

**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 14 June 2016 at 7:00pm.**

**MEMBERS PRESENT**

His Worship the Mayor, S Patterson  
Deputy Mayor M Bouchée  
Councillor A Bradshaw  
Councillor S Charlick  
Councillor R Clancy  
Councillor S Lonie  
Councillor R Patton  
Councillor J Smedley  
Councillor R Snewin  
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  
General Manager Community Services - PE Aukett

**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 K Donaldson and Councillor R Aust

4.2 Absent - Nil

**5. ITEMS PRESENTED TO COUNCIL - Nil****5.1 Institute of Public Works Engineering Australasia Award – Kauri Community & Sports Centre**

Council has been awarded a 2016 Excellence Award for Design and/or Construction of a Public Works Environmental Enhancement Project Open Space and/or Community Facility.

**6. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**7. CONFIRMATION OF MINUTES****Motion****C160614/415**

**That the minutes of the Ordinary Meeting of Council held on 24 May 2016 be taken as read and confirmed.**

Moved by Councillor Lonie, Seconded by Councillor Yates

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

8.1 **Petitions** - Nil

8.2 **Presentation**

**8.2.1 Brighton Oval Masterplan**

The Manager Active Communities provided a 30 minute update on the Brighton Oval Masterplan.

**Motion****C160614/416**

**That Council authorises the Mayor to speak to candidates in the forthcoming Federal Election to seek funding commitments for the future upgrade of the Brighton Sporting Precinct.**

Moved Councillor Snewin, Seconded Councillor Lonie

**Carried**

A division was called:

Those voting for: Councillors Bouchée, Bradshaw, Charlick, Clancy, Lonie, Patton, Smedley, Snewin, Yates and Wilson (10)

Those voting against: (0).

His Worship the Mayor declared the motion

**Carried**

8.3 **Deputations - Nil**

## 9. QUESTIONS BY MEMBERS

### 9.1 Without Notice

#### 9.1.1 Council Membership to the LGA – Councillor Bouchee

Councillor Bouchee asked a question on what we pay the LGA per annum.

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

#### 9.1.2 Disappearance of Four Trees on Brighton Road

Councillor Yates asked a question regarding the disappearance of 4 trees on Brighton Road, Somerton Park and Brighton and who will beautify the space.

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

### 9.2 With Notice

#### 9.2.1 St Judes Cemetery – Maintenance and Restoration (Report No: 155/16)

Councillor Lonie asked the following questions:

***“Can Administration please provide information in relation to any required maintenance, restoration and or upgrades for St Judes Cemetery, and possible funding options and any imposed restrictions for this work since the previous Cemetery Master Plans?”***

#### **ANSWER – General Manager City Assets & Services**

We did develop some Cemetery Master Plans back in 2000 and for several we put in a budget for \$100,000 to fund the objectives within that plan and after that, we started to quarantine the income from the cemeteries to put back into Capital Works, however when the Treasury model changed, this all went and unfortunately we have not funded any major capital since, just areas of maintenance from time to time.

Unfortunately, with St Judes Cemetery being heritage listed, we are very restricted in what we can and can't do within the cemetery. We were in close contact with our Heritage Advisors who would tell us what was needed and when. There was a group who were going to clean up all the grave sites and paint the rusted iron surrounds black etc. but there has been no contact from them for several years. I agree we should make a concerted effort to at least tidy the area, maybe a couple of visits by the Correctional Services team would be a start and then implement a planting program with careful consideration with our Arborist and Heritage Advisors. It will be prudent to talk with the Cemeteries Association to determine whether we may be able to access grant funding for future restoration programs.

## **10. MEMBER'S ACTIVITY REPORTS**

### **10.1 Councillor Patton**

Councillor Patton reported that he attended, representing the Mayor:

- Engineering Award Dinner
- Legacy lunch

### **10.2 Councillor Yates**

Councillor Yates reported that she attended:

- Metropolitan Seaside Committee meeting on 26 May
- Kurna Walk – History Walk on 28 May
- Brighton Seacliff Yacht Club Meeting
- SRWRA meeting with Councillor Smedley

### **10.3 His Worship the Mayor**

His the Worship the Mayor provided an update on the progress of the Men's Shed at Glenelg North.

## **11. MOTIONS ON NOTICE - Nil**

## **12. ADJOURNED MATTER - Nil**

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

### **13.1 Minutes – Alwyndor Management Committee – 17 May 2016 (Report No: 153/16)**

The Minutes of the Alwyndor Management Committee meeting on 17 May 2016 are provided for information.

