

**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 13 October 2015 at 7:00pm.**

**MEMBERS PRESENT**

His Worship the Mayor, S Patterson  
Deputy Mayor R Patton  
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**

Chief Executive Officer - JP Lynch  
General Manager City Assets - SG Hodge  
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 - Councillor Aust
- 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****C131015/190**

**That the minutes of the Ordinary Meeting of Council held on 22 September 2015 be taken as read and confirmed.**

Moved by Councillor Lonie, Seconded by Councillor Clancy

**Carried****8. PUBLIC PRESENTATIONS**

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

**9. COUNCIL MEETING ADJOURNMENT****Motion****C131015/191**

**That the Council Meeting be adjourned so that the Strategic Planning and Development Policy Committee can meet at this time.**

Moved Councillor Lonie, Seconded Councillor Smedley

**Carried****10. RESUMPTION OF COUNCIL MEETING - 7.11pm****11. CONFIRMATION OF STRATEGIC PLANNING & DEVELOPMENT POLICY COMMITTEE RESOLUTIONS****Motion****C131015/192**

**That Council endorses the response to the Minister's appointed Development Policy Advisory Committee located at Attachment 3 to Report Number 301/15 in relation to the draft Existing Activity Centres Policy Review Development Plan Amendment by the Minister.**

Moved Donaldson, Seconded Yates

**Carried**

## **12. QUESTIONS BY MEMBERS**

### **12.1 Without Notice**

#### **12.1.1 Budget process– Councillor Charlick**

Councillor Charlick asked a question on the budget process.

The Chief Executive Officer, Mr Lynch provided a response.

#### **12.1.2 Budget process**

Councillor Bouchee asked a question regarding clarification of meeting timeframe to discuss budget.

The Chief Executive Officer, Mr Lynch provided a response.

#### **12.1.3 Use of the Community Centres and Halls**

Councillor Snewin asked a question regarding the use of the community centres and halls.

His Worship, Mayor Patterson provided a response.

#### **12.1.4 Chief Executive Officer’s Performance Review**

Councillor Smedley asked a question about the timing of a meeting of the Executive Committee.

The General Manager Corporate Services, Mr I Walker provided a response.

#### **12.1.5 Buffalo**

Councillor Bradshaw asked a question whether the development process for the Buffalo is available to the public.

The Chief Executive Officer, Mr Lynch provided a response.

#### **12.1.6 Gas**

His Worship, Mayor Patterson asked a question in relation to gas works on council land.

The General Manager City Assets provided a response.

**12.1.7 Tram on Wigley Reserve**

Councillor Charlick asked a question regarding the maintenance program for the tram on Wigley Reserve

The Chief Executive Officer, Mr Lynch provided a response.

**12.2 With Notice - Nil****13. MEMBER'S ACTIVITY REPORTS****13.1 Councillor Bradshaw**

Councillor Bradshaw reported that she attended the Seacliff Life Saving Club open day.

**13.2 Councillor Yates**

Councillor Yates reported that she attended:

- Traders Night and Brighton Seacliff Yacht Club
- Brighton SLSC and Somerton Yacht Club
- Hidden Memories Hidden Lives Exhibition at the Bay Discovery Centre
- Laneways at Brighton Secondary School
- ALGWA Meeting
- Table Tennis for School Kids (Play at the Bay).

**13.3 Councillor Patton**

Councillor Patton reported that he had attended:

- 5AA radio interview on the beach and Coast FM
- Jetty Road Mainstreet Meeting
- Somerton Bowling Club 30<sup>th</sup> Anniversary
- Somerton Yacht Club
- Adelaide Sailing Club
- Glenelg Sports Festival.

**13.4 Councillor Smedley**

Councillor Smedley reported he had attended:

- Jetty Road Mainstreet Awards
- Brighton Secondary School
- Hidden Memories Hidden Lives Exhibition at Bay Discovery Centre.

**13.5 Councillor Charlick**

Councillor Charlick reported he had attended:

- the Adelaide Sailing Club
- Southern Districts Little Athletics.

**13.6 Councillor Lonie**

Councillor Lonie reported she had attended Hidden Memories Hidden Lives Exhibition at Bay Discovery Centre and Art Exhibition

**14. MOTIONS ON NOTICE - Nil****15. ADJOURNED MATTER - Nil****16. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL****16.1 Minutes – Jetty Road Mainstreet Management Committee - 2 September 2015 (Report No: 285/15)**

The Minutes of the Jetty Road Mainstreet Management Committee meeting held 2 September 2015 are attached and presented for Council's information.

