

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 24 April 2018 at 7:00pm.

MEMBERS PRESENT

Acting Mayor A Wilson
Councillor R Aust
Councillor M Bouchée
Councillor A Bradshaw
Councillor S Charlick
Councillor R Clancy
Councillor S Lonie
Councillor R Patton
Councillor J Smedley
Councillor R Snewin

STAFF IN ATTENDANCE

Chief Executive Officer - J Lynch
General Manager Business Services – R Bria
General Manager City Assets and Services - S Hodge
General Manager Community Services - P Aukett

1. OPENING

The Acting Mayor declared the meeting open at 7.00pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting Her Worship the Acting 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 Acting 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 L Yates and Councillor K Donaldson
- 4.2 Absent – Nil

5. ITEMS PRESENTED TO COUNCIL**5.1 Minister for Health and Wellbeing – Excellence in Public Health Awards 2018**

The Cities of Holdfast Bay, Marion and Salisbury received a Certificate of Commendation at the Minister for Health and Wellbeing – Excellence in Public Health Awards 2018 in recognition of the outstanding contribution to public health initiatives for their community through the Inspiring Health Initiative.

The Council acknowledged the award and congratulated the team on their good work.

6. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES**Motion****C240418/1121**

That the minutes of the Ordinary Meeting of Council held on 10 April 2018 be taken as read and confirmed.

Moved by Councillor Lonie, Seconded by Councillor Bouchee

Carried**8. PUBLIC PRESENTATIONS****8.1 Petitions****8.1.1 Petition – Proposed Road Works to Alter the Junction of King Street with The Crescent, Brighton (Report No: 148/18)**

A petition has been received from 6 residents. Not all of the pages of the petition meet the criteria outlined in the Council's Code of Practice – Meetings Procedures as they do not include the petition's request and the Head Petitioners contact details on each page of the petition in accordance with clauses 3.1.7 - 3.1.9 of the Code of Practice – Procedures at Meetings and are not taken into account when considering this petition.

The petition states as follows:

"We, the residents, are highly dissatisfied with the Council's lack of consultation with residents on the proposed redesign. A review of traffic management in the area commenced with community consultation but this process has not continued. Residents were only advised of the decision by letter dated 3 April 2018 that construction is due to commence on Monday 16 April 2018, despite Council having resolved on 12 September 2017:

'that residents are notified of the traffic consultant's recommendations, including the reconstruction of The Crescent and King Street intersection'

We, the residents, are highly concerned that the proposed redesign of the intersection will adversely affect safety by increasing the flow of traffic into King Street, increasing the speed of south bound traffic from The Crescent into King Street and increasing the congestion of traffic along King Street.

We, the undersigned, hereby request that the proposed works to alter the junction of King Street with The Crescent, Brighton be halted until further community consultation and evaluation has occurred."

Motion

C240418/1122

- 1. That the petition be received by Council.**
- 2. That the non-complying petition pages be received by Council and that the 55 signatures be included in the total signatories for the petition.**

Moved Councillor Bouchee, Seconded Councillor Lonie

Carried

8.2 Presentation

8.2.1 Presentation to the Governance Coordinator

The Acting Mayor, Ms A Wilson made a presentation to Wendy Matthews, the Governance Coordinator to thank her for her service to the Council.

8.3 Deputations

8.3.1 Climbing Wall

The Acting Mayor, Ms A Wilson approved a 5 minute deputation from Mac and James Wagner on the request for a climbing wall at the Bike Pump Track.

Councillor Bouchee left the chamber at 7.03pm
Councillor Bouchee rejoined the chamber at 7.05pm

9. QUESTIONS BY MEMBERS

9.1 Without Notice

9.1.1 Glenelg Oval - Councillor Patton

Councillor Patton acknowledged the work the team had done in the construction of the new mound at Glenelg Oval and asked a question regarding further infrastructure to be installed.