**Motion****C160614/417**

**That the minutes of the Alwyndor Management Committee meeting on 17 May 2016 be noted.**

Moved Councillor Lonie, Seconded Councillor Yates

**Carried**

**14. REPORTS BY OFFICERS****14.1 Items in Brief (Report No: 140/16)**

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****C160614/418**

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

- **Meeting of Jetty Road Mainstreet Committee**
- **SAPol Organisational Reform Program Submission**
- **Ministerial Glenelg District Centre (Jetty Road) and Residential High Density Zone Review Development Plan Amendment – Approval by the Minister for Planning**
- **Ministerial Inner and Middle Metropolitan Corridor Infill Development Plan Amendment - Update**
- **Community Centres Outcome Planning Day**
- **Bike Pump Track Update**
- **Proposed AdeLINK Light Rail Project**
- **Storm Event Damage**

Moved Councillor Wilson, Seconded Councillor Lonie

**Carried**

Councillor Bouchee left the chamber at 7.42pm.

Councillor Bouchee rejoined the chamber at 7.43pm.

**14.2 Pedal Cart – Application for Liquor Licence (Report No: 141/16)**

Council has received an application from 'Temptation Sailing' seeking to commence the operation of a licensed 'Pedal Cart' within Holdfast Bay. The proposal seeks to allow a pedal cart (12-17 seat capacity) to tour pre-determined routes throughout the Glenelg area for two (2) hour pre-booked functions that occur between 10:00 am and 10:00 pm Monday to Sunday.

The applicant has expressed their intention to operate the Pedal Cart along the coastline showcasing Glenelg; stopping along at locations along the route for fun activities, photo opportunities and to connect people between Jetty Rd and Marina Pier by incorporating local businesses.

Though Council has no statutory Planning authority over this proposal (as it is classed as a moving vehicle with similar operational conditions to a licensed limousine, party bus and/or charter boat), it is deemed appropriate that certain provisions, lesser hours and operational routes be imposed on the liquor licence to mitigate any perceived risks to public safety, and enforce the licensed vehicle's adherence to Council By-Laws.

**Motion**

**C160614/419**

- 1. That Council objects to the proposed hours of Monday to Sunday 10:00 am to 10:00 pm, and proposed operational locations on the basis that they will likely result in annoyance and/or disturbance to persons residing in the immediate area, and/or pose perceived risks to public safety;**
- 2. That Council advises both the applicant and Consumer and Business Services that it supports lesser hours and specified operational conditions and locations subject to the following:**
  - a. That the licensed hours be restricted to Monday to Saturday between 10:00 am and 10:00 pm, and Sunday between 11:00 am and 8:00 pm;**
  - b. That no amplifier or device, whether mechanical or electrical, is used for the purpose of amplifying sound;**
  - c. That no beverage (either alcoholic or non-alcoholic) is to be serviced in a glass container, and that all used drinking containers are collected by the licensee for disposal;**
  - d. That the vehicle only operates for pre-booked functions (two (2) hour maximum at any one time);**
  - e. That no more than four (4) alcoholic beverages are supplied to each patron/person during a two (2) hour pre-booked function;**
  - f. That liquor remains within the defined red-line of the vehicle at all times;**
  - g. That the vehicle does not stop at any public place within Holdfast Bay for the explicit purpose of allowing patrons to consume food, beverages and/or liquor at that place, or for any other purpose associated with licensed vehicle / business operating from that public place;**
  - h. That the licence be subject to a twelve (12) month trial period;**

- i. **That the City of Holdfast Bay (“Council”) reserves the right to apply to the Liquor and Gambling Commissioner during the interim trial period for the purpose of having the matter relisted for conciliation should nuisances, health or public safety issues emerge as a consequence of the licensed vehicle’s operation.**

Moved Councillor Clancy, Seconded Councillor Smedley

**Carried**

A division was called:

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

Those voting against: Councillor Bouchée (1).

His Worship the Mayor declared the motion

**Carried**

**14.3 Brighton Rugby Club – Application for Variation of Licensed Area (Report No: 142/16)**

Council has received an application from the Brighton Rugby Club seeking to extend its existing licensed area to establish an occasional outdoor area adjacent to the building’s western boundary. The club seeks to operate this area seasonally, only during fixed times on match days, and other special events.

The proposal is in line with the current terms and conditions of the Club’s existing lease. As such, the Brighton Rugby Club now seeks Council consent (both as landlord and local authority) to utilise the area, prior to lodging their application with Consumer and Business Services.

