

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 9 October 2018 at 7:00pm.

MEMBERS PRESENT

Acting Mayor A Wilson
Councillor R Aust
Councillor M Bouchee
Councillor A Bradshaw
Councillor S Charlick
Councillor R Clancy
Councillor K Donaldson
Councillor S Lonie
Councillor R Patton
Councillor J Smedley
Councillor R Snewin
Councillor L Yates

STAFF IN ATTENDANCE

Chief Executive Officer - JP Lynch
General Manager City Assets and Services – H Lacy
General Manager Business Services – R Bria

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 - Nil
- 4.2 Absent - Nil

5. ITEMS PRESENTED TO COUNCIL - Nil

6. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES**Motion****C091018/1294**

That the minutes of the Ordinary Meeting of Council held on 25 September 2018 be taken as read and confirmed.

Moved Councillor Lonie, Seconded Councillor Smedley

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 **Managing Security at Taxi Ranks**

Councillor Clancy asked a question regarding whether administration had contacted the South Australian government in relation to the removal of security at our Taxi Ranks.

The Chief Executive Officer, Mr Lynch provided a response.

9.1.2 **Taxi Queue over Tram Line**

Councillor Bouchee asked a question in relation to taxis that queue over the tram line and whether this can be monitored.

The Chief Executive Officer, Mr Lynch provided a response.

9.1.3 **Brighton Sporting Complex**

Councillor Bradshaw asked a question in relation to the whether the Federal and South Australian Government had committed any further financial assistance for this project.

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

9.1.4 **Jetty Road Glenelg Power Outages**

Councillor Patton asked a question as to whether a generator can be sourced and utilised for the purpose of providing power during Jetty Road Glenelg Power Outages.

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

9.2 **With Notice - Nil**

10. MEMBER'S ACTIVITY REPORTS

10.1 **Acting Mayor's Activity Report for July – September 2018** (Report No: 338/18)

Presented for the information of Members is the Activity Report for the Acting Mayor for July – September 2018.

Motion

C091018/1295

That the Acting Mayor's Activity Report for July – September 2018 be received and noted.

Moved Councillor Lonie, Seconded Councillor Clancy

Carried

10.2 **Members' Activity Report** (Report No: 341/18)

These activity reports are presented for the information of Members.

After noting the report any items of interest can be discussed, if required with the leave of the meeting.

Motion

C091018/1296

That the following activity report from Councillor Bradshaw be noted.

Moved Councillor Lonie, Seconded Councillor Yates

Carried

11. MOTIONS ON NOTICE - Nil

12. ADJOURNED MATTER - Nil

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

13.1 **Minutes – Southern Region Waste Resource Authority Board Meeting and Annual General Meeting – 17 September 2018** (Report No: 335/18)

The minutes of the Southern Region Waste Resource Authority (SRWRA) Board Meeting and Annual General Meeting held on 17 September 2018 are attached and presented for Council's information.

Motion**C091018/1297**

That the minutes of the Southern Region Waste Resource Authority Board Meeting and Annual General Meeting held on 17 September 2018 be noted by Council.

Moved Councillor Yates, Seconded Councillor Smedley

Carried

13.2 **Draft Minutes – Alwyndor Management Committee – 18 September 2018**
(Report No: 336/18)

The draft minutes of the Alwyndor Management Committee meeting held on 18 September 2018 are provided for information.

Motion**C091018/1298**

1. **That the draft minutes of the Alwyndor Management Committee meeting held on 18 September 2018 be noted.**
2. **That having considered Attachment 2 to Report No: 336/18 Minutes – Alwyndor Management Committee – 18 September 2018 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 be 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**14. REPORTS BY OFFICERS**

14.1 **Items in Brief** (Report No: 340/18)

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**C091018/1299**

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

1. **Christchurch Adelaide Sister City Committee Seeking Donation for Artwork**

Moved Councillor Lonie, Seconded Councillor Yates

Carried

14.2 **Election of Representatives for Greater Adelaide Regional Organisation of Councils (GAROC) (Report No: 337/18)**

Conflict of Interest

Councillor Bouchee declared a perceived conflict of interest for item 14.2, Election of representatives for Greater Adelaide Regional Organisation of Councils (GAROC) (Report No:337/18). The nature of her perceived conflict of interest (Pursuant to Section 74 of the Local Government Act 1999) was that she is a nominee for GAROC.