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

9.1.2 Buffalo Replica – Councillors Smedley and Bouchee

Councillor Smedley requested an update on the state of repair and safety of the Buffalo replica and what was happening to solve this issue. Councillor Bouchee asked if the outdoor dining could be built without the repair of the Buffalo replica.

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

9.1.3 Glenelg Jetty Redevelopment – Councillors Smedley and Bouchee

Councillor Smedley asked a question regarding the commitment to the jetty development and whether there had been any discussions on the redevelopment over the past 3 months.

Councillor Bouchee asked when Members are to be informed of the outcome of the upcoming meeting with overseas investors and who is attending.

The Acting Mayor, Ms A Wilson provided a response

9.2 With Notice

9.2.1 Question on Notice – Reporting of Hazards to Council (Report No: 149/18)

Councillor Bradshaw asked the following question:

“Can you please advise the various options available to someone, if they perceive there is a Community Hazard in Holdfast Bay, including if it is possible to report any such issue online ”

Background

I note in a recent email from a resident who had sustained an injury, they subsequently found difficulty in reporting a potential "Community Hazard" to Council.

ANSWER – General Manager Community Services

The City of Holdfast Bay offers the community many ways to contact us, which includes:

- By email – sending an email to mail@holdfast.sa.gov.au
- By phone – contacting our Customer Experience Team on 8229 9999

- By letter – by sending correspondence to our address, PO Box 19, Brighton SA 5048
- In person – by coming in to the Customer Service Centres at Brighton and at the Glenelg Library during opening hours
- By fax – sending a fax to 8298 4561
- Posting a message on Facebook using the private message function
- By using our website – there is an icon on the homepage to Report a Problem, where the community can complete the online form to inform council of their issue or problem or the community can use the Contact Us, Report a Problem or Complaints options which are available on the bottom of each page of our website.

10. MEMBER'S ACTIVITY REPORTS - Nil

11. MOTIONS ON NOTICE

11.1 Motion on Notice - Construction of a Climbing Wall at the Pump Track Reserve – Councillor Clancy (Report No: 127/18)

Councillor Clancy proposed the following motion:

BACKGROUND

Since the implementation of the Pump Track and with the advent of the new shade structure and BBQ area this reserve has been and will become even more popular, and the area lends itself to this type of entertainment for our younger residents.

Such a construction would not require any significant maintenance programs and would complement what is already on this site in the longer term.

ADMINISTRATION COMMENT

Before a Climbing Wall can be successfully constructed on the Pump Track Reserve a number of questions and conditions will need to be resolved. These include:

- Confirmation of an appropriate location on the site currently occupied by the pump track.
- Confirmation of cost. Detailed design will be required including engineering specifications before going to tender for construction.
- Risk. Council will need to understand the risks associated with a climbing wall and ensure that these risks are appropriately mitigated.
- Landlord consent. The site is owned by DPTI and Council have a license to occupy the site of the Pump Track.

Further to resolving the questions above, Council will need to consider the allocation of funding within the 2018/19 budget.

Motion

That Administration include the construction of a Climbing Wall play feature to be constructed within the Pump Track Reserve area on Commercial Road, Brighton, at an estimated cost of \$50,000 in the 2018/19 Annual Budget.

Moved Councillor Clancy, Seconded Councillor Bradshaw

Motion

That this item lie on the table until a response from DPTI has been received.

Moved Councillor Lonie, Seconded Councillor Patton

Lost

Amendment

C240418/1123

That Administration consider the construction of a Climbing Wall play feature to be constructed within the Pump Track Reserve area on Commercial Road, Brighton, at an estimated cost of \$50,000 in the 2019/20 Annual Budget.

