

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 23 January 2018 at 7:00pm.

MEMBERS PRESENT

Deputy Mayor A Wilson
Councillor R Aust
Councillor M Bouchée
Councillor A Bradshaw
Councillor R Clancy
Councillor K Donaldson
Councillor S Lonie
Councillor R Patton
Councillor J Smedley
Councillor R Snewin
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 - SG Hodge
General Manager Community Services - PE Aukett

1. OPENING

The Deputy Mayor, Councillor A Wilson declared the meeting open at 7.00pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting the Deputy Mayor stated:

We acknowledge Kurna 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 Kurna People today.

3. PRAYER

The Deputy 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

4.3 Leave of Absence – Mayor S Patterson

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

C230118/1011

That the minutes of the Ordinary Meeting of Council held on 12 December 2017 be taken as read and confirmed.

Moved by Councillor Lonie, Seconded by Councillor Aust

Carried

8. PUBLIC PRESENTATIONS

8.1 **Petitions - Nil**

8.2 **Presentation - Nil**

8.3 **Deputations**

8.3.1 **Brighton Pump Track**

Mr Bill Voss, Mr Curtis Dowdell and Mr Finn McCole made a 5 minute deputation on behalf of The Brighton Pump Track Crew Incorporated.

9. QUESTIONS BY MEMBERS

9.1 **Without Notice**

9.1.1 **Jugs of Water – Councillor Clancy**

Councillor Clancy asked question regarding the absence of jugs of water on member's tables and the provision of bottled water.

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

9.1.2 **Liquor Licensing – Councillor Bouchee**

Councillor Bouchee asked questions regarding the liquor licencing arrangements for the Tour Down Under Street Party.

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

9.1.3 NRM Board Activities – Councillor Bouchee

Councillor Bouchee asked a question regarding the funding of projects in the Holdfast Bay area by the NRM Board and how much does council collect in the NRM levy.

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

9.1.4 Kauri Parade Management – Councillor Patton

Councillor Patton asked a question regarding the EOI for the management of the Kauri Parade Sporting Complex.

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

9.1.5 Tour Down Under Street Party – Councillor Yates

Councillor Yates asked a question regarding the provision of information at each stage location and a publically available activity listing at the Tour Down Under Street Party.

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

9.2 With Notice**9.2.1 Question on Notice – “Expenditure for Temporary Staff, Legal Advice, Consultants and Maintenance of Glenelg Town Hall Playground (Report No: 08/18)**

Councillor Bouchee asked the following question:

“1. Could the CEO please advise budget amount expended 1/07/2017 - 31/12/2017:

(a) Temporary staff

- Internal

- External

(b) Legal advice

- Planning

- Other

(c) Consultants.

2. Could the CEO please advise of the amount expended on the repair and maintenance cost of the playground adj to the Glenelg Town Hall.”

ANSWER – Manager Finance

1. The expenditure below is for the period 1/7/17 – 31/12/17

(a)	Temporary Staff	
	Internal	\$213,590
	External	\$105,108
(b)	Legal Advice	
	Planning	\$109,292
	Other	\$46,069
(c)	Consultants	\$179,887

2. The expenditure on the Glenelg Foreshore Playground for the period 1/7/17 – 31/12/17 is \$30,626.

10. MEMBER'S ACTIVITY REPORTS - Nil

11. MOTIONS ON NOTICE

11.1 Motion on Notice – Timed Parking on the Northern Side of Maturin Road - Councillor Patton (Report No: 06/18)

Councillor Patton proposed the following motion:

BACKGROUND

Council previously conducted a survey proposing this change to parking controls in order to improve access to resident parking during business hours. 64 surveys were sent to residents, businesses and property owners on Maturin Road. 22 respondents supported the proposal and 10 respondents did not support the proposal. Following this a motion was proposed on the 26th September 2017, but this was lost due to complications with a proposed permit system. A simplified proposal as per this motion I believe will be well supported by residents in the street as meeting their needs.

Motion

C230118/1012

That Council:

- 1. installs 3 hour (3P) timed parking from 9am-5pm all days on the northern side of Maturin Road, for a trial period of 12 months.**
- 2. notifies residents, businesses and property owners of the change in time limit.**

Variation

The mover Councillor Patton and seconder Councillor Aust agreed to the amendment proposed by Councillor Bradshaw for a trial period of 12 months to be incorporated into the motion.

Moved Councillor Patton, Seconded Councillor Aust

Carried

11.2 **Motion on Notice - Provision of Defibrillators for Community Centres – Councillor Yates (Report No: 07/18)**

Councillor Yates proposed the following motion:

BACKGROUND

Heart defibrillators have become much more affordable and require little knowledge to use them as they are now automatic and give voice instructions on how to use them. It makes sense to provide them in places where the community gathers, in order to save lives. Glenelg North Community Centre is interested in getting one. A defibrillator with a wall mount cabinet and training for up to 10 people costs \$2,850 through St Johns Ambulance.

