

**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 28 June 2016 at 7:03pm.**

**MEMBERS PRESENT**

His Worship the Mayor, S Patterson  
Deputy Mayor M Bouchée  
Councillor R Aust – 7.04pm  
Councillor A Bradshaw  
Councillor R Clancy  
Councillor K Donaldson  
Councillor R Patton  
Councillor J Smedley  
Councillor R Snewin – 7.04pm  
Councillor A Wilson  
Councillor L Yates

**STAFF IN ATTENDANCE**

Chief Executive Officer - JP Lynch  
General Manager Business Services - IS Walker  
Acting General Manager City Assets & Services – K O'Neill  
General Manager Community Services - PE Aukett

**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 - Councillor S Lonie and Councillor S Charlick**

Councillor Snewin joined the chamber at 7.04pm.

Councillor Aust joined the chamber at 7.04pm.

**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****C280616/428**

**That the minutes of the Ordinary Meeting of Council held on 14 June 2016 be taken as read and confirmed.**

Moved by Councillor Bradshaw, Seconded by Councillor Donaldson

**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 Adult Services and Tattoo Parlours– Councillor Bouchee**

Councillor Bouchee asked a question regarding the Adult Services and Tattoo Parlour Development Plan Amendment.

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

**9.1.2 Former Brighton Town Hall – Councillor Patton**

Councillor Patton asked a question regarding the confidential status of the Former Brighton Town Hall sale.

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

**9.1.3 Buffalo Update – Councillor Wilson**

Councillor Wilson asked a question regarding the Buffalo.

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

**9.2 With Notice****9.2.1 Question on Notice – Leasing of Community Land at Discounted Rate to “for Profit” Businesses – Councillor Clancy (Report No: 166/16)**

Councillor Clancy asked the following question:

**“What impediments are there on Council when leasing community land at a discounted rate to "for profit" businesses in competition to other similar local businesses which are compelled to pay commercial rates or purchase their own premises or lease at commercial rates.”**

An example could be the Montessori Child Care facility at Seacliff.

The answer to this question will be tabled at the next meeting of Council on 12 July 2016.

**10. MEMBER’S ACTIVITY REPORTS****10.1 Councillor Aust**

Councillor Aust reported that she had attended:

- 17 & 18 June 2016 with Councillors Yates and Smedley the LGA Members Forum
- 23 June 2016 the Alwyndor Aged Care Open Day

**10.2 Councillor Patton**

Councillor Patton reported that he attended the ALGA National General Assembly with Mayor Patterson.

**10.3 Councillor Yates**

Councillor Yates reported that she had attended:

- 15 June 2016 with the Mayor the Resilient South Showcase – Heat Mapping and Vegetation
- 16 June 2016 – Murray Darling Association meeting hosted by West Torrens
- 17 & 18 June 2016 - LGA Members Forum
- 20 June 2016 - Telstra launch of free wifi

- 24 June 2016 - Brighton and Seacliff Yacht Club AGM
- Holdfast Bay Community Centre Opening with Councillors Bouchee, Clancy and Yates
- West Torrens – SANFL game

10.4 **Councillor Bouchee**

Councillor Bouchee reported that she attended a Western Region Waste Management Authority Audit Committee and Board Meeting and the Holdfast Bay Community Centre Opening.

10.5 **Councillor Clancy**

Councillor Clancy reported that she attended Holdfast Bay Community Centre Opening.

10.6 **Mayor Patterson**

His Worship the Mayor reported that he attended the Holdfast Bay Rotary Club Award presentation and the ALGA National General Assembly.

**Leave of the Meeting**

Councillors Clancy and Bouchee sought leave of the meeting to consider Agenda Item 14.7 at this time.

His Worship the Mayor sought leave of the meeting and leave was granted.

14.7 **Brighton Oval Complex Master Plan** (Report No: 164/16)

The purpose of this report is to seek Council's endorsement on the proposed Master Plan which has been developed for the Brighton Oval Complex, located on Brighton Road, between Stopford Road and Highett Avenue, Brighton.

