

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 December 2015 at 7:01pm.

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

Chief Executive Officer - JP Lynch
General Manager Alwyndor Aged Care – G Potter
General Manager Business Services - IS Walker
General Manager City Services & Assets - SG Hodge
General Manager Community Services - PE Aukett

1. OPENING

His Worship the Mayor declared the meeting open at 7.01pm.

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**5.1 Resilient South – Planning Institute of Australia Award**

A Commendation Award was awarded to the Cities of Holdfast Bay, Marion, Mitcham and Onkaparinga. The commendation was made in recognition of the engagement process used to develop the plan and the benchmark set by the project partners in regional adaptation planning.

6. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES**Motion****C081215/277**

That the minutes of the Ordinary Meeting of Council held on 24 November 2015 be taken as read and confirmed.

Moved by Councillor Lonie, Seconded by Councillor Yates

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 Workshops and Confidential Reports– Councillor Charlick**

Councillor Charlick asked a question regarding the number of confidential items Council can consider in a year.

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

9.1.2 Brighton Jetty Sails – Councillor Bradshaw

Councillor Bradshaw asked a question regarding the replacement of the shade sails on the Brighton Jetty.

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

9.2 **With Notice - Nil**

10. MEMBER'S ACTIVITY REPORTS

10.1 **Councillor Patton**

Councillor Patton reported on the activities of the Bay Sports Festival Committee.

10.2 **Councillor Bouchee**

Councillor Bouchee reported that she had attended:

- Western Region Waste Management Authority meeting
- Immanuel College Year 6 Graduation

10.3 **Councillor Aust**

Councillor Aust reported that she had attended:

- Citizenship Ceremony
- Veterans Shed at Kibby Avenue
- Alwyndor Christmas Parties

10.4 **Councillor Bradshaw**

Councillor Bradshaw reported that she had attended:

- David Speirs Volunteers afternoon
- Seacliff Centre Annual General Meeting

10.5 **Councillor Smedley**

Councillor Smedley reported that he had attended a Southern Region Waste Resource Authority meeting.

10.6 **Councillor Yates**

Councillor Yates reported that she had attended:

- David Speirs Volunteers afternoon,
- Seacliff Centre Annual General Meeting
- Seacliff neighbourhood watch Christmas party
- Alwyndor Christmas Parties
- Southern Region Waste Resource Authority meeting

10.7 **Mayor Patterson**

His Worship the Mayor reported that he had attended:

- Citizenship Ceremony
- Glenelg Brass Band Christmas Performance and presentation of flugelhorn

11. MOTIONS ON NOTICE

11.1 Motion on Notice – Alwyndor – Councillor Clancy (Report No: 384/15)

BACKGROUND

Alwyndor became part of the Brighton Council in 1973. So for over forty years it has been core business for the City of Brighton and since the amalgamation for the City of Holdfast Bay.

Alwyndor sets a high standard and bench mark for other operators providing care for the aged. Residents in Holdfast Bay and nearby Councils know that Alwyndor sets an industry standard and few are able to compete with our boutique offering.

Risk has been mentioned in support for not owning Alwyndor. Alwyndor is in an extremely sound financial position. For profits would not be in the industry if the risks were high. They are there to make money, unlike Alwyndor which puts money back into operations.

Alwyndor is regarded by professionals In aged care as a an excellent facility which is of such a size that it offers a service which is personal and really meets the needs of the residents and their families.

I have been contacted by the families of residents and staff and I am well aware that when reviews are taking place staff become quite concerned about their future employment and look elsewhere. We want to retain our excellent staff at Alwyndor and reassure residents and their families that it is business as usual.

I believe we have no reason to sell and an obligation and keep Alwyndor as part of the diverse offerings of the City of Holdfast Bay.

Motion

C081215/278

1. **That Alwyndor Aged Care remain a fully owned entity within the City of Holdfast Bay, continue to have a Committee of Management and not be privatised through sale, lease or managed by any external non council entity.**
2. **That Council Administration negotiates a financial agreement with Alwyndor in consideration of the Council land used (in accordance with the Discussion paper).**

The mover, Councillor Clancy agreed for the seconder, Councillor Donaldson to amend the motion.

Conflict of Interest:

Councillor Wilson declared an interest in the matter due to her Grandmother being a resident of Alwyndor Aged Care.

Adjournment:

That this item is adjourned until the first meeting in March 2016 to allow a briefing for members to discuss strategic issues and implications on policy.

Point of Order:

Councillor Clancy called a Point of Order regarding Councillor Bouchee debating a formal motion.

The Presiding Member, Mayor Patterson upheld the Point of Order and asked Councillor Bouchee to cease debating the formal motion.

Point of Order:

Councillor Clancy called a further Point of Order regarding Councillor Bouchee continuing to debate the formal motion.

The Presiding Member, Mayor Patterson dismissed the Point of Order.

Moved Councillor Bouchee, Seconded Councillor Charlick

Lost

Point of Order:

Councillor Bouchee called a Point of Order regarding Councillor Clancy introducing new information in her summing up of the motion.

