

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 22 May 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 K Donaldson
Councillor R Patton
Councillor J Smedley
Councillor R Snewin
Councillor L Yates

STAFF IN ATTENDANCE

Chief Executive Officer - JP Lynch
General Manager City Assets & Services - SG Hodge
General Manager Elect City Assets & Services – H Lacy
Acting General Manager Community Services – M Lock
General Manager Business Services – R Bria
General Manager Alwyndor – R Kluge

1. OPENING

Her Worship 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 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

Her Worship 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 S Lonie

4.2 Absent

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

CL220518/1153

That the minutes of the Ordinary Meeting of Council held on 8 May 2018 be taken as read and confirmed.

Moved by Councillor Donaldson, Seconded by Councillor Bradshaw

Carried

8. PUBLIC PRESENTATIONS

8.1 **Petitions - Nil**

8.2 **Presentation - Nil**

8.3 **Deputations**

8.3.1 **Alex Miller**

Acting Mayor Wilson approved a 5 minute deputation from Alex Miller representing the Brighton Community Garden Incorporated regarding the aims of the group and their vision.

8.3.2 **Graham Hogben**

Acting Mayor Wilson approved a 5 minute deputation from Graham Hogben in relation to the Dover Square petition.

9. QUESTIONS BY MEMBERS

9.1 **Without Notice - Nil**

9.2 **With Notice - Nil**

10. MEMBER'S ACTIVITY REPORTS - Nil

11. MOTIONS ON NOTICE - Nil

12. ADJOURNED MATTER - Nil

Her Worship, Acting Mayor Wilson, sought leave of the meeting to bring forward Item 14.8 for consideration at this time.

13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL**13.1 Minutes – Jetty Road Mainstreet Committee – 2 May 2018** (Report No: 175/18)

The minutes of the meeting of the Jetty Road Mainstreet Committee meeting held on 2 May 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**CL220518/1154**

That Council receives and notes the minutes of the meeting of the Jetty Road Mainstreet Committee of 2 May 2018, and endorses:

- 1. That the JRMC recommends to Council that the draft budget allocation (\$30,000) for the November Street Party 2018 be reallocated to the 21 October 2018 Adelaide Fashion Festival Street Party.**

Moved Councillor Bouchee, Seconded Councillor Bradshaw

Carried**13.2 Minutes – Special Meeting – Jetty Road Mainstreet Committee – 15 May 2018** (Report No: 177/18)

The minutes of the Special Meeting of the Jetty Road Mainstreet Committee meeting held on 15 May 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

That Council receives and notes the minutes of the Special Meeting of the Jetty Road Mainstreet Committee of 15 May 2018, and endorses:

- 1. That Council seek a report examining the JRMC proposal to expend funds.**

Moved Councillor Bradshaw

Lapsed through want of a seconder**Motion****CL220518/1155**

That Council receives and notes the minutes of the Special Meeting of the Jetty Road Mainstreet Committee of 15 May 2018.

Moved Councillor Bouchee, Seconded Councillor Yates

Carried

13.3 **Minutes – Southern Region Waste Resource Authority Board Meeting – 7 May 2018** (Report No: 173/18)

The minutes of the Southern Region Waste Resource Authority (SRWRA) Board Meeting held on 7 May 2018 are attached and presented for Council's information.

Motion

CL220518/1156

1. **That the minutes of the Southern Region Waste Resource Authority Board Meeting held on 7 May 2018 be received by Council (Attachment 1).**
2. **That Council advise the Southern Region Waste Resources Authority (SRWRA) that it supports the draft 2018/19 Business Plan and Budget (Attachment 2)**

Moved Councillor Smedley, Seconded Councillor Clancy

Carried

14. REPORTS BY OFFICERS

14.1 **Items in Brief** (Report No: 164/18)

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

CL220518/1157

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

1. **Dog and Cats Online System (DACO)**
2. **Community Centre's 'Come and Try Week' review**
3. **EPA – Brighton Environmental Assessment Work**
4. **Project Schedules – Capital Works to 30 April 2018.**

Moved Councillor Charlick, Seconded Councillor Aust

Carried

14.2 **Monthly Financial Report – 30 April 2018** (Report No: 166/18)

Attached are financial reports as at 30 April 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. The adjusted forecast budget includes the carried forward amount as approved by Council 12 September 2017 and the three quarterly budget updates approved by Council 24 October 2017, 23 January 2018 and 24 April 2018. No changes to Alwyndor and Municipal budgets are recommended at this time, but the report highlights items that show a material variance from the YTD budget.

