

**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 22 August 2017 at 7:00pm.**

**MEMBERS PRESENT**

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

**STAFF IN ATTENDANCE**

Chief Executive Officer - J Lynch  
General Manager Alwyndor – R Kluge  
General Manager Business Services – R Bria  
General Manager City Assets and Services - S Hodge  
General Manager Community Services - P 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 S Charlick
- 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****C220817/878**

**That the minutes of the Ordinary Meeting of Council held on 8 August 2017 be taken as read and confirmed.**

Moved by Councillor Yates, Seconded by Councillor Clancy

**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 Fire – Brian’s Quality Meats at Glenelg – Councillor Patton**

Councillor Patton asked a question regarding the clean-up of the suspicious fire at Brian’s Quality Meats at Glenelg.

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

**9.1.2 Ferris Wheel, Colley Reserve, Glenelg – Councillor Aust**

Councillor Aust asked a question regarding the status of the Ferris Wheel.

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

**9.2 With Notice - Nil****10. MEMBER’S ACTIVITY REPORTS - Nil**

- 11. MOTIONS ON NOTICE - Nil**
- 12. ADJOURNED MATTERS - Nil**
- 13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL**

- 13.1 **Minutes – Jetty Road Mainstreet Committee – 2 August 2017** (Report No: 277/17)

The Minutes of the meeting of the Jetty Road Mainstreet Committee meeting held on 2 August 2017 are attached and presented for Council's information.

The Jetty Road Mainstreet Committee recommendation (see 5.6 below) to provide free car parking for trader's in the Partridge Street park for a trial 3 month period, is effectively seeking an amendment of Council's resolution no. C110717/845:

2. *That Council allow discounted parking permits for "Trader Use" only at \$4 per day for the upper deck parking in Partridge Street East Car Park on a 12 month trial basis.*

If Council wishes to accept the JRMC recommendation, then it will have to move the amendment by way of a Motion on Notice (regulation 12, Local Government (Procedures at Meetings) Regulations 2013.

However, it is not recommended that Council accepts the recommendation. Not only does Council's decision to offer \$4 per day take into account the costs associated with administering this scheme, it also reflects the principle of a fair and equitable distribution of the cost burden of maintaining the carpark, shared by all users. At \$4 per day, this is fair and equitable.

It is worth noting that when space was made available for free during the recent tram track up-grade, of the 80 free parking permits distributed to traders, less than 15 car parks were used per day.

**Motion**

**C220817/879**

1. **That the Minutes of the meeting of Jetty Road Mainstreet Committee are received by Council with items of interest discussed.**
2. **That Council endorses the following recommendations of the Committee:**
  - 5.7 **That Jetty Road Mainstreet Committee allocated \$3,800 from carry forward budget to install an upright into the tree area at Hindmarsh Square.**
  - 5.8 **That JRMC send two delegates to attend the ICTC Mainstreet Conference in Melbourne from 25-27 October 2017, namely Mr T Beatrice and Mr S Robinson.**

- 6.2 That JRMC invite Council's Liquor Licensing and Community Safety Officer to attend the next meeting and explain the new liquor licence amendments and policy and how it affects Jetty Road; and
3. That Council notes the following recommendation of the Committee:
- 5.6 In order to incentivise traders to take up the \$4.00 per day car parking offer on the upper deck of Partridge Street car park, Council consider that this is offered initially as a six month term with the first 3 months free of charge.

Moved Councillor Lonie, Seconded Councillor Aust

**Carried**

#### 14. REPORTS BY OFFICERS

##### 14.1 Items in Brief (Report No: 288/17)

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**

**C220817/880**

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

1. Libraries and Bay Discovery Centre Deductible Gift Recipient Status.
2. Nominations sought for the Local Government Transport Advisory Panel (LGTAP).
3. Nominations sought for the Dog and Cat Management Board
4. Environment Protection (Waste Reform) Bill 2017
5. Nominations sought for the South Australian Heritage Council
6. Appointment to South Australian Public Health Council
7. 2016-17 External Grant Funding – Quarterly Update
8. Fund My Neighbourhood Program

Moved Councillor Clancy, Seconded Councillor Lonie

**Carried**

**Motion**

**C220817/881**

**That Council support the nomination of Councillor Yates for the three Local Government positions on the Dog and Cat Management Board.**

Moved Councillor Bouchee, Seconded Councillor Aust

**Carried**

##### 14.2 Council Policy Review (Report No: 289/17)

As part of the on-going review of Council policies, five policies have been reviewed and are now presented to Council for adoption. All of these policies

have been significantly rewritten in this review to update these policies. The attachments show a 'marked up' version and then a 'final' version with changes.

