved Councillor Bouchee, Seconded Councillor Smedley

Carried

11.2 **Motion on Notice – Streetscape Design for Jetty Road Precinct – Councillor Wilson**
(Report No: 274/15)

Motion**C080915/193**

That the administration report to Council via a workshop (22/9/15) what plans, ideas, designs and any other such diagrams, summaries etc. have been developed for the street scape design for the Jetty Road precinct prior to Council's response to the Minister initiated DPA for Glenelg and in any event before Tuesday 13 October 2015.

Moved Councillor Wilson, Seconded Councillor Bouchee

Carried**12. ADJOURNED MATTER - Nil****13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL****13.1 Minutes – Audit Committee – 19 August 2015 (Report No: 268/15)**

The minutes of the Audit Committee meeting for 19 August 2015 are presented to Council for information and endorsement.

Motion**C080915/194**

1. That the minutes of the Audit Committee meeting held 20 May 2015 be received.
2. That Council notes the following advice from the Audit Committee:

That it has received and considered a Standing Items Report addressing:

- Monthly financial statements
- Internal control
- Risk management
- Whistleblowing
- Internal audit
- Economy and efficiency audits

That it has received and considered the Internal Audit Update Report of August 2015.

That it has received and considered a report on the preliminary 2014/15 funding statements and notes the following:

- (1) discussed variances between provisional results and revised forecast and in particular the \$3.114m loss on disposal of assets;

- (2) requested a further explanation on the variations between target, budget and results of the reported financial ratios;
- (3) requested management to review the relevance of the reported ratios and the consideration of additional relevant ratios and measures for Municipal and Alwyndor.

That it received a report in relation to Information Security.

That it has received and considered an update report on risk management.

- 3. That Council endorses the following recommendation from the Audit Committee:

That the sitting fees for independent members of the Audit Committee be reviewed.

Moved Councillor Smedley, Seconded Councillor Bouchee

Carried

- 13.2 **Minutes – Jetty Road Mainstreet Management Committee – 1 July 2015** (Report No: 266/15)

The Minutes of the Jetty Road Mainstreet Management Committee meeting held 1 July 2015 are attached and presented for Council's information.

Motion

C080915/195

That the minutes of the Jetty Road Mainstreet Management Committee held on 1 July 2015 be noted.

Moved Councillor Patton, Seconded Councillor Charlick

Carried

- 13.3 **Minutes – Special Meeting – Jetty Road Mainstreet Management Committee** (Report No: 267/15)

The Minutes of the Jetty Road Mainstreet Management Committee Special meeting held 11 August 2015 are attached and presented for Council's information.

Motion

C080915/196

That the minutes of the Jetty Road Mainstreet Management Committee held on 11 August 2015 be noted.

Moved Councillor Yates, Seconded Councillor Lonie

Carried

14. REPORTS BY OFFICERS

14.1 Items in Brief (Report No: 265/15)

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**C080915/197**

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

- **Open Space and Places for People Funding Programs**
- **Moseley Bar & Kitchen – Policy Amendment of Outdoor Dining Liquor Service Hours**
- **Play at the Bay 6 – 9 October 2015 (School Holiday Program Jetty Road)**

Moved Councillor Bouchee, Seconded Councillor Lonie

Carried**14.2 Holdfast Bay Community Centre – Lease to YMCA South Australia (Report No: 269/15)**

The property at 51 King George Avenue Hove, known as the Holdfast Bay Community Centre, was leased to the Holdfast Bay Community Centre Incorporated for a term that expired on 30 June 2014. The lease has continued on a monthly holding over basis since 1 July 2014 whilst the Holdfast Bay Community Centre Incorporated undertook a review of its operations and, as a result has decided to work with the YMCA South Australia with a view to taking over the operations of the Holdfast Bay Community Centre. As a result of these negotiations the Holdfast Bay Community Centre Inc. intends to terminate its current lease and for the YMCA South Australia to enter into a lease with Council so that the community activities provided from the facility can continue.

It is therefore intended that the lease with the Holdfast Bay Community Centre Inc. be terminated and that a new lease be entered into with the YMCA South Australia.