**Motion****C131015/193**

**That the minutes of the Jetty Road Mainstreet Management Committee held on 2 September 2015 be noted.**

Moved Councillor Patton, Seconded Councillor Bouchee

**Carried****17. REPORTS BY OFFICERS****17.1 Items in Brief (Report No: 291/15)**

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****C131015/194**

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

- **Variable Message Sign – Speed Check**
- **Building Western Adelaide**
- **Local Government Elections – Discussion Paper**

- **Debt Collection Contract**
- **Glenelg Oval – Telecommunications Facility**
- **Minutes of the Murray Darling Association – 23 July 2015**
- **Buffalo Redevelopment**
- **Retaining Wall for the Brighton and Seacliff Yacht Club**
- **Internal fit out Brighton Civic Centre**
- **Relocation of the Trotman Anchor**

Moved Councillor Bouchee, Seconded Councillor Lonie

**Carried**

17.2 **Winter Wonderland Debrief (Report No: 272/15)**

Following the success of the 2014 Winter Wonderland festival, Council at its meeting on 10 February 2015, resolved to contribute up to \$75,000 towards 2015 Winter Wonderland. This was jointly funded by Jetty Road Mainstreet Management Committee which also contributed \$75,000 towards the cost.

The main feature of the event was an undercover ice rink in Moseley Square that operated for a six week period from 4 July to 16 August 2015.

The Winter Wonderland event again proved successful with an increase in visitation to Glenelg during a period which is traditionally slow. The success of this event supports the need to continue to develop a campaign/event during the quiet winter period.

**Motion**

**C131015/195**

1. **That Council receive and note this report.**
2. **That Council supports the development of a City wide Winter Wonderland festival during the winter period of 2016 with a further report to be presented to Council as part of its 2016/17 budget process.**

Moved Councillor Wilson, Seconded Councillor Patton

**Carried**

17.3 **Commonwealth Home Support Program – Variation to Service Agreement (Report No: 289/15)**

The first stage of implementation of the Commonwealth Home Support Program (CHSP) which replaces Home and Community Care (HACC) and commenced on 1 July 2015 provided funding for the four month period from 1 July 2015 - 1 November 2015. This four month period is referred to as the transition period. A new grant agreement which commences from 1 November 2015 and provides funding for the program for a further 3 years until 30 June 2018 requires Council's authorisation.

**Motion****C131015/196**

1. That Council approves the variation to the Commonwealth Home Support Program (CHSP) funding agreement for the period 1 November 2015 to 30 June 2018.
2. That His Worship the Mayor and the Chief Executive Officer be authorised to sign and seal the necessary documentation.

Moved Councillor Lonie, Seconded Councillor Yates

**Carried****Councillor Charlick left the Chamber at 7.50pm****17.4 Appointments to the Development Assessment Panel (Report No: 292/15)**

The term for Council Members serving on the City of Holdfast Bay Development Assessment Panel (the Panel) expires on 30 November 2015. This report recommends that Council appoint three Council Members to serve on the Panel for a period of 12 months.

**Councillor Charlick rejoined the Chamber at 7.52pm****Motion****C131015/197**

**That Councillors Clancy, Bradshaw and Yates be appointed to serve on the City of Holdfast Bay Development Assessment Panel in accordance with the Code of Conduct and Terms of Reference for the Panel for the period commencing 1 December 2015 and ending 30 November 2016.**

Moved Councillor Donaldson, Seconded Councillor Bouchee

**Carried****17.5 Appointment of Deputy Mayor (Report No: 290/15)**

Under Section 51 of the *Local Government Act 1999* Council may appoint a Deputy Mayor for a term not exceeding four years.

Council has previously made appointments of Deputy Mayor for a term of one year. It is Council's prerogative to choose another term, if it chooses.

The Deputy Mayor may act in the absence of the Mayor, in the office of Mayor.

**Motion****C131015/198**

**That Councillor Bouchee be appointed Deputy Mayor for a period of one year, from 1 December 2015 to 30 November 2016.**

Moved Councillor Bradshaw, Seconded Councillor Donaldson

**Carried**

**17.6 Time and Place for Ordinary Council Meetings (Report No: 293/15)**

The *Local Government Act 1999* requires Council to hold at least one meeting per month.

It is a decision of the Council to determine its meeting schedule. Meeting schedules can be reviewed and amended at any time by the Council.

In previous terms, Council has met on the second and fourth Tuesdays of each month (February – November) and once in January and December due to the holiday periods. It is proposed that Council continues this meeting schedule.

**Motion****C131015/199**

- 1. That Council continue to meet once in the months of December and January and will meet on 8 December 2015 and 19 January 2016.**
- 2. That Council will meet on the second and fourth Tuesday of each month, commencing in February 2016.**
- 3. If required a briefing/workshop will be held prior to Council Meetings commencing at 6.00pm**
- 4. If required a briefing/workshop commencing at 6.00pm will be held on the first Tuesday of each month.**

Moved Councillor Lonie, Seconded Councillor Yates

**Carried**

**17.7 Esplanade Hotel – Application for Stand Up Consumption of Liquor in Outdoor Dining Area (Report No: 298/15)**

Following a nine-month trial in the Adelaide Central Business District, on 12 May 2015 Consumer and Business Services advised that the Commissioner had approved the state-wide reversal of a ban that required patrons to be seated in outdoor dining areas when consuming liquor.

Subsequently, the licensee of the Esplanade Hotel (located on the corner of Esplanade and Jetty Road Brighton) has now lodged an application with Consumer and Business Services seeking to vary relevant licence conditions to allow patrons to stand in their approved section 69 outdoor dining areas while consuming liquor.