Councillor Bouchee dealt with the perceived conflict of interest by making it known to the chamber and leaving the chamber.

Councillor Bouchee left the chamber at 7.42pm

At the Council Meeting on 14 August 2018, a report was presented in relation to nominations sought for representation on GAROC. The City of Holdfast Bay resolved to nominate Councillor Bouchee as a representative on GAROC.

At the close of nominations, the LGA received thirteen nominations for eight positions on GAROC.

In accordance with Clause 4.4.4 of the GAROC Terms of Reference the Local Government Association (LGA) must now conduct and Election for GAROC Representatives and are requesting Councils to cast their vote for eight preferred candidates.

Council are required to select and provide their eight preferred candidates to the LGA by no later than Thursday 18 October 2018. This must be done by way of ballot paper marked and returned by the Presiding Member of Council.

Motion

C091018/1300

That Council nominates the following candidates as their eight preferred candidates:

1. **BOUCHEE, Rosalina Marie (Mikki)**
2. **O'LOUGHLIN, David**
3. **REDMAN, Karen**
4. **WISDOM, Jan-Claire**
5. **ALDRIDGE, Gillian**
6. **PIGGOT, Grant**
7. **MEX, Christel**
8. **MANGOS, Arthur**

Moved Councillor Lonie, Seconded Councillor Donaldson

Carried

Councillor Bouchee re-joined the chamber at 7.51pm

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS – Nil

16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING**Leave of the Meeting**

Her Worship the Acting Mayor sought leave of the meeting to allow Councillor Smedley to raise and item of Urgent Business.

Leave of the meeting was granted.

16.1 Deed of Agreement – Olli Bus Trail**Motion****C091018/1301****Exclusion of the Public – Section 90(3)(h) Order**

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 in confidence a Deed of Arrangement related to the Olli Bus Trial.
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 on a Deed of Arrangement related to the Olli Bus Trial on the following grounds:
 - h. pursuant to section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Item includes legal advice from the Crown Solicitor.
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 Smedley, Seconded Councillor Yates

Carried**Motion****C091018/1303****RETAIN IN CONFIDENCE - Section 91(7) Order**

1. That having considered attached report and Deed in confidence under section 90(2) and (3)(h) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachments and minutes be retained in confidence for a period of up to 18 months and the Chief Executive Officer be authorised to released:
 - Part 1 of motion once the documents are signed and
 - All the Documents when the trial has been completed

and that this order be reviewed every 12 months.

Moved Councillor Lonie, Seconded Councillor Aust

Carried

17. ITEMS IN CONFIDENCE

17.1 Buffalo Site Development (Report No: 339/18)

Motion

C091018/1304

Exclusion of the Public – Section 90(3)(b, d & h) Order

- 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: 339/18 Buffalo Site Development 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: 339/18 Buffalo Site Development 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**
 - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.**

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.
 - h. pursuant to section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal advice which has been provided by Mellor Olsson on instructions from the Council.**

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 Aust, Seconded Councillor Lonie

Carried

Motion

RETAIN IN CONFIDENCE - Section 91(7) Order

C091018/1306

1. **That having considered Agenda Item: 17.1 Report No: 339/18 Buffalo Site Development in confidence under section 90(2) and (3)(b, d & h) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that Report No: 339/18 Buffalo Site Development, attachments and minutes be retained in confidence for a period of 12 months or earlier if possible.**

Councillor Donaldson left the Chamber at 8.37pm

Councillor Donaldson re-entered the Chamber at 8.39pm

Councillor Patton left the chamber at 8.47pm

Councillor Patton re-entered the chamber at 8.49pm

Moved Councillor Lonie, Seconded Councillor Clancy

Carried

CLOSURE

The Meeting closed at 9.00 pm.

CONFIRMED Tuesday 23 October 2018

ACTING MAYOR