

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 May 2016 at 7:00pm.

MEMBERS PRESENT

His Worship the Mayor, S Patterson
Deputy Mayor M Bouchée
Councillor R Aust
Councillor S Charlick
Councillor R Clancy
Councillor K Donaldson
Councillor S Lonie – 7.03pm
Councillor R Patton
Councillor J Smedley
Councillor L Yates
Councillor A Wilson

STAFF IN ATTENDANCE

Chief Executive Officer - JP Lynch
General Manager Business Services - IS Walker
General Manager City Assets & Services - SG Hodge

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 A Bradshaw and Councillor R Snewin
- 4.2 Absent – Nil

5. ANNUAL BUSINESS PLAN CONSULTATION

Under Section 123 (4)(a)(i)(B) of the Local Government Act 1999, Council will provide a period of at least one hour for members of the public to ask questions and make submissions in relation to the Draft 2016/17 Annual Business Plan and Budget.

6. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES**Motion****C240516/394**

That the minutes of the Ordinary Meeting of Council held on 10 May 2016 be taken as read and confirmed.

Moved by Councillor Donaldson, Seconded by Councillor Aust

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 Brighton Sporting Precinct– Councillor Donaldson**

Councillor Donaldson asked questions regarding the Brighton Sporting Complex masterplan.

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

Councillor Lonie joined the meeting at 7.03pm.

9.1.2 Work Health Safety Reporting– Councillor Bouchee

Councillor Bouchee asked a question regarding Work Health Safety reporting to Council.

His Worship the Mayor asked that Councillor Bouchee place this question on notice.

9.1.3 Release of Confidential Information– Councillor Bouchee

Councillor Bouchee asked a question regarding the release of confidential information.

The Chief Executive Officer, Mr J Lynch provided a response

9.1.4 Conflict of Interest – Councillor Bouchee

Councillor Bouchee asked a question regarding the advice published by KelledyJones Lawyers regarding Conflict of Interest and Advisory Committees.

The Chief Executive Officer, Mr J Lynch provided a response

9.1.5 Lease Policy – Councillor Bouchee

Councillor Bouchee asked a question regarding the Lease policy.

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

9.1.6 Recognition of Service – Councillor Clancy

Councillor Clancy asked if His Worship the Mayor could write to former Councillor, Dariusz Swiderczuk in recognition of his 50 years of Service to Minda.

9.1.7 Conflict of Interest and Audit Committee – Councillor Smedley

Councillor Smedley asked a question regarding Conflict of Interest and the Audit Committee.

The Chief Executive Officer, Mr J Lynch provided a response

9.1.8 Glenelg Jetty Proposal – Councillor Charlick

Councillor Charlick asked a question regarding the Glenelg Jetty Proposal.

The Chief Executive Officer, Mr J Lynch provided a response

9.2 With Notice - Nil

10. MEMBER'S ACTIVITY REPORTS**10.1 Mayor's Activity Report for February 2016 – April 2016** (Report No: 136/16)

Presented for the information of Members is the Activity Report for the Mayor for February 2016 – April 2016.

Motion**C240516/395**

That the Mayor's Activity Report for February 2016 – April 2016 be received and noted.

Councillor Donaldson moved, Councillor Lonie seconded

Carried

10.2 Councillor Bouchee

Councillor Bouchee reported that she had attended:

- Executive Committee Meeting
- Jetty Road Mainstreet Committee Meeting
- Glenelg Community Meal
- Coral-Balmoral Commemoration
- St Peters Woodlands – Opening of Early Learning Centre

10.3 Councillor Yates

Councillor Yates reported that she had attended:

- Volunteer Breakfast at the Beachouse
- Morning Tea at the Seacliff Sports Club
- Somerton Yacht Club Presentation Night

10.4 Councillor Clancy

Councillor Clancy reported that she attended the Somerton Surf Life Saving Club on behalf of the Mayor.

10.5 Councillor Patton

Councillor Patton reported that he attended the Glenelg Surf Life Saving Club presentation night.