Did you know?...

Sudden Cardiac Arrest is still one of Australia's biggest killers, affecting over 25,000 people. Approximately 80% of all SCAs occur at home, public places, outside of a hospital setting and almost 60% are witnessed.

Sudden Cardiac Arrest is often misunderstood as a heart attack. A heart attack is a plumbing problem, and occurs when one or more of the arteries delivering blood to the heart is blocked. Oxygen in the blood cannot reach the heart muscle and the heart muscle is damaged.

Sudden Cardiac Arrest occurs when the heart's electrical system malfunctions; causing rhythms that are rapid or erratic or both. This irregular heart rhythm causes the heart to suddenly stop beating in any coordinated manner by preventing the heart from pumping blood around the body effectively and the heart stops beating.

Defibrillation is the delivery of a therapeutic dose of electrical energy to the heart with a device called a defibrillator and is the common treatment for sudden cardiac arrest. Access to defibrillators and early defibrillation increases the chance of survival in casualties. Defibrillation within the first 2 minutes increases the survival rate by 80%, for every minute that passes that defibrillation does not occur the survival rate decreases by 10%.

Motion

C230118/1013

That Council provides Glenelg North Community Centre a heart defibrillator and associated training, and that a report be brought to Council on the implications of providing heart defibrillators within other Council buildings.

Amendment

That a report be provided to Council on the placement of defibrillators in all Council buildings which includes priority locations and costs.

Moved Councillor Lonie

The Presiding Member, Councillor Wilson did not accept the amendment to the motion.

Moved Councillor Yates, Seconded Councillor Bouchee

Carried

Conflict of Interest

Councillor Snewin declared a material conflict of interest for item 11.3 Motion on Notice – Extension of Parking Restrictions on Southern Side of Rutland Avenue Brighton - Councillor Bradshaw (Report No: 16/81). The nature of his conflict of interest (Pursuant to Section 74 of the Local Government Act 1999) was that he resides and owns property on Rutland Avenue.

Councillor Snewin dealt with his material conflict of interest by leaving the chamber at 7.44pm.

11.3 Motion on Notice – Extension of Parking Restrictions on Southern Side of Rutland Avenue Brighton - Councillor Bradshaw (Report No: 16/81)

Councillor Bradshaw proposed the following motion:

BACKGROUND

Rutland Avenue Brighton offers pedestrian access directly into the recently redeveloped Brighton Central Shopping Centre. The southern side of the street currently prohibits parking from 8am to 5pm. Now the Centre is fully operational residents are reporting additional activity and increased congestion after 5 pm in their street. Rutland Avenue is one of the narrower streets adjacent the centre and the additional activity is apparently regularly causing residents difficulty accessing and egressing their driveways. Several residents have asked that I forward a Motion to Council extending current parking restrictions in their street on the Southern side from 5 pm to 9pm when the Shopping Centre closes.

Motion

C230118/1014

That the current parking restrictions of 8 am to 5 pm on the Southern side of Rutland Avenue Brighton be extended to 8 am to 9 pm Monday to Friday due to the added congestion caused by the recently extended Brighton Central Shopping Centre, for trial period of 12 months and a report be provided to council at the end of the trial period.

Variation

The mover Councillor Bradshaw and seconder Councillor Yates agreed to the amendment proposed by Councillor Bouchee for a trial period of 12 months, being for Monday to Friday and a report be provided to council at the end of the trial period to be incorporated into the motion.

Moved Councillor Bradshaw, Seconded Councillor Yates

Carried

Councillor Snewin rejoined the chamber at 7.47pm.

12. ADJOURNED MATTERS - Nil

13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL**13.1 Minutes – Alwyndor Management Committee – 19 December 2017 (Report No: 10/18)**

The Minutes of the Alwyndor Management Committee meeting held on 19 December 2017 are provided for information.

Motion**C230118/1015**

- 1. That the minutes of the Alwyndor Management Committee meeting on 19 December 2017 be noted.**
- 2. That having considered Attachment 2 to Report No: 10/18 Minutes – Alwyndor Management Committee – 19 December 2017 in confidence under section 90(2) and (3)(b) of the Local Government Act 1999, the Council, pursuant to section 91(7) of the Act orders that Attachment 2 is retained in confidence for a period of 24 months and that this order be reviewed every 12 months.**

Moved Councillor Lonie, Seconded Councillor Aust

Carried**13.2 Minutes – Jetty Road Mainstreet Committee – 6 December 2017 (Report No: 15/18)**

The minutes of the meeting of the Jetty Road Mainstreet Committee meeting held on 6 December 2017 are attached and presented for Council's information.

Motion**C230118/1016**

That Council receives and notes the minutes of the meeting of the Jetty Road Mainstreet Committee of 6 December 2017.