Council has been working with the clubs and consultants JPE & Tredwell Management to develop the Master Plan for the site. Brighton Oval is one of the three sporting hubs within the City of Holdfast Bay that provides for a wide range of sport and recreational pursuits.

**Motion**

**C280616/429**

1. **That Council endorses the new Brighton Oval Complex Master Plan attached to this report.**
2. **Following endorsement of this plan, Council undertakes community consultation on the Master Plan.**

- 3. Following the conclusion of the consultation period, the new Master Plan for Brighton Oval be amended as appropriate for final Council endorsement prior to undertaking detailed design.**

Moved Councillor Donaldson, Seconded Councillor Snewin

**Carried**

**Division called:**

A division was called:

Those voting for: Councillors Smedley, Wilson, Bouchee, Patton, Aust, Yates, Bradshaw, Clancy, Snewin and Donaldson (10)

Those voting against: Nil (0).

His Worship the Mayor declared the motion

**Carried**

**11. MOTIONS ON NOTICE**

- 11.1 Motion on Notice – Support for Australian Standard Manufactured and Fabricated Products including Steel – Mayor Patterson (Report No: 165/16)**

Councillor Patton left the chamber at 7.40pm.

**BACKGROUND**

At the South Australian Local Government Association's Ordinary General Meeting on 15 April 2016, councils resolved to support the local steel industry. Subsequently, at the ALGA Conference an urgent motion was unanimously passed stating "The NGA calls all Councils to adopt procurement policies that ensure that materials sourced for council projects, including steel, meet relevant Australian standards for manufacture and fabrication."

Australia currently manufactures steel in Whyalla (Arrium, now in receivership) and Port Kembla (BlueScope Steel). There are numerous steel fabricators located in several states.

Steelworks in Australia are facing massive losses because of unfair competition from imported steel, and a lack of procurement support across Australia.

Australia's steel industry is important not only in terms of revenue but also jobs and economic value created through the multiplier effect.

The USA, India and Canada have all acted in relation to imposing duties on steel dumped in those markets, and there are current investigations by the European Commission of imported steel in the European Union.

The South Australian government policy has mandated that all steel procured for tax payer funded projects in SA must be independently verified to ensure it meets Australian standards for quality and safety.

This policy provision does not circumvent Free Trade Agreements as 'Australian Certification Authority for Reinforcing Steel' has certified over 150 manufacturing locations in 15 countries.

**Motion**

**C280616/430**

1. **That Holdfast Bay Council updates its procurement policy to ensure that materials sourced for Council projects, including steel, meet relevant Australian standards for manufacture and fabrication.**
2. **That Council writes to the State Treasurer, Minister Koutsantonis, advising of this update to Council's procurement policy.**

Councillor Patton rejoined the chamber at 7.42pm.  
Councillor Bouchee left the chamber at 7.43pm.  
Councillor Bouchee rejoined the chamber at 7.44pm.

Moved Councillor Clancy, Seconded Councillor Donaldson

**Carried**

**12. ADJOURNED MATTER - Nil**

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

**14. REPORTS BY OFFICERS**

14.1 **Items in Brief** (Report No: 146/16)

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**

**C280616/431**

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

- **Community Donations and Greening Our Community Grants Information Session**
- **Community Wellbeing Social Media Update**
- **Cultural Indicator Pilot Project**
- **Letter from the Hon Geoff Brock MP re Informal Gatherings Policy**
- **Changes to Development Regulations 2008 – Development (City of Holdfast Bay) Variation Regulations 2016.**

Moved Councillor Yates, Seconded Councillor Clancy

**Carried**

**14.2 Monthly Financial Report – 31 May 2016** (Report No: 159/16)

Attached are financial reports as at 31 May 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.

There is a variety of timing variances and it is not proposed to amend the current forecast. A major timing variance refers to the receipt of the first instalment of the 2015/16 Financial Assistance Grant totalling \$588,830.

This instalment was received on 30 June 2015 with the remaining instalments received during 2015/16. This has meant that the actual monies received during the current 2015/16 financial year are lower than forecast. It is not known whether the Commonwealth Government will continue to prepay this grant so it is unknown whether this is a permanent variance.