**Motion**

**C160614/420**

**That Council supports the proposed variation to allow the occasional use of a defined area adjacent to the western property boundary of the Brighton Rugby Club subject to the following:**

1. **That the area is to only operate seasonally from February to October (inclusive) of each year;**
2. **That the area is only to be used on ‘game days’ and/or on days a sanctioned event is held by the Rugby Club;**
3. **That the area is to only be used between the hours of 12:00 noon and 8:00 pm;**
4. **That liquor is to only be served in plastic cups and/or cans in the outdoor area i.e. no glass;**
5. **That no amplifier or device, whether mechanical or electrical, is used for the purpose of amplifying sound within the area;**
6. **That the area be subject to an initial twelve (12) month trial period;**

7. **That the City of Holdfast Bay (“Council”) reserves the right to apply to the Liquor and Gambling Commissioner during the interim trial period for the purpose of having the matter relisted for conciliation should nuisances, health or public safety issues emerge as a consequence of the licensed area’s operation.**

Moved Councillor Lonie, Seconded Councillor Snewin

**Carried**

- 14.4 **Draft 2016-17 Annual Business Plan Consultation Outcomes Report** (Report No: 145/16)

Council has received 23 submissions in response to its Draft 2016-17 Draft Annual Business Plan community consultation. The key topics raised through the consultation included the structure and readability of the document, the rate revenue increase, council expenditure and the playground shade sails proposal.

**Motion**

**C160614/421**

**That the submissions arising from the community consultation on the Draft 2016-17 Annual Business Plan be received and noted.**

Councillor Charlick left the chamber at 7.59pm.

Moved Councillor Lonie, Seconded Councillor Clancy

**Carried**

- 14.5 **Alwyndor Management Committee – Reappointment of Existing Members** (Report No: 144/16)

The two year appointment term for Committee members Mr Mick Bower, Ms Claire Cotton and Ms Kathy Stevens will expire on the 30 June 2016. All three committee members have confirmed their availability and willingness to serve for a further two year term. The Alwyndor Management Committee at its meeting held on 17 May 2016 considered the matter and recommends to Council a two year term extension.

Councillor Charlick rejoined the chamber at 8.02pm.

Councillor Patton left the chamber at 8.02pm.

Councillor Patton rejoined the chamber at 8.03pm.

**Motion**

**C160614/422**

1. **That Council seeks Expressions of Interest, including current members’ applications, for the three vacancies on the Alwyndor Management Committee for a term of 2 years.**
2. **That the term of Mr Mick Bower, Ms Claire Cotton and Ms Kathy Stevens be extended until new appointments are made to the Alwyndor Management Committee.**

Moved Councillor Bouchee, Seconded Councillor Smedley

**Carried**



**14.6 Review of Items held in Confidence (Report No: 143/16)**

Council's practice is to review items held in confidence every 12 months and this practice has continued with a formal review occurring in June 2016.

This report recommends 17 items be released from confidence.

**Motion****C160614/423**

- 1. That the Confidential Items presented at Attachment 1 to Report No: 143/16 be released from Confidence.**
- 2. That the Confidential Items presented at Attachment 2 to Report No: 143/16 be retained in confidence until 30 June 2017 and a further review conducted.**

Moved Councillor Lonie, Seconded Councillor Yates

**Carried****14.7 Glenelg Slipway – Assignment of Lease (Report No: 152/16)**

The current lessee of the Glenelg Slipway, Mr Derek Randall, is seeking to sell his business, the Glenelg North Slipway, to Kursace Air Pty Ltd, (ACN 123 948 961), as trustee of the Glenelg Marine Trading Trust. The anticipated settlement date is 24 June 2016.

An assignment of the lease requires approval by Council, as lessor.

**Motion****C160614/424**

- 1. That Council approve the assignment of the lease of the Glenelg Slipway from Goodna Pty Ltd to Kursace Air Pty Ltd, (ACN 123 948 961), as trustee of the Glenelg Marine Trading Trust subject to the following conditions:**
  - that all legal and conveyancing costs are borne by the Lessee or assignee;**
  - satisfactory assignment documentation being executed;**
  - satisfactory personal guarantees being provided;**
  - that rental for June 2016 is paid prior to assignment.**
- 2. That the Mayor and Chief Executive Officer be authorised to sign and affix Council's common seal to any documentation required to effect this assignment.**

Moved Councillor Yates, Seconded Councillor Wilson

**Carried**

**15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil****16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil****17. ITEMS IN CONFIDENCE****17.1 Glenelg Jetty Regeneration Project – Update (Report No: 154/16)****Motion****C160614/425**

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 Lonie, Seconded Councillor Yates

**Carried****Motion****C160614/427**

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: 154/16 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:
  - Minutes
  - Report

- **Attachment – Cost Benefit Analysis from confidence following meeting with the Premier at the discretion of the Chief Executive Officer.**

Moved Councillor Bouchee, Seconded Councillor Lonie

**Carried**

**CLOSURE**

The Meeting closed at 8.39pm.

**CONFIRMED      28 June 2016**

**MAYOR**