Moved Councillor Bouchee, Seconded Councillor Smedley

The amendment was put and

Carried

The motion as amended was put and was

Carried

Division called

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

Those voting for: Councillors Aust, Bouchée, Charlick, Lonie, Patton, Smedley and Snewin (7)

Those voting against: Councillors Clancy and Bradshaw (2)

Her Worship the Acting Mayor declared the motion

Carried

12. ADJOURNED MATTERS**12.1 Adjourned – Motion on Notice – Brighton Croquet Club Lease – Councillor Clancy [Report No: 87/18] (Report No: 128/18)**

Council at its meeting on 27 March 2018 resolved to adjourn Report No: 87/18 until the Council Meeting to be held on 24 April 2018 and further information is presented on the history of the lease.

This report represents the Motion on Notice and presents information regarding the history of the lease with the Brighton Croquet Club.

It should be recognised that under Section 202 of the *Local Government Act 1999* that the execution of a 20 year lease would require Council to undertake a public consultation process.

Debate on this motion on notice recommences at the point that it was adjourned and Councillors Clancy, Yates and Lonie have spoken to the motion. Before Council can consider any further motions on this matter it must determine the motion on notice which has been adjourned.

MOTION - From 27 March 2018 Council Meeting

That the Brighton Croquet Club have the lease renewed in accordance with the lease executed in 1996 for twenty years which would expire in 2036.

Moved Councillor Clancy, Seconded Councillor Yates

Lost

Conflict of Interest:

Councillor Bradshaw declared a perceived conflict of interest for the item 12.1 Adjourned – Motion on Notice – Brighton Croquet Club Lease – Councillor Clancy [Report No: 87/18] (Report No: 128/18). The nature of her perceived conflict of interest (Pursuant to Section 74 of the *Local Government Act 1999*) is that she is the Patron of the Brighton Croquet Club. Councillor Bradshaw dealt with this perceived conflict of interest by making it known to the chamber and if it becomes apparent she would have a Material or Actual Conflict of Interest this will be declared.

Division called

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

Those voting for: Councillors, Bradshaw, Charlick and Clancy (3)

Those voting against: Councillors Aust, Bouchée, Lonie, Patton, Smedley and Snewin (6)

Her Worship the Mayor declared the motion

Lost

Councillor Charlick left the chamber at 7.51pm

12.2 Adjourned Report – Sporting and Community Club Leasing Policy [Report No: 112/18] (Report No: 129/18)

Council at its meeting held 10 April 2018 resolved to adjourn Report No: 112/18 until the Croquet Club matter is determined and represented to Council for consideration at the same time in approximately 4 weeks' time.

The adjourned motion on notice regarding the Brighton Croquet Club is presented as item 12.1 on this agenda and as Council resolved to consider this report at the same time as the motion on notice is represented, Report No: 112/18 is represented for Council's consideration in Attachment 1.

Debate on this adjourned report is recommenced at the point of adjournment and the following members have spoken to the adjourned motion which include Councillors Lonie, Aust, Clancy, Bouchee and Yates. Before Council can consider any further motions on this matter it must determine the adjourned motion.

Motion**C240418/1124*****From 10 April 2018 Council Meeting*****That Council endorses the draft Sporting and Community Club Leasing Policy.**

Councillor Charlick rejoined the chamber at 7.53pm

Moved Councillor Lonie, Seconded Councillor Aust

Carried**13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL****13.1 Minutes – Audit Committee – 4 April 2018 (Report No: 126/18)**

The minutes of the meeting of the Audit Committee held on 4 April 2018 are presented to Council for information and endorsement.

Motion**C240418/1125****That Council receives and notes the minutes of the meeting of the Audit Committee of 4 April 2018, namely:**

- 1. That the Audit Committee advises Council it has received and considered a Standing Items Report addressing:

 - Monthly financial statements
 - Internal control
 - Risk management
 - Whistleblowing
 - Internal audit
 - Economy and efficiency audits**
- 2. That the draft Unsolicited Proposals Policy be presented to Council for consideration and adoption.**
- 3. That the Audit Committee support the draft 2018-19 Annual Business Plan, as presented, for presentation to Council for the purpose of public consultation.**

Moved Councillor Charlick, Seconded Councillor Smedley

Carried**13.2 Minutes – Jetty Road Mainstreet Committee – 11 April 2018 (Report No: 147/18)**

The minutes of the meeting of the Jetty Road Mainstreet Committee meeting held on 11 April 2018 are attached and presented for Council's information.