The Presiding Member, Mayor Patterson upheld the Point of Order and asked Councillor Clancy to retract her comments.

Moved Councillor Clancy, Seconded Councillor Donaldson

Carried

Division called

A division was called:

Those voting for: Councillors Aust, Patton, Yates, Lonie, Bradshaw, Donaldson and Clancy (7)

Those voting against: Councillors Snewin, Charlick, Bouchee, Wilson and Smedley (5).

His Worship the Mayor declared the motion

Carried

12. ADJOURNED MATTERS

Conflict of Interest:

Councillor Snewin declared an interest in the matter due to being the current President of the Glenelg Cricket Club and left the meeting at 7.54pm.

12.1 **Adjourned Report – Glenelg Oval Master Plan – Request for Funding** (Report No: 380/15)

Councillor Donaldson left the chamber at 7.56pm.

Council at its meeting on 24 November 2015 resolved to adjourn Report No 339/15 so that the Glenelg Cricket Club and the Glenelg Football Club can provide financial statements to 30 June 2015.

Councillor Donaldson rejoined the chamber at 7.58pm.

Motion

C081215/279

1. That Council approves the net funding request of \$47,500 in the 2015/16 financial year to develop the Glenelg Oval Master Plan.
2. That the masterplan incorporate flexible use of the buildings to incorporate possible changes in direction of sports in the city

Adjournment

That this report be adjourned until the Glenelg Oval Working Party considers the 2000 Glenelg Oval masterplan.

Moved Councillor Donaldson, Seconded Councillor Yates

Lost

Formal Motion

That the motion be put.

Moved Councillor Patton

Lapsed for want of a Seconder

Moved Councillor Bouchee, Seconded Councillor Wilson

Carried

Division called

A division was called:

Those voting for: Councillors Bouchee, Smedley, Wilson, Aust, Patton, Charlick, Yates, Lonie and Snewin (9)

Those voting against: Councillors Bradshaw, Clancy and Donaldson (3).

His Worship the Mayor declared the motion

Carried

Councillor Wilson left the chamber at 8.17pm.

Councillor Bouchee left the chamber at 8.17pm.

Councillor Snewin rejoined the chamber at 8.17pm.

12.2 **Adjourned Report – Brighton Sports and Social Club Inc – Request for Rental Relief**
(Report No: 368/15)

Council at its meeting on 26 May 2015 resolved to adjourn Report No 167/15 so that the Brighton Sports and Social Club Inc, the Brighton Bombers Football Club Inc and the Brighton Cricket Club Inc can provide further financial information including information on grants.

Motion

C081215/280

That Council waive \$11,413.36 (including GST), of the current amount outstanding by Brighton Sports & Social Club Inc, subject to the following conditions:

- 1. The Brighton Sports and Social Club Inc pays \$3,341.34 (including GST) of the amount outstanding by 31 December 2015; and**
- 2. The Brighton Sports and Social Club Inc pays 6 equal instalments of \$1,284.62 (including GST) on the last day of January 2016, February 2016, March 2016, April 2016, May 2016 and June 2016 to clear the current debt.**

Councillor Wilson rejoined the chamber at 8.19pm.

Councillor Bouchee rejoined the chamber 8.19pm.

Moved Councillor Snewin, Seconded Councillor Lonie

Carried

12.3 **Adjourned Report – Somerton Bowling Club – Request for Funding** (Report No: 382/15)

Council at its meeting on 24 November 2015 resolved to adjourn Report No 340/15 so that the Somerton Bowling Club can provide further financial information.

Conflict of Interest

Councillor Patton declared an interest in the matter due to his membership of the Somerton Bowling Club and left the meeting at 8.31pm.

Motion**C081215/281**

1. That Council agrees to fund 50% of the cost (up to a maximum of \$5,000) of a new pressure pump to draw groundwater, following receipt of 3 quotes.
2. That Council agrees to upgrade the electrical distribution board within the club building as part of an asset upgrade of the building.

Moved Councillor Clancy, Seconded Councillor Snewin

Carried

Councillor Lonie left the chamber at 8.33pm.

Councillor Patton rejoined the chamber at 8.33pm.

13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT**13.1 Minutes – Jetty Road Mainstreet Management Committee – 4 November 2015 (Report No: 342/15)**

The Minutes of the Jetty Road Mainstreet Management Committee meeting held 4 November 2015 are attached and presented for Council's information.

Motion**C081215/282**

That the minutes of the Jetty Road Mainstreet Management Committee held on 4 November 2015 be noted.

Councillor Lonie rejoined the chamber at 8.34pm.

Moved Councillor Wilson, Seconded Councillor Patton

Carried**13.2 Minutes – Executive Committee – 18 November 2015 (Report No: 366/15)**

The minutes of the Executive Committee meeting for 18 November 2015 are presented to Council for information and endorsement.