Motion**CL220518/1158**

That Council receives the financial reports for the 10 months to 30 April 2018 and notes:

- **no change to the Municipal activities 2017/18 revised budget forecast;**
- **no change to the Alwyndor Aged Care 2017/18 revised budget forecast.**

Moved Councillor Bouchee, Seconded Councillor Smedley

Carried

14.3 **Draft 2018-19 Annual Business Plan Consultation Outcomes Report (Report No: 167/18)**

Council has received eight submissions in response to its Draft 2018-19 Draft Annual Business Plan community consultation. The key topics raised through the consultation included suggestions for future plans, comments and queries on specific projects/programs, allocation of additional budget to stormwater and sandbag groynes, management of community centres and the presentation of the document.

Motion**CL220518/1159**

That the submissions arising from the community consultation on the Draft 2018-19 Annual Business Plan be received and noted.

Moved Councillor Aust, Seconded Councillor Patton

Carried

14.4 **Appointment of Authorised Officers – Road Traffic Act 1962 Instrument of General Approval (Report No: 168/18)**

Council has previously authorised officers who are responsible for exercising delegations to use traffic control devices, to close roads and to grant exemptions for events. This power is conferred to Councils by the Minister, and only Council can authorise an officer to carry out these powers and they must do so *“for, and on behalf of the Council.”*

Motion**CL220518/1160**

1. **In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the ‘Instrument’) the Council authorises the following person(s) pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:**

- **Mr Justin Lynch, Chief Executive Officer**

- Mr Steve Hodge, General Manager City Assets and Services (until 1 July 2018)
 - Mr Ken O'Neill, Manager Regulatory Services
 - Mr Damian Landrigan, Traffic and Transport Officer
 - Mr Howard Lacy, General Manager City Assets and Services
2. In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:
- Mr Justin Lynch, Chief Executive Officer
 - Mr Steve Hodge, General Manager City Assets and Services
 - Mr Ken O'Neill, Manager Regulatory Services
 - Mr Damian Landrigan, Traffic and Transport Officer
 - Mr Howard Lacy, General Manager City Assets and Services
3. In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Subdelegation (Attachment 1) is hereby sub-delegated this 22 May 2018 to the person occupying the office of Chief Executive Officer of the Council subject to:
- (i) the conditions contained in the Instrument; and
 - (ii) any conditions contained in this Resolution or in the Instrument of Subdelegation; and
 - (iii) the creation of a separate instrument in writing reflecting such subdelegation under the Instrument and this Resolution.
4. In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of traffic management Plans:
- Mr Justin Lynch, Chief Executive Officer
 - Mr Steve Hodge, General Manager City Assets and Services
 - Mr Ken O'Neill, Manager Regulatory Services
 - Mr Damian Landrigan, Traffic and Transport Officer
 - Mr Howard Lacy, General Manager City Assets and Services

Moved Councillor Clancy, Seconded Councillor Bouchee

Carried

14.5 **Review of Items Held in Confidence** (Report No: 169/18)

Council's practice is to review items held in confidence every 12 months and this practice has continued with a formal review occurring in May 2018.

This report recommends four items be released from confidence.

Motion **CL220518/1161**

1. **That the Confidential Items presented at Attachment 1 to Report No: 169/18 be released from Confidence.**
2. **That the Confidential Items presented at Attachment 2 to Report No: 169/18 be retained in confidence until 30 June 2019 and a further review conducted.**

Moved Councillor Clancy, Seconded Councillor Aust **Carried**

14.6 **Economic Activation Plan 2018-2023** (Report No: 170/18)

The draft Economic Activation Plan (EAP) 2018-2023 and Consultation Summary EAP document is presented for endorsement and release for community engagement. The EAP has been developed to reflect the 'Our Place 2030' Strategic Plan and in doing so, will deliver on the '*Economy Pillar – A diverse and resilient local economy*'.