Jetty Road Mainstreet Committee Agendas, Reports, and Minutes are all available on Council's website and the meetings are open to the public.

Motion**C240418/1126****That Council receives and notes the minutes of the meeting of the Jetty Road Mainstreet Committee of 11 April 2018, namely:**

1. **That the Jetty Road Mainstreet Committee recommend to Council to write to the Minister regarding the deregulation of trading hours and its negative impact on Jetty Road Traders and community.**
2. **That the Jetty Road Mainstreet Committee recommends to Council that the term of appointment for the current Jetty Road Mainstreet Committee members is extended to 31 March 2019, to allow the Committee to continue operate during the 2018/19 summer period and allow for recruitment of new Committee members in 2019.**

Moved Councillor Bradshaw, Seconded Councillor Charlick

Carried

14. REPORTS BY OFFICERS

14.1 Items in Brief (Report No: 131/18)

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

C240418/1127

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

1. **Licence Plate Recognition Car Parking Anzac Highway, Glenelg – Trial Results**
2. **The Value in LGA Membership**
3. **The Big Wedgie and Big Chukka – Response to Council Decision**
4. **Montpellier MP3 – Food Act Prosecution**

Moved Councillor Lonie, Seconded Councillor Smedley

Carried

14.2 Budget Update – as at 31 March 2018 (Report No: 130/18)

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

A comprehensive review of Municipal budgets has increased the forecast operating surplus by \$427,663 to \$925,234. A major favourable variance refers to the Government grant funding for the reinstated Supplementary Local Road program. Other positive variances include the Caravan Park, community events, planning fees, interest on investments and borrowings. This is been part offset by reduced revenue from regulatory services. Capital expenditure has increased by \$238,941 offset by \$196,600 of grant funding.

Alwyndor operations show a \$299,653 deficit increase in the forecast operating result. 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 has decreased by \$40,000.

Attached are financial reports as at 31 March 2018. 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. Commercial activity financial reports are also provided.

Motion**C240418/1128**

1. That Council notes the third 2017/18 budget update for Council's municipal operations including:
 - (a) an increase in the forecast operating surplus for 2017/18 of \$427,663 from \$497,571 to \$925,234 (compared to an operating surplus of \$102,540 in the original budget);
 - (b) an increase in forecast capital expenditure of \$238,941 from \$13.944 million to \$14.183 million (compared with \$6.224 million in the original budget);
 - (c) an increase in forecast capital revenue of \$196,600 from \$1.838 million to \$2.035 million (compared with \$230,750 in the original budget);
 - (d) a decrease in forecast net financial liabilities of \$385,322 at 30 June 2018 from \$20.062 million to \$19.677 million (compared to a net financial liabilities amount of \$21.974 million in the original budget).

2. That Council notes the third 2017/18 budget update for Alwyndor operations including:
 - (a) an increase in the forecast operating deficit for 2017/18 of \$299,653 from a previous break-even forecast (compared to \$464,475 operating surplus in the original budget);
 - (b) a decrease in forecast capital expenditure of \$40,000 from \$741,663 to \$701,663 (compared with \$741,663 in the original budget);
 - (c) a decrease in the forecast funding surplus of \$259,653 from \$155,316 surplus to \$104,337 deficit (compared with \$619,791 surplus in the original budget).

Moved Councillor Lonie, Seconded Councillor Smedley

Carried**14.3 Unsolicited Proposals Policy (Report No: 132/18)**

The Unsolicited Proposals Policy is developed for the purpose of section 49 of the Local Government Act, providing a defined approach and record keeping process for entering into contracts through a process other than a tender. The Policy has been developed to address the receipt and assessment of unsolicited proposals.