**Motion**

**C220817/882**

**That the following policies (as amended) be adopted by Council:**

- **Asset Management Policy (Attachment 1)**
- **Directional Signs Policy (Attachment 2)**
- **Memorials Policy (Attachment 3)**
- **Stormwater Drainage Policy (Attachment 4)**
- **Waste Management Policy (Attachment 5).**

Moved Councillor Bouchee, Seconded Councillor Smedley

**Carried**

**14.3 Partridge Street Car Parks - Review (Report No: 274/17)**

This report is a review of the performance of the Partridge Street Car Parks from when they were commissioned until 30 June 2017. The free period for the Jetty Road Tram track upgrade is included in the period reviewed. In terms of their usage the car parks have been higher than originally forecasted and the number of fee paying customers is only slightly lower than forecasted. However, the difference is in the average fee each customer pays. The original modelling by Care Park estimated an average spend of \$7 (including GST) for each user spending longer than two hours in the car park. The actual amount over the period has been \$3.32.

As per Council's request this report canvasses some potential options of increasing the revenue of the car parks above the 2017/18 approved budgeted level. Council's Strategic intent of the Car Parks has been to provide additional short-term parking to support residents and businesses in the Jetty Road precinct at a low or breakeven cost. Council may wish to reaffirm this Strategic Intent, however reduce the net cost of the Car Parks to Council. This could be achieved in the short term by increasing the fee for chargeable hours of the Car Parks by \$0.50 per hour with an annual review of the fees to be undertaken as part of the annual budget process.

Councillor Wilson left the chamber at 7.34pm.

**Motion**

**C220817/883**

Councillor Wilson rejoined the chamber at 7.36pm.

- 1. That Council note the report.**
- 2. That the fees in the Partridge Street Car Parks be increased by \$0.50 per hour for all current chargeable hours as follows:**

<b>Hours</b>	
0 - 1	Free
1 - 2	Free

2 – 3	\$2.50
3 -4	\$3.50
4 +	\$5.50 (max \$30.00)

3. That Council introduce a program to offer Jetty Road traders under a 6 month trial contract to lease spaces on the first floor of partridge street carpark for use by their staff at a cost of \$28.00 per week with the first three months' rent to be waived.
4. That Council considers in the future the fee structure and the net/cost contribution to the Council of the Partridge Street Car Parks as part of the annual budget process.

### **Amendment**

1. That Council note the report.
2. That the fees in the Partridge Street Car Parks be increased by \$0.50 per hour for all current chargeable hours as follows:

Hours	
0 - 1	Free
1 - 2	Free
2 – 3	\$2.50
3 -4	\$3.50
4 +	\$5.50 (max \$30.00)

3. That Council introduce a program to offer a 6 month trial contract to lease spaces on the first floor of Partridge Street carpark at a cost of \$28.00 per week with the first three months' rent to be waived.
4. That Council considers in the future the fee structure and the net/cost contribution to the Council of the Partridge Street Car Parks as part of the annual budget process.

Moved Councillor Wilson, Seconded Councillor Bouchee

**Lost**

The substantive motion was put.

Moved Councillor Smedley, Seconded Councillor Snewin

**Carried**

### **Division called**

A division was called and the previous decision was set aside.

Those voting for: Councillors Snewin, Aust, Lonie, Wilson, Patton and Smedley (6)

Those voting against: Councillors Bouchee, Bradshaw, Clancy, Donaldson and Yates (5).

His Worship the Mayor declared the motion

**Carried**

Councillor Donaldson left the chamber at 8.01pm.

**14.4 New Licence Agreement – Glenelg Primary School (Report No: 279/17)**

On 1 July 2012 the Minister for Education and Child Development ("*Minister*") entered into a Sub-Licence Agreement with the Glenelg Football Club and Glenelg Footballers' Club to enable the Glenelg Primary School to utilise Glenelg Oval for both school curriculum and recreational sporting activities during specified times.