10.6 Councillor Aust

Councillor Aust reported that she had attended

- Tots at Dots at Alwyndor
- Somerton Yacht Club Presentation Night

10.7 Councillor Lonie

Councillor Lonie reported that she attended the History Month activities at St Judes Cemetery.

11. MOTIONS ON NOTICE

11.1 Motion on Notice – Proposed AdeLINK Rail Network– Mayor Patterson (Report No: 135/16)

BACKGROUND

Light rail is experiencing a renaissance around the world and across Australia as a solution to reshape cities, improve transport choices and convenience for people, revitalise urban areas, reduce traffic congestion, grow public transport usage and catalyse sites for development. Systems are either being considered, under development, under construction or completed in all state capitals as well as many larger regional centres. Trams are widely recognised as not only a popular, reliable and efficient public transport, but also as city-shaping infrastructure that attracts new development and business activity.

Investment and expansion of Adelaide’s light rail network (AdeLINK) has been noted as a priority project in the Australian Government’s recent Infrastructure Australia report.

Future expansion of the city’s tram network will build on the earlier successful extension to the Adelaide Entertainment Centre. The State Government recently announced a \$4m Feasibility Study into the AdeLINK Light Rail Network to assess the feasibility of the construction of the network.

For more information about the State Government’s AdeLINK tram network proposal please visit:

www.transportplan.sa.gov.au

www.premier.sa.gov.au/index.php/jay-weatherill-news-releases/122-adelink-tram-network-another-step-closer

In April 2016, the Lord Mayor hosted a summit where the Minister for Transport, Stephen Mulligan, and metropolitan mayors came together to discuss the future of trams in Adelaide.

The summit was also attended by councillors and CEOs from metropolitan councils, Australian and state MPs, representatives of peak professional and community organisations, and industry representatives.

The summit provided an opportunity to discuss the future of Adelaide’s tram network, hear from expert speakers and talk about local government’s potential role in these city-shaping projects. Representatives from the City of Sydney and Gold Coast City Council shared valuable insights on their current tram projects.

At the afternoon roundtable, councils within the AdeLINK network agreed to:

- Make light rail a key priority.
- Provide in principle support for AdeLINK and to take this back to respective councils for endorsement.
- Participate in the development of the State Government's business case for AdeLINK.
- Consider all funding options (but are not in favour of new taxes on the community).

City of Holdfast Bay can offer a key advisory role in this process and assist in the growth of the tram network throughout metropolitan Adelaide. By connecting the Glenelg tram to many other metropolitan councils, not only will those councils benefit, City of Holdfast Bay will experience economic, tourism and social benefits from the increased connectivity AdeLINK would create.

Motion

C240516/396

That Council:

1. **provide in principle support to the expansion of light rail;**
2. **gives in kind support to assist and participate in the development of a comprehensive study into the State Government's AdeLINK light rail network;**
3. **participate in further discussions with the Federal Government, State Government and neighbouring Councils within the proposed AdeLINK light rail network regarding funding and delivery options.**

Moved Councillor Bouchee, Seconded Councillor Donaldson

Carried

11.2 **Motion on Notice – Major Initiatives – Councillor Smedley** (Report No: 138/16)

BACKGROUND

Elected members have been presented with a series of major initiatives for the coming year, with a cumulative value of circa \$2.300M. While included in and now forming part of the Council's Draft Business Plan, the initiatives were only presented, for discussion purposes, in voluntary workshops on 1 March and 29 March 2016; forums at which binding decisions were neither contemplated nor made, and at which, not all elected members were present.

As the initiatives are many, varied and material in size, I believe that it is appropriate that elected members have opportunity to consider and approve them after review of formal business cases for each.

Motion

C240516/397

That all “major initiatives”, previously presented to Council Workshops on 1 March 2016 and 29 March 2016, and included in the Final 2016/17 Business Plan, be brought back to Council in due course, with supporting business cases, for final ratification/approval, prior to implementation.

Adjournment

That this Motion on Notice be adjourned until after the workshop scheduled on 7 June 2016.