Moved Councillor Lonie, Seconded Councillor Patton

Carried**14. REPORTS BY OFFICERS****14.1 Items in Brief (Report No: 05/18)**

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**C230118/1017**

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

- 1. Increased Homelessness in the City of Holdfast Bay**
- 2. Alwyndor Aged Care Gastroenteritis (Gastro) Outbreak**

3. **Car Parking Issues and Potential Solutions – Upcoming Summit**
4. **2018 LGA Ordinary General Meeting – Notice of Motion**

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

14.2 **Code of Practice – Meeting Procedures (Report No: 09/18)**

The City of Holdfast Bay's Code of Practice – Meeting Procedures has been reviewed for the 2017/18 financial year and an updated Code of Practice – Meeting Procedures has been drafted and is presented for adoption. The updated draft Code has been updated to include the change to how Members Activity Reports are presented, changes to Council's privacy policy relating to the presentation of Petitions to Council and reflects current practice.

The Council resolution will need to be supported by at least two thirds of the members of the Council as a whole to be adopted as the new Code of Practice.

Motion

C230118/1018

That Council adopts the draft Code of Practice – Meeting Procedures presented at Attachment 1 to Report No: 09/18.

Moved Councillor Yates, Seconded Councillor Lonie

Carried Unanimously

14.3 **Brighton Oval Masterplan Implementation (Report No: 17/18)**

Following on from Council endorsement on 12 December 2017 of the Business Case for the Brighton Oval Masterplan, meetings with all stakeholders and potential funding partners have taken place. Feedback has been received regarding the merits of the overall project, the indicative cost (\$17 million) of implementation, and likelihood of gaining partial funding support.

Based on this feedback and in the interest of progressing with the implementation phase of the project, the tenant clubs (Rugby, Football/Cricket and Lacrosse) have agreed to review the designs of their proposed new buildings, with the intent of significantly reducing design and construction costs, to help enable the construction of the buildings to proceed within a defined budget.

Motion

That Council:

1. **Commits a total of \$6 million across the 2018/19 and 2019/20 budgets as a contribution towards the construction of three (3) new clubroom facilities, in line with the endorsed masterplan and subject to other sources of funding of at least \$2 million.**
2. **Applies for grant funding through the Office for Recreation and Sport, and other State Government programs such as Fund My Neighbourhood and Places for People to assist in funding the remaining aspects of the masterplan.**

Amendment**That Council:**

- 1. Commits a total of up to \$6 million across the 2018/19 and 2019/20 budgets as a contribution towards the construction of three (3) new clubroom facilities, in line with the endorsed masterplan and subject to other sources of funding providing 50% of the project cost.**
- 2. Applies for grant funding through the Office for Recreation and Sport, and other State Government programs such as Fund My Neighbourhood and Places for People to assist in funding the remaining aspects of the masterplan.**

Moved Councillor Bouchee

Lapsed for want of a seconder

Moved Councillor Lonie, Seconded Councillor Donaldson

Motion**C230118/1019**

That this item be deferred to the next Council meeting and an urgent workshop be held.

Moved Councillor Smedley, Seconded Councillor Patton

Carried**14.4 Budget Update – as at 31 December 2017** (Report No: 11/18)

This report covers the second update of Council's 2017/18 budget conducted as at 31 December 2018.

A comprehensive review of Municipal budgets has reduced the forecast operating deficit by \$586,052 resulting in a forecast operating surplus of \$497,571. Major favourable variances have occurred in insurance reimbursements, interest on investments and borrowings, employment costs and planning and land division fee income. Capital expenditure has increased by \$516,500 offset by \$423,000 of grant funding.

Alwyndor operations show a \$435,466 reduction in the forecast operating surplus to a break-even forecast. The major variances occurred in a recalculation of grants and increased employment costs due to growth in consumer directed care and transitional costs. Forecast capital expenditure remains unchanged.

Attached are financial reports as at 31 December 2017. They comprise a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor Aged Care, a month by month variance report for Council's municipal activities and detailed financial statements.

Motion**C230118/1020**

- 1. That Council notes the second 2017/18 budget update for Council's municipal operations including:**

- (a) a decrease in the forecast operating deficit for 2017/18 of \$586,052 from \$88,480 deficit to \$497,571 surplus (compared to an operating surplus of \$102,540 in the original budget);
 - (b) an increase in forecast capital expenditure of \$516,500 from \$13.427 million to \$13.944 million (compared with \$6.224 million in the original budget);
 - (c) an increase in forecast capital revenue of \$423,000 from \$1.415 million to \$1.838 million (compared with \$230,750 in the original budget);
 - (d) a decrease in forecast net financial liabilities of \$492,552 at 30 June 2018 from \$20.554 million to \$20.062 million (compared to a net financial liabilities amount of \$21.974 million in the original budget).
2. That Council notes the second 2017/18 budget update for Alwyndor operations including:
- (a) a decrease in the forecast operating surplus for 2017/18 of \$435,466 from \$435,466 to nil (compared to an operating surplus of \$464,475 in the original budget) ;
 - (b) forecast capital expenditure for 2017/18 \$741,663 (unchanged from the original budget);
 - (c) a decrease in the forecast funding surplus for 2017/18 of \$435,466 from \$590,782 to \$155,316.