This agreement was entered into on the basis that the Glenelg Football Club had sole Lease and Licence over the oval and surrounds at the time. However, now, due to the restructure of lease and seasonal licence arrangements with the Glenelg Football and Glenelg District Cricket Clubs over the buildings and grounds, is now deemed appropriate for Council to enter into a new Licence Agreement directly with the Minister so that the Glenelg Primary School can continue using Glenelg Oval on an annual basis.

Councillor Donaldson left the chamber at 8.03pm.

**Motion****C220817/884**

- 1. That Council, as landowner, approves a Licence Agreement with the Minister for Education and Child Development over portion of the Glenelg Oval for a period of five (5) years commencing 1 October 2017, with an 'Option to Renew' for an additional five (5) years;**
- 2. That an annual Licence fee of \$5,000 (plus GST) be charged to assist with the maintenance of the oval and surrounds;**
- 3. That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Bouchee, Seconded Councillor Clancy

**Carried**

Councillor Patton left the chamber at 8.07pm.

**14.5 New Licence Agreement – Visitor Information Centre – Glenelg Town Hall (Report No: 281/17)**

On 13 October 2015 Council resolved to enter into a licence Agreement with Glenelg Tourism Pty Ltd and Temptation Sailing Pty Ltd ("*Licensee / Applicant*") over a portion of the ground floor of the Glenelg Town Hall for use as a Visitor Information Centre (VIC). The licence was for a period of two years commencing 17 November 2015, and included an 'Option to Renew' for a subsequent term of one (1) year.

As the initial two (2) year term approaches its expiry (16 November 2017), the Licensee now seeks to forego the option to renew, and enter into a new Licence Agreement over a smaller area within the Glenelg Town Hall for a period of three (3) years.

Since the commencement of their tenancy, the Licensee and VIC has proven to be a positive and valuable addition to the Glenelg Town Hall. The proposed three

(3) year term both aligns with and will allow for the timely implementation of the City of Holdfast Bay's Tourism Plan 2020 (endorsed by Council 24 January 2017 Resolution C240117/638), while also allowing the applicant to continue their tourism operations for the benefit of Holdfast Bay.

Councillor Patton rejoined the chamber at 8.09pm.

**Motion**

**C220817/885**

- 1. That Council enters into a new Licence Agreement with Glenelg Tourism Pty Ltd and Temptation Sailing Pty Ltd over a portion of the ground floor (approximately 13m<sup>2</sup>) of the Glenelg Town Hall, contained in allotment 106 in DP 7400, within Certificate of Title Volume 6054 Folio 34 for a period of three (3) years commencing 17 November 2017;**
- 2. That an annual rent of \$4,515 (plus GST) be charged for the applicant's sole commercial use of the ground floor western office;**
- 3. That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this Licence.**

Moved Councillor Clancy, Seconded Councillor Lonie

**Carried**

- 14.6 **Proposed Emu Crossing – Scarborough Street, Somerton Park** (Report No: 280/17)

Sacred Heart College is seeking to upgrade the existing pedestrian refuge on Scarborough Street to an Emu Crossing facility. The purpose is to provide a safer crossing point for students walking throughout the day, between recently opened extensions to facilities at the main school oval and main school campus.

**Motion**

**C220817/886**

- 1. That Council endorses the installation of the Emu Crossing.**
- 2. That Council advises that all costs associated with construction of the Emu crossing be borne by Sacred Heart College.**

Moved Councillor Bouchee, Seconded Councillor Donaldson

**Carried**

**Conflict of Interest**

His Worship the Mayor, S Patterson declared a perceived conflict of interest for 14.7 Glenelg Football Club – Draft Lease (Report No: 278/17). The nature of his perceived conflict of interest (Pursuant to Section 74 of the *Local Government Act 1999*) was that his company has a business relationship with the SANFL/Football Club. His Worship the Mayor dealt with this perceived conflict of interest by making it known to the chamber and left the chamber at 8.10pm.

The Deputy Mayor, Councillor S Lonie assumed the chair at 8.11pm.



**14.7 Glenelg Football Club – Draft Lease (Report No: 278/17)**

On Tuesday 11 July 2017, Council resolved to enter into a new lease and licence agreement with the Glenelg Football Club based on the terms and conditions outlined in report 236/17. However, in accordance with Resolution C110717/834 and amended report recommendation 3, it was requested that the draft lease be submitted to Council for review, prior to sending to the Glenelg Football Club.