Moved Councillor Clancy

Lapsed for Want of a Seconder

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 – Alwyndor Management Committee – 19 April 2016 (Report No: 132/16)

The Minutes of the Alwyndor Management Committee meeting on 19 April 2016 are provided for information.

Motion

C240516/398

That the minutes of the Alwyndor Management Committee meeting on 19 April 2016 be noted with comments regarding item 12.4 notes the public trustee acts as administrator not guardian.

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

13.2 Minutes – Executive Committee – 17 May 2016 (Report No: 139/16)

The minutes of the Executive Committee meeting for 17 May 2016 are presented to Council for information and endorsement.

Motion

C240516/399

- 1. That the minutes of the Executive Committee meeting held 17 May 2016 be received.**
- 2. The Executive Committee confirms it received a presentation from Hender Consulting to provide commentary on common practices in comparable councils. Hender Consulting then facilitated the committee to refine the draft CEO Performance Review mechanism.**

Moved Councillor Bouchee, Seconded Councillor Charlick

Carried

14. REPORTS BY OFFICERS**14.1 Items in Brief** (Report No: 124/16)

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**C240516/400**

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

- **From the Bay to the Battlefield Receives Museum and Galleries National Award (MAGNA) Award**
- **Food Trucks – State Government Position Paper on Regulation**
- **Tree Planting 2016**
- **Training Opportunity- Council Members Forum – 17 & 18 June 2016**
- **Way2Go Program**
- **Planning, Development and Infrastructure Act 2016 – Summary of Changes**
- **SA Planning System Reforms – State Priorities**

Moved Councillor Lonie, Seconded Councillor Charlick

Carried**Motion****C240516/401**

That Council congratulates the staff involved in the “From the Bay to the Battlefield” project on the Museums and Galleries National Award.

Moved Mayor Patterson, Seconded Councillor Lonie

Carried**14.2 2016-17 Rate Parameter Setting** (Report No: 131/16)

In setting rates for each financial year, Council reviews the property valuations and principles in relation to the minimum rate, differential rate, rate capping and how the rate contribution is to be apportioned across ratepayers.

Motion**C240516/402**

That the following principles be applied to setting the rates for 2016/17:

- (a) **the minimum rate be increased by the same percentage as the increase in general rate;**
- (b) **the differential rate be retained at the current 13.8% proportion of general rate revenue;**
- (c) **the rate capping percentage be reduced from 8% to 7%;**

- (d) a phased reduction in heritage rate rebates over three years to be replaced by a heritage grant scheme;
- (e) the heritage rate rebate be reduced from 25% to 17%.

Moved Councillor Lonie, Seconded Councillor Aust

Carried

14.3 **Information Report – Southern Region Waste Resource Authority – 2 May 2016**
(Report No: 130/16)

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.

Councillor Patton left the chamber at 8.08pm.

Motion

C240516/403

That the information report of the Southern Region Waste Resource Authority for its meeting held 2 May 2016 be received and noted.

Councillor Patton rejoined the chamber at 8.09pm.

Moved Councillor Charlick, Seconded Councillor Yates

Carried

14.4 **Monthly Financial Report – 30 April 2016** (Report No: 133/16)

Attached are financial reports as at 30 April 2016. They comprise a Funds Statement and a Capital Expenditure Report for Council’s municipal activities and Alwyndor Aged Care, and a month by month variance report for Council’s municipal activities.

Council approved additional net operating expenditure of \$16,000 on 23 February 2016 to enable the development of a master plan for the Brighton Oval Complex (resolution C230216/313). This was not included in the forecast considered by Council at its meeting on 10 May 2016. This additional expenditure has been included in the attached financial reports and forms part of the revised forecast for 2015/16. The remaining variances identified as part of this report are considered to be timing.