An Unsolicited Proposals Procedure has also been developed to provide more detail around how the Policy will be delivered. Together the documents outline the key requirements in relation to the receipt, assessment and management of Unsolicited Proposals.

The Policy and Procedure were presented to the Audit Committee on 4 April 2018, which resolved to present the Unsolicited Proposal Policy to Council for consideration and adoption.

The Policy is presented to Council for endorsement. The Procedure is presented to Council for information, and will be managed by the Senior Leadership Team.

Motion

C240418/1129

- 1. That Council endorse the Unsolicited Proposals Policy.**
- 2. That Council notes the development of the Unsolicited Proposals Procedure to support the implementation of the Unsolicited Proposals Policy.**

Moved Councillor Lonie, Seconded Councillor Smedley

Carried

14.4 Application for Landowner's Consent – Flambouron Philanthropic Society of South Australia (Report No: 133/18)

The Flambouron Philanthropic Society of South Australia ("*Society*"), located at 18 Fulton Street Glenelg North, has recently been successful in procuring funding through the Government's Multicultural Infrastructure Grant program. The Society's [now funded] project seeks to construct an access ramp adjacent to the front of the building to accommodate the increasing number of facility users that are either frail older people or people with disabilities.

Due to the configuration of the property frontage, the access ramp is expected to encroach onto Council's footpath by approximately 600mm; leaving a 1.7m public thoroughfare. As a result, the Society has now approached Administration seeking landowner's consent to build the ramp over community land prior to lodging a Development Application.

It should be noted that full engineering specifications will be sought as part of the Development Application assessment.

Motion

C240418/1130

- 1. That Council give Landowner's Consent so that the Flambouron Philanthropic Society of South Australia can lodge a Development Application with Development Services;**
- 2. That Consent be given on the basis that the Flambouron Philanthropic Society of South Australia indemnifies Council against any claims, losses, suits etc that may arise from this project;**
- 3. That subject to the final Development Approval Administration enters into a new 'Encroachment Permit' with the Flambouron Philanthropic Society to allow the ramp to be constructed over Community land;**
- 4. That an annual Encroachment Fee of \$1 payable on demand be charged;**

5. **That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this permit.**

Variation

The mover Councillor Patton and seconder Councillor Clancy agreed to incorporate Cr Smedley's amendment into the motion.

6. **That in the event the Society ceases to operate or the hall is sold the ramp is removed from the footpath encroachment at their expense.**

Moved Councillor Patton, Seconded Councillor Clancy

Carried

Division called

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

Those voting for: Councillors Aust, Bouchée, Charlick, Lonie, Patton, Smedley and Snewin (7)

Those voting against: Councillors Bradshaw and Clancy (2)

Her Worship the Mayor declared the motion

Carried

Councillor Lonie left the chamber at 8.22pm

14.5 **New Lease Agreement – Brighton Lacrosse Club** (Report No: 134/18)

Following the expiration of the lease agreement held between the City of Holdfast Bay and the Brighton Lacrosse Club ("*Club*"), it is recommended that Council enters into a new lease agreement with the long-term tenant sporting group for their exclusive and non-exclusive use of a portion of Brighton Oval.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Lease Agreement will: be for a period of five years commencing 1 July 2018; and include an Option to Renew for a subsequent five year term; and will incur an annual commencing rent of \$4,858 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion

C240418/1131

1. **That Council enters into a new Lease Agreement with the Brighton Lacrosse Club Incorporated over a portion of land comprised in Certificate of Title Volume 5750 Folio 187 for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
2. **That a commencing annual rent of \$4,858 (plus GST) be charged to the Lessee;**

3. **That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Patton, Seconded Councillor Smedley

Carried

14.6 **New Lease Agreement – Brighton Rugby Union Football Club** (Report No: 135/18)