Councillor Donaldson left the chamber at 7.57pm.

**Motion****C280616/432**

**That Council receives the financial reports for the 11 months to 31 May 2016 and notes:**

**Municipal Activities**

- **No change in the forecast operating surplus for 2015/16 of \$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);**
- **No change in the forecast funding requirement for 2015/16 of \$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 Smedley, Seconded Councillor Aust

**Carried**

Councillor Donaldson rejoined the chamber at 8.00pm.

**14.3 2016-17 Annual Business Plan** (Report No: 161/16)

The 2016-17 Annual Business Plan is presented for consideration and adoption by Council following community consultation on its Draft Annual Business Plan.

**Motion****C280616/433**

**That Council adopts the 2016-17 Annual Business Plan, including the amendments detailed in this report and subject to final design and minor alterations.**

Moved Councillor Clancy, Seconded Councillor Smedley

**Carried****14.4 2016-17 Budget Adoption** (Report No: 160/16)

The 2016-17 Budget is presented for adoption following adoption of the Annual Business Plan.

**Motion****C280616/434**

**That in respect of the financial year ended 30 June 2017:**

- 1. That the fees and charges incorporated in the Annual Business Plan and contained as Attachment 1 be adopted and that the relevant policies be updated accordingly.**
- 2. That the 2016-17 Budget which consists of:**
  - (a) the Budgeted Income Statement;**
  - (b) the Budgeted Balance Sheet;**
  - (c) the Budgeted Statement of Changes in Equity;**
  - (d) the Budgeted Statement of Cash Flow;**
  - (e) the Budgeted Uniform Presentation of Finances; and**
  - (f) the Budgeted Financial Indicators**

**be adopted subject to the following amendments:**

**That any budget changes arising from Council's consideration of the 2016-17 Annual Business Plan be included in the budgeted financial statements and relevant documents.**

- 3. That Council approves total loan borrowings of up to \$24.58 million in accordance with Council's treasury policy to meet projected funding requirements through to June 2017 as required.**

Moved Councillor Yates, Seconded Councillor Smedley

**Carried**



**14.5 2016-17 Rate Declaration (Report No: 163/16)**

General, differential and separate rates have been identified to fund Council's activities together with the NRM Levy as contained within the budget document. Council is now in a position to formally declare the rates for the 2016/17 financial year.

**Motion****C280616/435****1. Adoption of Valuations**

**That the most recent valuations of the State Valuation Office available to the Council of the capital value of land within Council's area totalling \$11,584,164,920, be adopted for rating purposes;**

**2. Attribution of Land Use Codes**

- (a) The numbers indicated against the various categories of land use prescribed by Regulation 10 of the *Local Government (General) Regulations, 1999* (the "Regulations") be used to designate land uses in the Assessment Record;**
- (b) The use indicated by those numbers in respect of each separate assessment of land described in the Assessment Record on this date be attributed to each such assessment respectively; and**
- (c) Reference in this resolution to land being of a certain category use means the use indicated by that category number in the Regulations;**

**3. Declaration of Differential General Rates**

**In order to raise a total net amount of \$31,987,100 from the differential general rate:**

- (a) In respect of rateable land which is used for Commercial-Shop (Category 2), Commercial-Office (Category 3), Commercial-Other (Category 4), Industrial-Light (Category 5), Industrial-Other (Category 6), and Vacant Land (Category 8) uses and classified as such in the Assessment Record of the Council at the date of this declaration, a Differential General Rate of 0.41411 cents in the dollar is declared on the assessed capital value of such property;**
- (b) In respect of rateable land which is used for Residential (Category 1) and Other Land (Category 9) uses and classified as such in the Assessment Record of the Council at the date of this declaration, a Differential General Rate of 0.26411 cents in the**

dollar is declared on the assessed capital value of such property;

- (c) Pursuant to Section 158 of the *Local Government Act 1999* a minimum amount payable by way of the General Rate be fixed at \$923;
- (d) Pursuant to Section 153(3) and (4) of the *Local Government Act 1999* a maximum increase of 7% is fixed in the general rate charged on rateable land that is used for Residential purposes and constitutes the principal place of residence of a principal ratepayer.

