

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 24 November 2015 at 7:03pm.

MEMBERS PRESENT

His Worship the Mayor, S Patterson
Councillor R Aust
Councillor A Bradshaw
Councillor R Bouchée – 7.08pm
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 Services & Assets - SG Hodge
General Manager Community Services - PE Aukett
General Manager Business Services - IS Walker

1. OPENING

His Worship the Mayor declared the meeting open at 7.03pm.

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 - Deputy Mayor Councillor R Patton
- 4.2 Absent - Nil

5. ITEMS PRESENTED TO COUNCIL**5.1 Gold Award – Category 30 – Local Government Award for Tourism – South Australian Tourism Awards**

The City of Holdfast Bay was awarded the Gold Award for Category 30 – Local Government Tourism at the 2015 South Australian Tourism Awards presented by the South Australian Tourism Industry Council and is presented to businesses and organisations that have demonstrated outstanding achievement and success throughout the year.

6. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES**Motion****C241115/259**

That the minutes of the Ordinary Meeting of Council held on 10 November 2015 be taken as read and confirmed.

Moved by Councillor Clancy, 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 Trinity Church– Councillor Clancy**

Councillor Clancy encouraged members to view the redevelopment of the former Trinity Church.

9.1.2 Discounted Metro Tickets – Councillor Charlick

Councillor Charlick asked a question regarding the advertised program for the discounted Metro Tickets.

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

The General Manager Community Services, Ms T Aukett provided a response.

Councillor Bouchee joined the meeting at 7.08pm.

9.1.3 Kingston Park Foreshore Rubbish – Councillor Yates

Councillor Yates asked a question regarding the email from David Speirs MP, Member for Bright on rubbish at Kingston Park.

The General Manager City Services & Assets, Mr S Hodge provided a response

9.1.4 Glenelg Christmas Pageant – Councillor Aust

Councillor Aust asked a question regarding crowd numbers at the Glenelg Christmas Pageant.

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

9.1.5 Glenelg Foreshore Play Space – Councillor Bouchee

Councillor Bouchee asked a question regarding the progress of the Glenelg Foreshore Play Space.

The General Manager Community Services, Ms T Aukett provided a response.

9.2 **With Notice - Nil**

10. MEMBER'S ACTIVITY REPORTS**10.1 Mayoral Report for August 2015 – October 2015 (Report No: 357/15)**

Presented for the information of Members is the Activity Report for the Mayor for August 2015 - October 2015.

Motion**C241115/260**

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

Moved Councillor Donaldson, Seconded Councillor Yates

Carried

10.2 Councillor Donaldson

Councillor Donaldson reported that she and Councillor Bradshaw attended the Annual General Meeting of the Holdfast Bay Residents Alliance.

10.3 Councillor Yates

Councillor Yates reported that she attended:

- Metro Seaside Councils Committee
- Murray Darling Association Meeting
- Coastal Conference at West Beach
- Judged Glenelg Christmas Pageant with Councillors Wilson, Bradshaw and Clancy
- Brighton Seacliff Yacht Club meeting

10.4 Councillor Bouchee

Councillor Bouchee reported that she attended the Australian Navy Church Service on behalf of the Mayor.

10.5 Councillor Clancy

Councillor Clancy provided members with an update on the Holdfast Bay Community Centre.

10.6 Councillor Charlick

Councillor Charlick reported that he visited the Community Gardens at the Glenelg North Community Centre.

10.7 Mayor Patterson

Mayor Patterson provided members with an update on his meeting with the Chief Executive Officer with Minda.

11. MOTIONS ON NOTICE**11.1 Motion on Notice – Australia Day and Proclamation Day Dress Code – Councillor Donaldson (Report No: 358/15)****BACKGROUND**

Until recently, councillors wore their robes at both the Proclamation and Australia Day ceremonies (weather permitting). Recently and without consultation, this has been dispensed with. They are both formal occasions, steeped in tradition and as such, councillors may choose to wear their robes in recognition of and befitting the events.

Motion

C241115/261

That Elected Members (ward councillors) will wear their robes (weather permitting) at the City of Holdfast Bay's traditional Proclamation Day and Australia Day ceremonies.

With the agreement of the mover and seconder the words "may elect" was removed from the motion.

Moved Councillor Donaldson, Seconded Councillor Bouchee

Carried

12. ADJOURNED MATTERS

Motion

C241115/262

That item 12.1 Partridge Street Carpark Operations (Report No: 359/15) be considered under Confidential Items.

Moved Councillor Lonie, Seconded Councillor Bouchee

Carried/Lost

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

13.1 Minutes – Development Assessment Panel – 28 October 2015 (Report No: 334/15)

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

The minutes of the Development Assessment Panel meeting held 28 October 2015 are presented to Council for information only.