Motion**C080915/198**

- 1. That the lease with Holdfast Bay Community Centre Incorporated be terminated by the giving of one month's notice**
- 2. That Council enters into a lease with the Young Men's Christian Association of South Australia Inc. over Lot 108 in DP 53192, contained in Certificate of Title Volume 5933 Folio 501, commencing on the day following the lease with the Holdfast Bay Community Centre Inc. is terminated, for a term of 2 years with an option exercisable by the lessee to renew for a further two years;**

3. **That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Amendment

1. **That the lease with Holdfast Bay Community Centre Incorporated be terminated by the giving of one month's notice**
2. **That Council enters into a lease with the Young Men's Christian Association of South Australia Inc. over Lot 108 in DP 53192, contained in Certificate of Title Volume 5933 Folio 501, commencing on the day following the lease with the Holdfast Bay Community Centre Inc. is terminated, for a term of 2 years with an option exercisable by the lessee to renew for a further two years;**
3. **That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**
4. **To permit Young Men's Christian Association of South Australia Inc. to hire facilities for a commercial return but not to the detriment of community programs.**

Moved Councillor Charlick, Seconded Councillor Bouchee

The amendment on being put was

Lost

Councillor Wilson left the chamber at 8.25pm.

Councillor Wilson rejoined the chamber at 8.28pm.

The original motion was put.

Moved Councillor Smedley, Seconded Councillor Lonie

Carried

14.3 **Children and Vulnerable Persons Safe Environment Policy** (Report No: 270/15)

Policies are important for the good governance of any organisation, and are particularly important in local government to assure the community that their resources entrusted to Council and expectations of conduct are properly managed. The Elected Members are required to ensure Council's policies are regularly reviewed to ensure the organisation operates in a transparent and consistent manner. In keeping with this policies will be regularly presented to Council for consideration and review.

Motion

C080915/199

That the Council adopt the Children and Vulnerable Persons Safe Environments Policy presented as Attachment 1 to this report.

Councillor Charlick left the chamber at 8.33pm.

Councillor Charlick rejoined the chamber at 8.35pm.

Councillor Patton left the chamber at 8.39pm.

Councillor Patton rejoined the chamber at 8.41pm.

Moved Councillor Bouchee, Seconded Councillor Aust

Carried

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS

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

16.1 382-388 Brighton Road, Hove

Motion

C080915/200

- 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:**
 - d. commercial information of a confidential nature (not being a trade secret) the disclosure of which -**
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and**
 - (ii) would, on balance, be contrary to the public interest and the benefit or detriment to a third party in the matter of *382-388 Brighton Road, Hove* outweighs the public interest at this time.**

Moved Councillor Yates, Seconded Councillor Charlick

Carried

Councillor Lonie left the chamber at 8.46pm

Short Term Suspension of Proceedings

The Mayor, with approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, for a period of 30 minutes to facilitate informal discussion in relation to the 382 – 388 Brighton Road, Hove and will resume at the discretion of the Mayor.

Short term suspension of proceedings commenced at 8.46pm.

Councillor Lonie rejoined the chamber at 8.47pm.

Councillor Bouchee left the chamber at 8.49pm.

Councillor Bouchee rejoined the chamber at 8.51pm.

Short Term Suspension of Proceedings

The Mayor, with approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, for a period of a further 30 minutes to facilitate informal discussion in relation to the 382 – 388 Brighton Road, Hove and will resume at the discretion of the Mayor.

The further short term suspension of proceedings commenced at 9.14pm

Councillor Donaldson left the chamber at 9.16pm.

Councillor Lonie left the chamber at 9.18pm.

Councillor Lonie rejoined the chamber at 9.18pm.

Councillor Donaldson rejoined the chamber at 9.18pm.

Councillor Yates left the chamber 9.31pm.

Councillor Lonie left the chamber 9.32pm.

Councillor Lonie rejoined the chamber at 9.33pm.

Councillor Yates rejoined the chamber at 9.36pm.

Short Term Suspension of Proceedings

The Presiding Member, His Worship the Mayor Mr S Patterson determined that the short term suspension of proceedings should be brought to an end at 9.45pm.

Order to Retain Documents in Confidence

Motion

C080915/202

- 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 Urgent Business – 382-388 Brighton Road, Hove 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)(d).

- 2. That the Chief Executive Officer is authorised to release the minutes at the settlement on the property or this resolution will be reviewed within 12 months by the Council or contracts are signed.**

Moved Councillor Lonie, Seconded Councillor Patton

Carried

CLOSURE

The Meeting closed at 9.50 pm.

CONFIRMED Tuesday 22 September 2015

MAYOR