#### 4. Declaration of Separate Rates

##### Jetty Road Mainstreet

- (a) In exercise of the powers contained in Section 154 of the *Local Government Act 1999* and in order to support and improve the activity of promoting and enhancing business viability, profitability and trade, commerce and industry in Jetty Road Glenelg, a Differential Separate Rate of 0.14529 cents in the dollar is declared on the assessed capital value of all rateable land:
  - with a frontage to Jetty Road or Moseley Square; and
  - within the side streets that intersect with Jetty Road between High Street and Augusta street; and
  - the entire site referred to as the Holdfast Shores 2B Entertainment Centre; and
  - with a land use of Category 2 (Commercial – Shop), Category 3 (Commercial – Office) and Category 4 (Commercial –Other)

##### Patawalonga Marina

- (b)
  - (i) In exercise of the powers contained in Section 154 of the *Local Government Act 1999* and in order to carry out the activity of the maintenance and upkeep of the Boat Lock in the Patawalonga basin, a Separate Rate of 0.941 cents in the dollar of the capital value of land, is declared on all rateable land within the Patawalonga basin bounded by the high water mark;
  - (ii) In exercise of the powers contained in Section 158(1)(b) of the *Local Government Act 1999* the amount that would otherwise be payable by way of

rates in respect of this separate rate is altered by fixing the maximum amount of the separate rate payable for assessments within the area to which this separate rate applies where the capital values of which exceed \$82,147 at \$773;

**5. Imposition of regional NRM Levy**

In exercise of the powers contained in Section 95 of the *Natural Resources Management Act 2004* and Section 154 of the *Local Government Act 1999*, in order to reimburse the Council for the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board, being \$1,093,763, a separate rate of 0.0098062 cents in the dollar of the capital value of all rateable land in the Council's area;

**6. Payment**

(a) That in accordance with Section 181(1) of the *Local Government Act 1999*, all rates are payable in four equal (or approximately equal) instalments, the due dates being:

1 September 2016;  
1 December 2016;  
1 March 2017; and  
1 June 2017.

Provided that in cases where the initial account requiring payment of rates is not sent by the time set by the *Local Government Act 1999* (the "Act"), or an amended account is required to be sent, authority to fix the date by which rates must be paid in respect of those assessments affected;

(b) Pursuant to Section 181 (4)(b) of the *Local Government Act 1999*, enter into agreements with ratepayers relating to the payment of rates in any case of hardship or financial difficulty, or where it is considered in the best interests of Council so to do.

**7. The current rating policy be updated to reflect Council's decision.**

Moved Councillor Clancy, Seconded Councillor Wilson

**Carried**

**14.6 2016-17 Summary Annual Business Plan (Report No: 162/16)**

On adoption of the 2016-17 Annual Business Plan and Budget a summary document is prepared to accompany the first rates notice providing an overview of Council's plans for 2016-17.

**Motion****C280616/436**

**That the Summary of the 2016-17 Annual Business Plan included as Attachment 1 be endorsed for inclusion in Council's first rates notice for 2016-17.**

Moved Councillor Clancy, Seconded Councillor Yates

**Carried****15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS**

Presented for the information of Members is a listing of resolutions subject to formal resolutions, for Council and all Standing Committees, to adjourn or lay on the table items of Council business, for the current term of Council.

**16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING****16.1 Glenelg Oval Carpark Usage****Motion****C280616/437**

**That the Chief Executive Officer report on cars parked in the Glenelg Football Club carpark over a two week period (excluding game day, and include one week in school holidays) and if possible where these vehicles are from.**

Moved Councillor Bouchee, Seconded Councillor Donaldson

**Carried****CLOSURE**

The Meeting closed at 8.19 pm.

**CONFIRMED Tuesday 14 July 2016**

**MAYOR**