Motion

C241115/263

That the minutes of the Development Assessment Panel meeting held on 28 October 2015 be noted.

Moved Councillor Clancy, Seconded Councillor Charlick

Carried

14. REPORTS BY OFFICERS**14.1 Items in Brief (Report No: 353/15)**

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**C241115/264**

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

- **Development Referrals – Adelaide Airport Protected Airspace**
- **Letter from the Hon David Ridgway MLC – 2015 Local Government Award for Tourism**

Moved Councillor Lonie, Seconded Councillor Smedley

Carried**14.2 Monthly Financial Report – 31 October 2015 (Report No: 355/15)**

Attached are financial reports as at 31 October 2015. They comprise a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor Aged Care and the monthly 'spreadsheet' report we have committed to.

There is a variety of timing variances and it is not proposed to amend the current forecast, although the receipt of the first instalment of the 2015/16 Financial Assistance Grant in June 2015 means that the actuals received to date this year are under budget. It is not known whether the Commonwealth Government will continue to prepay this grant this financial year so it is unknown whether this is a permanent variance.

Motion**C241115/265**

That Council receives the financial reports for the 4 months to 31 October 2015 and notes that there is no change to the forecast for 2015/16:

Municipal Activities

- **A projected operating surplus for 2015/16 of \$29,289 (compared to an operating surplus of \$124,671 in the original budget);**
- **Projected capital expenditure for 2015/16 of \$26.963 million (compared with \$22.616 million in the original budget);**
- **A projected funding requirement for 2015/16 of \$11.083 million (compared with \$6.245 million in the original budget).**

Alwyndor Aged Care

- **A projected operating surplus for 2015/16 of \$341,000 (unchanged from the original budget);**
- **Projected capital expenditure for 2015/16 of \$367,000 (unchanged from the original budget);**
- **A projected funding requirement for 2015/16 of \$787,000 (unchanged from the original budget).**

Moved Councillor Lonie, Seconded Councillor Smedley

Carried

14.3 2014-15 Annual Review of Investments (Report No: 354/15)

Section 140 of the Local Government Act 1999 (the Act) requires Council to review the performance of its investments on an annual basis. This report explains the process for investing funds, amount of funds invested during 2014/15, average interest rate earned and investment performance against budget for Council municipal activities and Alwyndor Aged Care.

The 2014/15 revised forecast for investment income was \$422,786 comprising \$302,786 from Alwyndor and \$120,000 for Municipal operations. The actual result was \$497,444 comprising \$396,201 from Alwyndor and \$101,243 from Municipal operations. The overall interest on investment budget was therefore exceeded by \$74,658.

Motion

C241115/266

That this report comprising an annual review of its investments in accordance with section 140 of the Local Government Act 1999, is received and noted.

Moved Councillor Yates, Seconded Councillor Lonie

Carried

14.4 Audit Committee and Development Assessment Panel Sitting Fees (Report No: 356/15)

This item was withdrawn by the Chief Executive Officer, Mr J Lynch after the publication of the agenda.

14.5 Brighton Caravan Park Update (Report No: 352/15)

The approved re-development of the Brighton Caravan Park is nearing completion in time for the peak 2015/16 summer season. Occupancy rates are increasing and net revenue is above budget for the first 4 months of 2015/16.

Motion**C241115/267**

That Council receives and notes the report on the re-development and operations of the Brighton Caravan Park

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

14.6 **Glenelg Oval Masterplan – Request for Funding** (Report No: 339/15)

Motion**C241115/268**

That this matter be adjourned until the sporting groups requesting funding provide their financial statements to 30 June 2015.

Moved Councillor Clancy, Seconded Councillor Charlick

Carried

14.7 **Somerton Bowling Club – Request for Funding** (Report No: 350/15)

Motion**C241115/269**

That this matter be adjourned until the sporting groups requesting funding provide their financial statements to 30 June 2015.

Moved Councillor Clancy, Seconded Councillor Charlick

Carried

14.8 **Brighton Rugby Club – Request for Funding** (Report No: 341/15)

Motion**C241115/270**

That this matter be adjourned until the sporting groups requesting funding provide their financial statements to 30 June 2015.

Moved Councillor Clancy, Seconded Councillor Yates

Carried

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

16. **CONFIDENTIAL ITEMS**

12.1 **Adjourned Report - Partridge Street Carpark Operations** (Report No: 359/15)

Motion**C241115/271**

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:**
- b. **information the disclosure of which –**
 - (i) **could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and**
 - (ii) **would, on balance, be contrary to the public interest.**
 - k. **tenders for the supply of goods, the provision of services or the carrying out of works.**

Moved Councillor Lonie, Seconded Councillor Aust

Carried

Adjourned Report - Partridge Street Carpark Operations (Report No: 359/15)

A comprehensive tender process has been undertaken to procure an operator for Council's carparks on Partridge Street, Glenelg. This report seeks approval to expend unbudgeted capital funds to buy and install necessary operational infrastructure as well as provide the operational budget management fee.