The lease has now been drafted by Council's lawyers, and is submitted to Council for review.

**Motion****C220817/887**

**That Council adjourns consideration of Report No: 278/17, Glenelg Football Club – Draft Lease until the next meeting of Council on 12 September 2017, so that further advice can be obtained on the draft lease document.**

Moved Councillor Smedley, Seconded Councillor Donaldson

**Carried****Division called**

A division was called and the previous decision was set aside.

Those voting for: Councillors Snewin, Bouchee, Bradshaw, Clancy, Donaldson, Yates, Lonie, Wilson, Patton and Smedley (11)

Those voting against: Councillor Aust (1).

The Deputy Mayor, Councillor S Lonie declared the motion

**Carried**

Councillor Donaldson left the chamber at 8.16pm.

Councillor Donaldson rejoined the chamber at 8.17pm

Mayor rejoined the chamber at 8.18pm and assumed the chair.

**14.8 Universal Beach Access (Report No: 282/17)**

At its meeting of 13 December 2016 Council requested a report into the installation of beach access ramps from the shared path to the water, along the Council's Esplanade and that Administration investigate, in conjunction with Surf Lifesaving SA, suitable beach locations and the logistical aspects to enable the roll out of a beach access ramp(s) at principally Glenelg beach but also other beach locations in Holdfast Bay.

**Motion****C220817/888**

**That no further options for installing and managing the roll out access mats have emerged from these investigations at this stage pending future submissions by interested parties.**

Moved Councillor Smedley, Seconded Councillor Donaldson

**Carried**

14.9 **2016-17 Preliminary Funding Statements and 2016-17 Budget Carried Forwards**  
(Report No: 292/17)

This report provides preliminary funding statements for the 2016/17 financial year including explanations of the interim results and major budget variations as well as detailing yet to be finalised projects to be brought forward and budgeted for in 2017/18.

The preliminary result for municipal operations shows an operating surplus of \$1,964,223, compared with the adopted forecast surplus of \$238,630 resulting in a positive budget variance of \$1,725,593.

The municipal operational variance results are detailed by business unit within this report. The major variances compared to the adopted forecast are summarised as follows:

<b>Major Municipal Operational Variances</b>	<b>Amount</b>
Lower employment costs	\$371,608
Lower materials, contract, other expenditure	\$577,315
Yet to be finalised operational projects	\$331,183
Lower interest on borrowings expense	\$100,521
Lower depreciation expense	\$75,421
Prepayment of 2017/18 Financial Assistance Grant	\$569,900
Less reduced Roads to Recovery allocation in 2016/17	(\$300,355)
<b>Total variance to forecast</b>	<b>\$1,725,593</b>

The preliminary result for Alwyndor operations shows an operating deficit of \$338,946 compared with the adopted forecast surplus of \$169,562 resulting in a negative budget variance of \$508,508. Major budget variances have occurred in operating revenue due to the impact and timing of changed consumer directed care funding arrangements. Revenue for client contributions are now accounted for in a provision account and then recognised as revenue when services are provided resulting in a timing variance for this budget.

The consolidated result for both operations shows an operating surplus of \$1,625,277, compared with the adopted forecast of \$408,192 resulting in a positive budget variance of \$1,217,085.

**Motion**

**C220817/889**

**That Council:**

- 1. Notes the provisional unaudited 2016/17 funding statements and carried forward budgets.**
- 2. Approves the carried forward amounts from the 2016/17 budget to the current year 2017/18 budget being \$331,183 operating expenditure, \$40,000 operating income, \$5,867,073 capital expenditure and \$178,640 capital income.**

Moved Councillor Wilson, Seconded Councillor Smedley

**Carried**

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

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

**16.1 Sheffield Shield Grand Final – Glenelg Oval – Councillor Snewin**

Councillor Snewin informed members that if South Australia is the host state for the Sheffield Shield Grand Final the match will be played at the Glenelg Oval.

**17. ITEMS IN CONFIDENCE - Nil**

**CLOSURE**

The Meeting closed at 8.30pm.

**CONFIRMED      Tuesday 12 September 2017**

**MAYOR**