

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 26 July 2016 at 7:04pm.

MEMBERS PRESENT

His Worship the Mayor, S Patterson
Deputy Mayor M Bouchée
Councillor R Aust
Councillor A Bradshaw
Councillor S Charlick
Councillor R Clancy
Councillor K Donaldson
Councillor S Lonie
Councillor R Patton
Councillor J Smedley
Councillor R Snewin
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 7.04pm.

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 - Nil**6. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES**Motion****C260716/448**

That the minutes of the Ordinary Meeting of Council held on 12 July 2016 be taken as read and confirmed.

Moved by Councillor Lonie, Seconded by Councillor Bradshaw

Carried**8. PUBLIC PRESENTATIONS**

- 8.1 **Petitions** - Nil
- 8.2 **Presentation**

Conflict of Interest

Councillor Clancy declared a perceived conflict of interest for item 8.2.1 Presentation by Somerton Yacht Club. The nature of her perceived conflict of interest (Pursuant to Section 74 of the Local Government Act 1999) was that she is a member of Councils Development Assessment Panel. Councillor Clancy dealt with this perceived conflict of interest by leaving the chamber at 8.07pm.

Conflict of Interest

Councillor Yates declared a perceived conflict of interest for item 8.2.1 Presentation by Somerton Yacht Club. The nature of her perceived conflict of interest (Pursuant to Section 74 of the Local Government Act 1999) was that she is a member of Councils Development Assessment Panel. Councillor Yates dealt with this perceived conflict of interest by leaving the chamber at 8.08pm.

Conflict of Interest

Councillor Bradshaw declared a perceived conflict of interest for item 8.2.1 Presentation by Somerton Yacht Club. The nature of her perceived conflict of interest (Pursuant to Section 74 of the Local Government Act 1999) was that she is a member of Councils Development Assessment Panel. Councillor Bradshaw dealt with this perceived conflict of interest by leaving the chamber at 8.09pm.

8.2.1 Somerton Yacht Club

Somerton Yacht Club made a presentation to Council for 10 minutes on the redevelopment of their site.

8.3 Deputations - Nil

Councillors Clancy, Yates and Bradshaw rejoined the chamber at 7.28pm.

9. QUESTIONS BY MEMBERS**9.1 Without Notice****9.1.1 Glenelg Foreshore Play Space**

Councillor Bouchee asked a question regarding the plantings in the Glenelg Foreshore Play Space.

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

9.1.2 Minda Dunes

Councillor Clancy asked a question regarding the safety to the public of the Minda Dunes, after the storm damage of recent weeks.

The Acting General Manager City Assets and Services, Mr K O'Neill took the question on notice.

9.1.3 Kingston Park Suburb Signage

Councillor Yates asked a question regarding the placement of the suburb marker for Kingston Park.

The Chief Executive Officer, Mr J Lynch took the question on notice.

9.1.4 Street Trees

Councillor Charlick asked a question about damage to street trees.

The General Manager Business Services, Mr I Walker and the Acting General Manager City Assets and Services, Mr K O'Neill provided a response.

9.1.5 Glenelg District Centre (Jetty Road) and Residential High Density Review Development Plan Amendment

Councillor Wilson asked a question regarding the Glenelg District Centre (Jetty Road) and Residential High Density Review Development Plan Amendment.

The Chief Executive Officer, Mr J Lynch took the question on notice.

9.2 **With Notice - Nil**

9.2.1 **Question on Notice – Land Sale – Tod Lane** (Report No: 187/16)

Councillor Charlick asked the following question:

“Would the Chief Executive Officer provide an update on the sale of Tod Lane.”

ANSWER – Acting General Manager City Assets and Services

Following the Council meeting of 10 May 2016, the General Manager of City Assets and Services wrote to the property owner advising of Council’s resolutions.

As a result of the Council meeting of 10 May 2016, the land was agreed to be sold by Council for a valuation price of \$40,000 provided the property owner also meets the associated conveyancing costs, and Council reserves the right of an easement over the underground drainage.

The owner subsequently agreed to purchase the land and has commenced the surveying and conveyancing processes. This could take up to 3 months for the whole of the land transfer process to be completed.

10. MEMBER’S ACTIVITY REPORTS

10.1 Councillor Donaldson

Councillor Donaldson reported that she and Councillors Yates and Clancy, and His Worship the Mayor attended the Brighton Table Tennis Opening.

10.2 Councillor Yates

Councillor Yates reported that she attended a Glenelg Historical Society talk.

11. MOTIONS ON NOTICE - Nil

12. ADJOURNED MATTERS - Nil

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

13.1 **Minutes – Alwyndor Management Committee – 21 June 2016** (Report No: 186/16)

The Minutes of the Alwyndor Management Committee meeting on 21 June 2016 are provided for information.

Motion**C260716/449**

That the minutes of the Alwyndor Management Committee meeting on 21 June 2016 be noted.