Moved Councillor Smedley, Seconded Councillor Snewin

Carried

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

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

Leave of the Meeting

The Presiding Member, Councillor Wilson sought leave of the meeting to consider matters of urgent business.

Leave of the meeting was granted.

16.1 Parking in Maturin Road Glenelg

Councillor Bouchee suggested that when introducing the parking time limit trial people who park all day in Maturin Road should be encouraged to use the Partridge Street Carpark.

16.2 Welcome to new Guardian Messenger Journalist

Councillor Patton welcomed Cathryn McLauchlan from the Coast City Weekly Messenger who will be attending council meetings.

16.3 Assistance for the Deputy Mayor

Councillor Aust asked members if it was necessary to formally appoint a member to assist Councillor Wilson in filling in the Mayor's role while he is on his leave of absence from Council.

16.4 Urgent Workshop – Brighton Oval Masterplan**Motion****C230118/1021**

That Council hold a workshop on Tuesday 30 January 2018 on the Brighton Oval Masterplan.

Moved Councillor Donaldson, Seconded Councillor Bradshaw

Carried**16.4 Alwyndor Aged Care – Organisational Review****Motion - Exclusion of the Public – Section 90(3)(a) Order****C230118/1022**

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, Staff and Chairman and any members of the Alwyndor Management Committee in attendance at the meeting in order to consider Urgent Business Item 16.1 – Alwyndor Aged Care – Organisational Review in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider Urgent Business Item 16.1 – Alwyndor Aged Care – Organisational Review on the following grounds:
 - a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation Urgent Business Item 16.1 – Alwyndor Aged Care is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being employees of Alwyndor.
3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Councillor Lonie, Seconded Councillor Snewin

Carried

Councillor Bouchee left the chamber at 8.08pm.

Short Term Suspension of the *Local Government (Procedures at Meetings) Regulations 2013*

The Presiding Member, Councillor Wilson with the approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government*

(Procedures at Meetings) Regulations 2013 for a period of 30 minutes (or for a period sufficient to facilitate informal discussion in relation to the Urgent Business Item 16.1 – Alwyndor Aged Care – Organisational Review and will resume at the end of this time (or at the discretion of the Presiding Member).

Moved Councillor Clancy, Seconded Councillor Yates

Carried

Councillor Bouchee rejoined the chamber at 8.09pm.

The meeting procedures were suspended at 8.09pm.

The Presiding Member, Councillor Wilson sought leave of the meeting to extend the short term suspension of the meeting procedures for a further 30 minutes at 8.39pm.

Leave of the meeting was granted.

The meeting procedures were suspended at 8.39pm.

Councillor Patton left the chamber at 8.58pm.

Councillor Donaldson left the chamber at 8.59pm

Councillor Patton rejoined the chamber at 9.00pm.

Councillor Donaldson rejoined the chamber at 9.02pm

The meeting resumed at 9.10pm.

Councillor Snewin left the chamber at 9.17pm.

Councillor Snewin rejoined the chamber at 9.19pm.

Motion

C230118/1023

That Council:

1. **Endorses the Alwyndor Management Committee decision to appoint an independent investigator, namely:**
 - “1. ***That the Chairman of the Alwyndor Management Committee be authorised to appoint a consultant to investigate organisational behavioural issues which have been brought to the attention of the Committee.***
 2. ***That the scope of the consultant brief be endorsed by the Alwyndor Management Committee by 5.00pm on Thursday 18 January 2018.***
 3. ***That the Chairman of the Alwyndor Management Committee shortlist two appropriate consultants for consideration by the committee by 25 January 2018.***
 4. ***That the Alwyndor Management Committee appoint a consultant to undertake the investigation by the 31 January 2018.”***
2. **Requests that the Alwyndor Management Committee circulate by email the consultant brief for comment by Council members.**
3. **That the appointment of the Independent reviewer be endorsed by the Council.**

4. That the Independent Reviewer's report be provided to Council at the same time as the Alwyndor Management Committee.

Moved Councillor Smedley, Seconded Councillor Bouchee

Carried

Division

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

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

Those voting against: Nil (0).

The Presiding Member declared the motion

Carried

This motion was not retained in confidence.

17. ITEMS IN CONFIDENCE - Nil

CLOSURE

The Meeting closed at 9.26 pm.

CONFIRMED 13 February 2017

DEPUTY MAYOR