Motion

C241115/272

That a Short Term Suspension of Proceedings occurs to discuss this item for 15 minutes

Moved Councillor Bouchee, Seconded Councillor Yates

Carried Unanimously

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 15 minutes to facilitate informal discussion in relation to Adjourned Report – Partridge Street Carpark Operations.

Short term suspension of proceedings commenced at 8.02pm.

Councillor Charlick left the chamber at 8.02pm.

Councillor Charlick rejoined the chamber at 8.04pm.

Councillor Bouchee left the chamber at 8.08pm.

Councillor Bouchee rejoined the chamber at 8.08pm.

Motion

That the Council Meeting resume.

Moved Councillor Clancy, Seconded Councillor Aust

Lost

Motion

C241115/273

That a further short term suspension of proceedings of 20 minutes occur.

Moved Councillor Smedley, Seconded Councillor Yates

Carried Unanimously

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 further period of 20 minutes to facilitate informal discussion in relation to Adjourned Report – Partridge Street Carpark Operations.

The further suspension of proceedings commenced at 8.16pm.

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 8.37pm.

Motion

1. That Council approve an operating expenditure of \$46,000 for the remainder of the 2015/2016 financial year for the engagement of a commercial operator at Council's carparks on Partridge Street, Glenelg.
2. That Council approve capital expenditure of \$550,000 to purchase the infrastructure required for the operation of Council's car parks on Partridge Street (east and west).
3. That Council approve the following introductory fee structure:
 - First hour or part thereof free
 - Second hour or part thereof \$2
 - Third hour or part thereof an additional \$2
 - Fourth hour and subsequent hours an additional \$4 per hour
 - \$20 per 24 hour maximum
4. That Council review the introductory fee structure within 12 calendar months from commencement of operation of the equipment or earlier as Council may determine.
5. That Council provide Cinema patrons 4 hours free car parking and then the \$4 per hour and subsequent hours, rates apply to a \$20 per day maximum.

6. That the equipment to be amortised over 5 year period in line with debt funding.

Moved Councillor Smedley, Seconded Councillor Wilson

Amendment

C241115/274

1. That Council approve an operating expenditure of \$46,000 for the remainder of the 2015/2016 financial year for the engagement of a commercial operator at Council's carparks on Partridge Street, Glenelg.
2. That Council approve capital expenditure of \$550,000 to purchase the infrastructure required for the operation of Council's car parks on Partridge Street (east and west).
3. That Council approve the following introductory fee structure:
 - First hour or part thereof free
 - Second hour or part thereof \$2
 - Third hour or part thereof an additional \$2
 - Fourth hour and subsequent hours an additional \$4 per hour
 - \$40 per 24 hour maximum
4. That Council review the introductory fee structure within 12 calendar months from commencement of operation of the equipment or earlier as Council may determine.
5. That Council provide Cinema patrons 4 hours free car parking and then the \$4 per hour and subsequent hours, rates apply to a \$40 per day maximum.
6. That the equipment to be amortised over 5 year period in line with debt funding.

Moved Councillor Clancy, Seconded Councillor Bradshaw

The amendment on being put was

Carried

The motion, as amended, on being put was

Carried

Division called

A division was called:

Those voting for: Councillors Smedley, Wilson, Charlick, Aust, Yates, Lonie, Bradshaw, Clancy, Snegin and Donaldson (10)

Those voting against: Councillor Bouchee (1)

His Worship the Mayor declared the motion

Carried

Order to Retain Documents in Confidence**Motion****C241115/275**

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 Report No: 336/15 including:
 - Report
 - Attachmentrelating 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)(b) and (k).
2. That the minutes are released from confidence.
3. This resolution will be reviewed within 12 months by the Council.

Councillor Bouchee left the chamber at 8.55pm.

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

17. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING**17.1 382-384 and 388 Brighton Road Hove****Motion****C241115/276**

That Council notes the contract for the sale of land at 382-384 and 388 Brighton Road Hove has been executed by both parties and approves the name of the purchaser and proposed land use be released from confidence for the purpose of advising the community and issue of a media release.

Moved Councillor Lonie, Seconded Councillor Yates

Carried

CLOSURE

The Meeting closed at 8.58pm pm.

CONFIRMED 8 December 2015

MAYOR