Moved Councillor Lonie, Seconded Councillor Clancy

Carried**14. REPORTS BY OFFICERS****14.1 Items in Brief (Report No: 175/16)**

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**C260716/450**

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

- **Brighton Performing Arts Centre – Periodic Report**
- **Work, Health & Safety Overview**
- **2016 Census**
- **Rate Capping Enquiry – Final Report**
- **Liquor Licensing Review Recommendations Released**
- **ICAC Amendment Bill**
- **Jetty Road Mainstreet Committee – Meeting of 6 July 2016**

Moved Councillor Charlick, Seconded Councillor Yates

Carried

Councillor Charlick left the chamber at 7.54pm.

Councillor Charlick rejoined the chamber at 7.57pm.

Councillor Wilson left the chamber at 8.04pm.

Councillor Wilson rejoined the chamber at 8.05pm.

Motion**C260716/451**

That the Chief Executive Officer prepare a report regarding:

- 1. The implications to the city of the proposed suggestions in the ability of the council to intervene/object to the liquor licencing process.**
- 2. What implications, if any, when liquor licencing is addressed at the planning level as far as consultation under the new planning legislation.**

Moved Councillor Bouchee, Seconded Councillor Lonie

Carried

14.2 Commercial Leasing and Licensing Policy (Report No: 176/16)

Council requires a Policy in relation to the leasing and licensing of properties that it owns or manages.

The types of properties that Council owns or manages can be separated into two distinct and separate areas, commercial and community.

This report proposes a new policy to provide advice and guidance on the process of negotiating and managing commercial leases and licences over property owned or managed by the City of Holdfast Bay.

Motion**C260716/452**

That this item is adjourned until the meeting to be held on 23 August 2016, to ensure that Elected Members are allowed two weeks to provide comments and feedback on the policy.

Moved Councillor Bouchee, Seconded Councillor Lonie

Carried**14.3 Unspent 2015-16 Budgets Carried Forward (Report No: 177/16)**

As at 30 June 2016, a number of programs in Council's 2015/16 annual business plan and budget are incomplete as a result of delays arising from external factors, or where the project spans more than one budget year. A number of major projects are listed in this report including the Seacliff Sports and Community Centre at Kauri Parade \$5.3m and the stormwater upgrade at Tarlton Street \$1m. Completion will require an allocation of funds in the form of a 'carry forward' from 2015/16 to the 2016/17 budget.

Motion**C260716/453**

That capital expenditure of up to \$8,959,978, capital income of up to \$3,188,550, operating expenditure of \$34,718 and operating income of \$1,486 from the 2015/16 budget be carried forward for expenditure in 2016/17.

Moved Councillor Clancy, Seconded Councillor Yates

Carried**14.4 Draft Animal Management Directions Plan 2017-2021 (Report No: 185/16)**

The Dog and Cat Management Act 1995 highlights the importance of all Councils having an Animal management Plan relating to dogs and cats which is mandatory for all South Australian councils. These plans are renewed every 5 years.

A plan for the period 2017-2021 has been developed which will supersede the previous plan and set the direction for the management of dogs and cats within our community for the following 5 years as required under the Act.

Pending changes to the Dog and Cat Legislation covering microchipping, desexing can be included into the Directions Plan at a later date if required.

Councils' in principle endorsement of the draft plan is sought prior to public consultation on the plan.

Motion

That this item be adjourned until the proposed changes to the Dog and cat Management Act are included in the draft plan.

Councillor Patton left the chamber at 8.21pm.

Moved Councillor Yates

Lapsed for want of a seconder

Motion

C260716/454

1. **That Council endorses in principle, the Draft City of Holdfast Bay's Animal Management Directions Plan 2017-2021 for public consultation.**
2. **That public consultation be undertaken on the Draft City of Holdfast Bay's Animal Management Directions Plan 2012-2021 and that a further report be presented to Council summarising the consultation feedback.**

Moved Councillor Clancy, Seconded Councillor Snewin

Carried

Councillor Patton rejoined the chamber at 8.23pm.

Councillor Donaldson left the chamber at 8.23pm.

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

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

Councillor Donaldson rejoined the chamber at 8.25pm.

16.1 **Update on Minda**

Motion

C260716/455

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.**
 - d. **commercial information of a confidential nature (not being a trade secret) the disclosure of which –**
 - (i) **could reasonably be expected to confer a commercial advantage on a third party; and**

(ii) would, on balance, be contrary to the public interest and the benefit or detriment to a third party in the matter of Update on Negotiations with MINDA outweighs the public interest at this time.

i. information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council.

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

Motion

C260716/457

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 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)(d & i).
2. That the Chief Executive Officer is authorised to write to the appropriate Members of Parliament and instruct lawyers in accordance with operational needs.
3. This resolution will be reviewed within 12 months by the Council.

Moved Councillor Bouchee, Seconded Councillor Lonie

Carried

CLOSURE

The Meeting closed at 8.51 pm.

CONFIRMED 9 August 2016

MAYOR