Following the expiration of the lease agreement held between the City of Holdfast Bay and the Brighton Rugby Union Football Club ("*Club*"), it is recommended that Council enters into a new lease agreement with the long-term tenant sporting group for their exclusive and non-exclusive use of a portion of Brighton Oval.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Lease Agreement will be for a period of five years commencing 1 July 2018, includes an Option to Renew for a subsequent five year term, and will incur an annual commencing rent of \$4,000 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion

C240418/1132

1. **That Council enters into a new Lease Agreement with the Brighton Rugby Union Football Club Incorporated over a portion of land at Brighton Oval for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
2. **That a commencing annual rent of \$4,000 (plus GST) be charged to the Lessee;**
3. **That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Snewin, Seconded Councillor Smedley

Carried

14.7 **New Lease Agreement – Brighton Sports and Social Club** (Report No: 136/18)

Following the expiration of the lease agreement held between the City of Holdfast Bay and the Brighton Sports & Social Club ("*Club*"), it is recommended that Council enters into a new lease agreement with the long-term tenant sporting group for their exclusive and non-exclusive use of a portion of Brighton Oval.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Lease Agreement will: be for a period of five years commencing 1 July 2018; include an Option to Renew for a subsequent five year term; and will incur an annual commencing rent of \$8,482 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion**C240418/1133**

1. **That Council enters into a new Lease Agreement with the Brighton Sports & Social Club Incorporated over a portion of land comprised in Certificate of Title Volume 5750 Folio 187 for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
2. **That a commencing annual rent of \$8,482 (plus GST) be charged to the Lessee;**
3. **That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Aust, Seconded Councillor Snewin

Carried**14.8 New Lease Agreement – Holdfast Bay Dog Owners’ Club Incorporated (Report No: 137/18)**

Following the expiration of the lease agreement held between the City of Holdfast Bay and the Holdfast Bay Dog Owners’ Club Incorporated (“Club”), it is recommended that Council enters into a new lease agreement with the long-term tenant group for their exclusive use of a portion of Brighton Oval.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Lease Agreement will be for a period of five years commencing 1 July 2018, includes an Option to Renew for a subsequent five year term, and will incur an annual commencing rent of \$2,950 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion

1. **That Council enters into a new Lease Agreement with the Holdfast Bay Dog Owners’ Club Incorporated over a portion of land comprised in Certificate of Title Volume 5750 Folio 187 for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
2. **That a commencing annual rent of \$2,950 (plus GST) be charged to the Lessee;**
3. **That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Councillor Lonie rejoined the chamber at 8.23pm

Moved Councillor Bouchee, Seconded Councillor Patton

Adjournment**C240418/1134**

That the New Lease Agreement – Holdfast Bay Dog Owners’ Club Incorporated (Report No: 137/18) be adjourned until a report is presented at the next meeting of Council whether the Club can be considered a commercial operation.

Moved Councillor Charlick, Seconded Councillor Aust

Carried**14.9 New Lease Agreement – Holdfast Tennis Club (Report No: 138/18)**

Following the expiration of the lease agreement held between the City of Holdfast Bay and the Holdfast Tennis Club (“Club”), it is recommended that Council enters into a new lease agreement with the long-term tenant sporting group for their exclusive use of facilities located on Williams Avenue Glenelg East.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Lease Agreement will: be for a period of five years commencing 1 July 2018; include an Option to Renew for a subsequent five year term; and will incur an annual commencing rent of \$2,249 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion**C240418/1135**

- 1. That Council enters into a new Lease Agreement with the Holdfast Tennis Club Incorporated over a portion of land comprised in Certificate of Title Volume 5869 Folio 949, for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
- 2. That a commencing annual rent of \$2,249 (plus GST) be charged to the Lessee;**
- 3. That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Smedley, Seconded Councillor Aust