Motion**C081215/283**

1. That the minutes of the Executive Committee meeting held 18 November 2015 be received.
2. The Executive Committee recommends to Council that the following seven items be considered as Key Result Areas for the Chief Executive Officer (in order of priority):
 1. Effective relations with Elected Members.
 2. Implementing strategic vision.

3. **Financial and asset management.**
4. **Effective engagement/reputation (internal and external).**
5. **People management.**
6. **Delivery of major projects and operational services.**
7. **Economic development strategy.**

Moved Councillor Charlick, Seconded Councillor Smedley

Carried

14. REPORTS BY OFFICERS

14.1 Items in Brief (Report No: 367/15)

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

C081215/284

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

- **Local Government (Accountability and Governance) Amendment Act 2015**
- **Ordinary Business Matters of a Council – Local Government Act Amendments**
- **Food Safety During Power Failures**
- **Holdfast Bay Community Centre Inc. Operating Report**
- **Amendment to Holdfast Bay Development Plan by the Minister for Planning – Residential Zone (Institution Policy Area 4, Minda Brighton Campus)**
- **Partridge House Usage: 1st Quarter 2015/2016**
- **Glenelg Foreshore Playspace – Construction Update**
- **Summer School Holiday Program**
- **Brighton Primary Pedestrian Accessibility Improvement – Intersection of Highet, Sunshine Avenue and Roberts Street**
- **Australia Day at the Bay**
- **179th Proclamation Day**

Moved Councillor Lonie, Seconded Councillor Clancy

Carried

Councillor Yates left the chamber at 8.48pm.

14.2 Ashes Memorial Adjacent to Brighton Jetty (Report No: 381/15)

Following the success of the Ashes Memorial installed adjacent to Glenelg Jetty in 2014/15, this report provides information to address an ever increasing demand from the community for an ashes memorial to be installed adjacent to Brighton Jetty.

Motion**C081215/285**

1. Council acknowledges the community expectation and demand for an Ashes Memorial to be constructed and installed adjacent to Brighton Jetty.
2. Council endorses the allocation of \$44,200.00 for the project to be completed within the 2016/17 financial year.
3. Council endorses an application fee of \$1,500.00 (incl. GST) for inscribing and maintenance of the memorial.
4. The fee will be reviewed during budget preparation each year with Council Fees & Charges.

Councillor Yates rejoined the chamber at 8.51pm.

Moved Councillor Donaldson, Seconded Councillor Clancy

Carried

14.3 **Dementia Friendly Holdfast Bay** (Report No: 383/15)

Holdfast Bay was selected as the first South Australian site for the National Dementia Friendly Communities initiative. As part of the global campaign against dementia, organisations are being encouraged to make a commitment to becoming dementia friendly. The City of Holdfast Bay seeks Council's endorsement to become a dementia friendly organisation.

Motion**C081215/286**

1. That Council approves the Commitment and Action Plan to become a dementia friendly organisation.
2. That the Mayor be authorised to sign the Statement of Commitment towards being a dementia friendly organisation.

Moved Councillor Lonie, Seconded Councillor Aust

Carried

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

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

17. **ITEMS IN CONFIDENCE**

17.1 **Banking Services Review (Report No: 369/15)****Motion****C081215/287**

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.

Moved Councillor Clancy, Seconded Councillor Patton

Carried**Banking Services Review (Report No: 369/15)****Order to Retain Documents in Confidence****Motion****C081215/289**

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: 369/15 including:
 - Minutes
 - 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).
2. That the Chief Executive Officer is authorised to release the report, minutes and attachments when contract is signed.

Councillor Bouchee left the chamber at 9.11pm.

Moved Councillor Lonie, Seconded Councillor Donaldson

Carried

17.2 **Glenelg Town Hall Lease or Portion of Ground Floor – Request for Rental Reduction** (Report No: 370/15)

Conflict of Interest:

Councillor Donaldson declared an interest in the matter due to a family member being involved with this business and left the meeting at 9.11pm.

Councillor Bouchee rejoined the chamber at 9.12pm.

Motion

C081215/290

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.**

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

17.2 **Glenelg Town Hall Lease of Portion of Ground Floor – Request for Rental Reduction** (Report No: 370/15)

GREAT Productions Pty Ltd, the owner of Boomers on the Beach, located on the ground floor of the Glenelg Town Hall, has requested a rent reduction whilst the new play space is being constructed on the Glenelg Foreshore, from 15 September 2015 to the anticipated completion date in late December 2015.

The new play space is being constructed immediately to the west of the Glenelg Town Hall and GREAT Productions Pty Ltd is advising that as the construction is so close to its entry doors it is negatively impacting on the patronage and income of Boomers on the Beach.

Motion

C081215/291

That the request from GREAT Productions for three months at 75% rent reduction be approved.

Point of Order:

His Worship the Mayor called a Point of Order regarding Councillor Yates continual interruptions.

Moved Councillor Bouchee, Seconded Wilson

Carried

Councillor Bouchee left the chamber at 9.19pm.

CLOSURE

The Meeting closed at 9.28 pm.

CONFIRMED Tuesday 19 January 2016

MAYOR