Motion **CL220518/1162**

1. **That subject to minor alterations and design, the draft Economic Activation Plan 2018-2023 contained in Attachment 1 and the draft Consultation Summary EAP document contained in Attachment 2 be released for community consultation.**
2. **That the process for community consultation on the draft Economic Activation Plan 2018-2023, as described in this report, be endorsed.**

Moved Councillor Snewin, Seconded Councillor Aust **Carried**

14.7 **2018-19 Rate Principles Setting** (Report No: 165/18)

In setting rates for each financial year, Council reviews the property valuations and principles in relation to the minimum rate, differential rate, rate capping and how the rate contribution is to be apportioned across ratepayers.

Motion **CL220518/1163**

That the following principles be applied to setting the rates for 2018/19:

- (a) **the minimum rate be increased by the same percentage as the increase in general rate ie 2.7%;**
- (b) **the differential rate be retained at the current 13.8% proportion of general rate revenue;**
- (c) **the rate capping percentage remain at 6%;**
- (d) **the heritage rate rebate be reduced from 8% to 0%.**

Moved Councillor Bouchee, Seconded Councillor Smedley **Carried**

14.8 **Brighton Community Garden – Community Engagement Findings** (Report No: 174/18)

Community views were sought around the Fund My Neighbourhood proposal to establish the Brighton Community Garden at Dover Square Reserve, South Brighton. A high level of community interest was received regarding the project, for and against the proposal, and highlighted a number of opportunities and concerns.

Due to the extent of community concerns received regarding the proposal, and the lack of clear support in favour of the proposal, it is recommended to investigate alternative locations for the Brighton Community Garden.

Motion

CL220518/1164

1. **That Council notes the Brighton Community Garden Engagement Report findings.**
2. **That Council does not proceed in establishing a community garden at Dover Square Reserve, but supports the investigation into alternative locations for the Brighton Community Garden including Keelara and Torr Avenue site.**

Moved Councillor Bradshaw, Seconded Councillor Yates

Carried

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

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

17. **ITEMS IN CONFIDENCE**

17.1 **Appointment of Members to the Alwyndor Management Committee** (Report No: 172/18)

Motion – Exclusion of the Public – Section 90(3)(b) Order

CL220518/1165

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 and Staff in attendance at the meeting in order to consider Report No: 172/18 – Appointment of Members to the Alwyndor Management Committee 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 the information contained in Report No: 172/18 – Appointment of Members to the Alwyndor Management Committee on the following grounds:**

- a. information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead).
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 Donaldson, Seconded Councillor Yates

Carried

RETAIN IN CONFIDENCE - Section 91(7) Order

CL220518/1167

That having considered Agenda Item 17.1 Report No: 172/18 Appointment of Members to the Alwyndor Management Committee in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence until all applicants have been informed of the outcome.

Moved Councillor Bouchee, Seconded Councillor Clancy

Carried

17.2 **Sale of Land Proposal (Report No: 176/18)**

Motion – Exclusion of the Public – Section 90(3)(b) Order

CL220518/1168

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 and Staff in attendance at the meeting in order to consider Report No: 176/18 – Sale of Land Proposal 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 the information contained in Report No: 176/18 – Sale of Land Proposal on the following grounds:
 - b. pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business, or to prejudice the commercial position of the Council.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

Moved Councillor Bradshaw, Seconded Councillor Aust

Carried

RETAIN IN CONFIDENCE - Section 91(7) Order

CL220518/1170

That having considered Agenda Item 17.2 Report No: 176/18 Sale of Land Proposal in confidence under section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.

Moved Councillor Clancy, Seconded Councillor Snewin

Carried

CLOSURE

The Meeting closed at 8.45pm.

CONFIRMED Tuesday 22 May 2018

ACTING MAYOR