Carried**14.10 New Lease Agreement – Rotary Club of Holdfast Bay Incorporated (Report No: 139/18)**

Following the expiration of the lease agreement held between the City of Holdfast Bay and the Rotary Club of Holdfast Bay Incorporated (“Club”), it is recommended that Council enters into a new lease agreement with the long-term tenant community group for their exclusive use of a portion of Kibby Reserve.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Lease Agreement will: be for a period of five years commencing 1 July 2018; include an Option to Renew for a subsequent five year term; and will incur an annual commencing rent of \$74 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion

C240418/1136

- 1. That Council enters into a new Lease Agreement with the Rotary Club of Holdfast Bay Incorporated over a portion of land comprised in Certificate of Title Volume 553 Folio 244 for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
- 2. That a commencing annual rent of \$74 (plus GST) be charged to the Lessee;**
- 3. That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Lonie, Seconded Councillor Aust

Carried

14.11 New Lease Agreement – Rotary Club of Somerton Park Incorporated (Report No: 140/18)

Following the expiration of the lease agreement held between the City of Holdfast Bay and the Rotary Club of Somerton Park Incorporated ("*Club*"), it is recommended that Council enters into a new lease agreement with the long-term tenant community group for their exclusive use of a portion of Brighton Oval.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Lease Agreement will: be for a period of five years commencing 1 July 2018; include an Option to Renew for a subsequent five year term; and will incur an annual commencing rent of \$241 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion

C240418/1137

- 1. That Council enters into a new Lease Agreement with the Rotary Club of Somerton Park Incorporated over a portion of land comprised in Certificate of Title Volume 5750 Folio 187 for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
- 2. That a commencing annual rent of \$241 (plus GST) be charged to the Lessee;**
- 3. That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Lonie, Seconded Councillor Patton

Carried

14.12 **New Lease Agreement – Seacliff Community Recreation Association** (Report No: 141/18)

Following the expiration of the lease agreement held between the City of Holdfast Bay and the Seacliff Community Recreation Association (*“Association”*), it is recommended that Council enters into a new lease agreement with the long-term tenant community group for their exclusive use of a property located at 32 Yacca Road Seacliff.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Lease Agreement will: be for a period of five years commencing 1 July 2018; include an Option to Renew for a subsequent five year term; and will incur an annual commencing rent of \$1,237 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion

C240418/1138

- 1. That Council enters into a new Lease Agreement with the Seacliff Community Recreation Association Incorporated over the property located at 32 Yacca Road Seacliff for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
- 2. That a commencing annual rent of \$1,237 (plus GST) be charged to the Lessee;**
- 3. That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Lonie, Seconded Councillor Snewin

Carried

14.13 **New Licence Agreement – Dover Square Tennis Club** (Report No: 142/18)

Following the expiration of the licence agreement held between the City of Holdfast Bay and the Dover Square Tennis Club (*“Club”*), it is recommended that Council enters into a new licence agreement with the long-term tenant sporting group for their non-exclusive use of facilities adjacent to Dover Square.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Licence Agreement will: be for a period of five years commencing 1 July 2018; include an Option to Renew for a subsequent five year term; and will incur an annual commencing rent of \$975 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion

C240418/1139

- 1. That Council enters into a new Licence Agreement with the Dover Square Tennis Club Incorporated over a portion of land comprised in Certificate of Title Volume 5558 Folio 563 and Volume 5805 Folio 398,**

for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;

2. **That a commencing annual rent of \$975 (plus GST) be charged to the Lessee;**
3. **That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Snewin, Seconded Councillor Lonie

Carried

14.14 **New Licence Agreement – Glenelg North Community Garden** (Report No: 143/18)

Following the expiration of the licence agreement held between the City of Holdfast Bay and the Glenelg North Community Garden Incorporated (“GNCG”), it is recommended that Council enters into a new licence agreement with the long-term tenant community group for their non-exclusive use of a portion of Kibby Reserve.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Licence Agreement will be for a period of five years commencing 1 July 2018, includes an Option to Renew for a subsequent five year term, and will incur an annual commencing rent of \$277 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion

C240418/1140

1. **That Council enters into a new Licence Agreement with the Glenelg North Community Garden Incorporated over a portion of land comprised in Certificate of Title Volume 5553 Folio 244 for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
2. **That a commencing annual rent of \$277 (plus GST) be charged to the Lessee;**
3. **That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Aust, Seconded Councillor Patton

Carried

14.15 **New Licence Agreement – Helmsdale Tennis Club** (Report No: 144/18)

Following the expiration of the licence agreement held between the City of Holdfast Bay and the Helmsdale Tennis Club (“Club”), it is recommended that Council enters into a new licence agreement with the long-term tenant sporting group for their non-exclusive use of facilities located at Sanderson Reserve.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Licence Agreement will: be for a period of five years commencing 1 July 2018; include an Option to Renew for a subsequent five year term; and will incur an annual commencing rent of \$829 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion

C240418/1141

1. **That Council enters into a new Licence Agreement with the Helmsdale Tennis Club Incorporated over a portion of land comprised in Certificate of Title Volume 5852 Folio 722, for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
2. **That a commencing annual rent of \$829 (plus GST) be charged to the Lessee;**
3. **That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Clancy, Seconded Councillor Smedley

Carried

14.16 **New Licence Agreement – William Kibby VC Veterans Shed Association Incorporated** (Report No: 145/18)

The licence agreement held between the City of Holdfast Bay and the William Kibby VC Veterans Shed Association Incorporated ("*Association*") is scheduled to expire 30 June 2018. It is recommended that Council enter into a new licence agreement with the long-term tenant community group for their non-exclusive use of a portion of Kibby Reserve.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Licence Agreement will be for a period of five years commencing 1 July 2018, includes an Option to Renew for a subsequent five year term, and will incur an annual commencing rent of \$93 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion

C240418/1142

1. **That Council enters into a new Licence Agreement with the William Kibby VC Veterans Shed Association Incorporated over a portion of land comprised in Certificate of Title Volume 5553 Folio 244 for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
2. **That a commencing annual rent of \$93 (plus GST) be charged to the Lessee;**

3. **That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Clancy, Seconded Councillor Aust

Carried

14.17 **New Lease Agreement – Brighton Croquet Club** (Report No: 146/18)

Following the expiration of the lease agreement held between the City of Brighton and the Brighton Croquet Club Incorporated ("*Club*"), it is recommended that Council enters into a new lease agreement with the long-term tenant sporting group for their exclusive use of a portion of Brighton Oval.

Pursuant to the provision set out in the Sporting & Community Club Leasing Policy, the new Lease Agreement will be for a period of five years commencing 1 July 2018, includes an Option to Renew for a subsequent five year term, and will incur an annual commencing rent of \$838 (plus GST) which will be subject to annual CPI increases.

Full details of the proposal are outlined within this report.

Motion

C240418/1143

1. **That Council enters into a new Lease Agreement with the Brighton Croquet Club Incorporated over a portion of land at Brighton Oval for a period of five years commencing 1 July 2018, with an Option to Renew for a subsequent five years;**
2. **That a commencing annual rent of \$838 (plus GST) be charged to the Lessee;**
3. **That the Acting Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Smedley, Seconded Councillor Aust

Carried

Division called

A division was called and the previous motion was put aside.

Those voting for: Councillors Aust, Bouchée, Bradshaw, Charlick, Lonie, Patton, Smedley and Snewin (8)

Those voting against: Clancy (1)

Her Worship the Mayor declared the motion

Carried

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

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

17. ITEMS IN CONFIDENCE - Nil

CLOSURE

The Meeting closed at 8.35pm.

CONFIRMED Tuesday 8 May 2017

ACTING MAYOR