Motion

C240516/404

That Council receives the financial reports for the 10 months to 30 April 2016 and notes:

Municipal Activities

- **A reduction of \$16,000 in the forecast operating surplus for 2015/16 to \$583,963 (compared to an operating surplus of \$124,671 in the original budget);**
- **No change in the forecast capital expenditure for 2015/16 of \$28.821 million (compared with \$22.616 million in the original budget);**
- **An increase of \$16,000 in the funding requirement for 2015/16 to \$13.351 million (compared with \$6.245 million in the original budget).**

Alwyndor Aged Care

- **No change in the forecast operating surplus for 2015/16 of \$362,455 (compared to an operating surplus of \$341,455 in the original budget);**
- **No change in the forecast capital expenditure for 2015/16 of \$367,077 (unchanged from the original budget);**
- **No change in the forecast funding requirement for 2015/16 of \$885,501 (compared with \$787,001 in the original budget).**

Moved Councillor Bouchee, Seconded Councillor Lonie

Carried

14.5 Usage of Community Buildings (Report No: 128/16)

This report outlines the findings of the investigation into the usage of Council community buildings in line with the Council resolution C101115/244.

Motion

C240516/405

That Council notes the report and updates the Social Needs and Infrastructure Study in the 2016/17 financial year, originally endorsed by Council in 2012.

Moved Councillor Lonie, Seconded Councillor Charlick

Carried

14.6 Anzac Highway Bike Lanes – Funding Deed Agreement (Report No: 134/16)

This report informs Council of a successful application for grant funding and seeks endorsement for the Chief Executive Officer and His Worship the Mayor to sign the deed agreement.

Motion

C240516/406

1. **Council accepts approved grant funding of \$200,001 from the Government of South Australia's Minister for Transport.**

- 2. Council endorses the Chief Executive Officer and His Worship the Mayor to sign the deed agreement.**

Councillor Donaldson left the chamber at 8.22pm.

Councillor Donaldson rejoined the chamber at 8.24pm.

Councillor Lonie left the chamber at 8.26pm.

Councillor Lonie rejoined the chamber at 8.28pm.

Moved Councillor Wilson, Seconded Councillor Clancy

Carried/Lost

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

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

16.1 Training Opportunity- Council Members Forum – 17 & 18 June 2016

Motion

C240516/407

That Councillors Aust, Smedley and Yates attend the LGA Council Members forum on 17 and 18 June 2016, and these members provide a report and or presentation to council following the training.

Moved Councillor Clancy, Seconded Councillor Donaldson

Carried

17. ITEMS IN CONFIDENCE

17.1 Item in Brief (Report No: 137/16)

Motion

C240516/408

- 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**

- (ii) **conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest, as the benefit or detriment to Council in not disclosing information relating to Item in Brief outweighs the public interest at this time.**

Moved Councillor Yates, Seconded Councillor Lonie

Carried

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

Motion

C240516/410

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: 137/16 including:**

- **Minutes**
- **Report**
- **Attachment**

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)(b).

2. **That the Chief Executive Officer be authorised to release this item from Confidence when settlement occurs.**

Moved Councillor Lonie, Seconded Councillor Donaldson

Carried

17.2 **Glenelg Football Club**

Motion

C240516/411

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, as the benefit or detriment to Council in not disclosing information relating to Glenelg Football Club outweighs the public interest at this time.

Moved Councillor Smedley, Seconded Councillor Donaldson

Carried

Councillor Wilson left the chamber at 8.52pm.

Councillor Wilson rejoined the chamber at 8.54pm.

Councillor Yates left the chamber at 8.55pm.

Councillor Yates rejoined the chamber at 8.57pm.

Councillor Bouchee left the chamber at 9.06pm.

Councillor Bouchee rejoined to the chamber at 9.07pm.

Councillor Charlick left the chamber at 9.12pm.

Councillor Charlick rejoined the chamber at 9.14pm.

Motion

C240516/414

1. **That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the minutes relating to the verbal update on discussions with the Glenelg Football Club 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)(b).**
2. **This resolution will be reviewed within 12 months by the Council.**

Moved Councillor Bouchee Seconded Councillor Aust

Carried

CLOSURE

The Meeting closed at 9.20pm.

CONFIRMED Tuesday 14 June 2016

MAYOR