It should be noted that the applicant does not intend to make any changes to the existing food service functions of the Outdoor Areas.

Though this is not a mandatory change for all outdoor dining areas, the ban's reversal allows individual councils the ability to become more stringent in their regulation of liquor consumption in outdoor dining areas, while further presenting the opportunity to support local businesses in diversifying their operation.



The applicant now seeks Council approval to allow the stand-up consumption of liquor in Outdoor Dining Areas.

**Motion**

**C131015/200**

**That Council advise both the applicant and Consumer and Business Services that it supports a variation to existing licence conditions to allow patrons to stand while consuming liquor in the s 69 approved outdoor dining areas, subject to the following:**

- 1. That the approval is subject to a twelve (12) month trial period so that Council can undertake an assessment of any/all associated impacts (in accordance with s 2.4 of Council's Outdoor Dining Policy);**
- 2. That liquor consumption within the designated Outdoor Dining Areas is restricted to between 8:00 am and 12:00 midnight on any day (in accordance with s 2.10.2 of Council's Outdoor Dining Policy);**
- 3. That the provision of food service remains the primary function of the Outdoor Dining Areas (in accordance with s 2.2 of Council's Outdoor Dining Policy);**
- 4. That the capacities for the Outdoor Dining Areas (Areas 7 & 8 on the approved licence plan) remain set at 54 and 30 respectively;**
- 5. That the licensee frequently monitor the area(s) to ensure patrons do not exceed capacity, that no crowding occurs, and that a clear unobstructed footpath is maintained to ensure a safe pedestrian thoroughfare (in accordance with s 2.11 of Council's Council's Outdoor Dining Policy);**
- 6. That Council reserves the right to exercise its power as both landlord and local authority to either cancel, suspend or revoke the Outdoor Dining Permit, amend its operating hours, and/or further restrict its conditions if nuisances, health or public safety issues/concerns emerge as a consequence of persons utilising the respective areas (in accordance with s 2.5 of Council's Outdoor Dining Policy).**

Moved Councillor Lonie, Seconded Councillor Charlick

**Carried**

**17.8 Coast Park Construction Deferral (Report No: 299/15)**

Council was recently notified by the Department of Planning, Transport and Infrastructure that it was unsuccessful in its latest application for funding to continue the Coast Park construction through precinct 7.

The criteria for State Government funding is predicated on a dollar for dollar basis so in anticipation Council allocated \$1m in the adopted 2015/2016 budget.

Without matching funding from the State Government it is recommended that Council defer the construction of Coast Park in precinct 7 until further funding becomes available to Council.

Precinct 7 was also part of the recent public consultation program for the redevelopment of the Kingston Park Precinct.

**Motion**

**C131015/201**

**That Council defer further construction of Coast Park into precinct 7 until further funding becomes available.**

Moved Councillor Bouchee, Seconded Councillor Lonie

**Carried**

17.9 **Granting of an Easement for a Sewer – Brighton Seacliff Yacht Club and Seacliff Surf Club** (Report No: 300/15)

There is an existing previously unidentified SA Water 150mm diameter sewer main located within the associated land of the subject clubs. This report recommends that an easement in favour of SA Water be granted by Council

**Motion**

**C131015/202**

1. **That Council approve the granting of an easement, subject to SA Water meeting all conveyancing and legal costs, and that the Mayor and Chief Executive Officer be authorised to sign the associated documents with the seal of Council affixed thereto.**
2. **That SA Water be advised that Council agrees to the creation of an easement.**

Moved Councillor Clancy, Seconded Councillor Yates

**Carried**

17.10 **Glenelg Town Hall – Visitor Information Centre - Licence** (Report No: 295/15)

Glenelg Tourism Pty Ltd and Temptation Sailing Pty Ltd, currently licenses portion of the ground floor of the Glenelg Town Hall for use as visitor information centre. The licence commenced on 17 November 2014 for a period of twelve months and is therefore due to expire on 16 November 2015.

It is proposed to enter into a new licence with Glenelg Tourism Pty Ltd and Temptation Sailing Pty Ltd for a period of two years from 17 November 2015 to 16 November 2017.

**Motion**

**C131015/203**

**That approval be granted to enter into a licence agreement with Glenelg Tourism Pty Ltd and Temptation Sailing Pty Ltd over a portion of the ground floor of the Glenelg Town Hall, contained in allotment 106 in DP 7400, within Certificate of Title Volume 6054 Folio 3. The licence will be for a period of two years commencing 17 November 2015.**

Moved Councillor Lonie, Seconded Councillor Patton

**Carried**

**18. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**

**19. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING**

**19.1 Minda Development**

**Motion**

**C131015/204**

- 1. That Council notes the correspondence received from the CEO of Minda on 1 October 2015.**
- 2. That Council requests Administration to prepare a response reflecting Council's concerns.**

Moved Councillor Lonie, Seconded Councillor Clancy

**Carried**

**Councillor Donaldson left the Chamber at 8.18pm**

**20. ITEMS IN CONFIDENCE - Nil**

**CLOSURE**

The Meeting closed at 8.21pm.

**CONFIRMED Tuesday 27 October 2015**

**MAYOR**