

CITY OF HOLDFAST BAY

Minutes of the Ordinary Meeting of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg, on Tuesday 13 July 2010 at 7:05pm.

PRESENT

His Worship the Mayor	A K Rollond
Deputy Mayor	R A Clancy
Councillor	R D Beh
Councillor	R M Bouchée
Councillor	P N Crutchett
Councillor	L R Fisk
Councillor	J D Huckstepp
Councillor	S C Lonie
Councillor	T D Looker
Chief Executive Officer	J P Lynch
General Manager City Assets	S G Hodge
General Manager City Services	R A Thomas
General Manager Corporate Services	I S Walker

1. Opening

His Worship the Mayor declared the meeting open at 7:05pm.

2. Kurna Acknowledgement

With the opening of the meeting His Worship the 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

His Worship the Mayor requested all present to pray and read the following Prayer:

Heavenly Father, we pray for your presence and guidance at our Council Meeting.

Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.

4. Apologies

- | | |
|------------------------|---|
| 4.1 Apologies Received | Councillor J L Deakin, Councillor P D H Heysen, Councillor van Camp and Councillor A C Norton |
| 4.2 Absent | Nil |

5. Items Presented to Council

5.1 Trophy in Recognition of Council's Contribution to Surf Life Saving

His Worship the Mayor presented to Council a trophy from Surf Life Saving SA in recognition of Council's contribution.

6. Declaration of Interest

Members were reminded to declare their interest before each item.

7. Confirmation of Minutes

C130710/938

Councillor Clancy moved and Councillor Looker seconded that the minutes of the Ordinary Meeting of Council held on 22 June 2010 be taken as read and confirmed.

CARRIED**8. Questions by Members**

8.1 Without Notice

8.1.1 Car Parking Requirements for Developments

Councillor Bouchée asked if, when granting planning consent, the seating area on the balcony is considered.

The General Manager City Services, Ms R Thomas provided a response.

Councillor Bouchée asked whether planning assessments incorporate the amount of car parking required for seating on balconies and when schools/retail outlets expand their operations resulting in an increase in parking demand, how this is dealt with by Planning.

The General Manager City Services, Ms R Thomas provided a response.

8.2 With Notice

8.2.1 Street Tree Strategy - Arterial Roads

At the meeting of Council on 8 June 2010 Councillor Looker asked a question regarding the plans for street tree planting along Oaklands and Diagonal Roads.

The General Manager City Assets, Mr S Hodge's response.

Council's Street Tree Strategy recognises that several main roads function as arterial roads, managed by the Department for Transport, Energy and Infrastructure (DTEI). These roads also include high tension powerlines which is relevant in determining appropriate street tree species and planting locations.

Tree Planting in Median Strips

DTEI has advised that their "Trees in Medians in Urban Environments" policy which has been in place for the past 3-5 years is now being more rigorously applied due to recent fatalities. This policy specifies a minimum clearance width from the tree to the travelling lane, and a

trunk diameter of less than 100mm (noting that this width precludes most or all tree species).

In response to representations from Council approximately 10 years ago, DTEI permitted the planting of *Eucalyptus maculata* trees in the median strip of Brighton Road. These plantings now do not comply with DTEI policy. Due to two recent fatalities from vehicles and median trees in the Adelaide metropolitan area, DTEI has strengthened their position on the planting of trees in median strips.

They have now indicated that although existing plantings on Brighton Road would be unlikely to be removed, as long as minimum clearance heights for traffic via formative pruning are maintained, no further plantings of any tree species would be permitted.

DTEI has also indicated that future consideration will need to be given to the installation of barriers to protect motorists from the current trees in the Brighton Road median strip, although these are also recognised as hazards for the sole purpose of preventing a vehicle from encountering a more severe hazard, i.e. a tree.

“Local Governments repeatedly seek tree plantings in existing medians...” “Road safety should not be compromised by the need to satisfy community expectations and improve the aesthetics of the road environment.” “Analysis of crash statistics and probabilities indicates that there is a greater likelihood of a hit fixed object crash occurring in a median than a cross-median crash, resulting in an overall increased casualty due to the presence of trees in medians.” “Trees or other vegetation which, when fully mature are likely to have a trunk diameter of 100mm or greater shall not be planted in medians.” (Trees in Medians in Urban Environments”, DTEI)

In regards to Oaklands and Diagonal Roads, DTEI has advised that the narrowness of the median strips in these two roads, would not meet the traffic clearance requirements, and exemptions would be unlikely due to the recent fatalities.

Oaklands Road, Somerton Park

There are mixed plantings of *Metrosideros*, *Callistemon*, Queensland Box and *Jacarandas* on this street, all of which are in good condition. The Street Tree Strategy does not specify a species for Oaklands Road, which is to be decided in consultation with DTEI. Administration has commenced trial plantings of *Banksia integrifolia* on the north side; and intends to plant *Callistemon Harkness* on the south side under the powerlines as a compliant ETSA species. DTEI is in agreement with these two species as suitable species' for road side planting, taking into account tree density and vehicle impact.

Administration has conducted an audit which identifies that there is space for up to five (5) street trees plantings on the north side of Oaklands Road, and sixteen (16) on the south side. Given the fully paved and compacted nature of this verge, any future plantings would require excavation, aeration of the soil, installation of root director, and grate to protect the root zone from pedestrian and wheeled traffic. The cost for each tree with this treatment would be \$750, resulting in a total cost of \$15,750 for 21 trees.

If a substantial tree guard were also installed on this major entry road into the City of Holdfast Bay, the cost per tree would be \$1600. Therefore, \$33,600 for the 21 trees.

Diagonal Road, Somerton Park

On the west side of this road, the Street Tree Strategy currently specifies *Jacaranda mimosifolia*, recognising the difficulties from high tension powerlines on the west side, and with limited space available for plantings between Moore Street and Oaklands Road.

An audit indicates that there is space for up to ten (10) street tree plantings on the west side under the powerlines. Again, any plantings in this fully paved and compacted area would require excavation, root director, and root zone protection grate. Total cost of \$7,500 for 10 trees. Alternatively, with substantial tree guards, the cost would be \$16,000.

9. Member's Activity Reports Nil

10. Public Presentations

10.1 Petitions Nil

10.2 Presentations Nil

10.3 Deputations Nil

11. Motions on Notice

11.1 Southern Expressway

In accordance with his notice:

Councillor Looker moved and Councillor Huckstepp seconded that the Chief Executive Officer write to the Minister of Transport Energy and Infrastructure, with a copy to the City of Marion, requesting consideration be given to including an entrance/exit to enable direct access from the Southern Expressway to Diagonal Road.

LOST

Background

This is worth exploring as such an entrance/exit would improve access to the southern areas from Marion and Glenelg. This may help traffic issues on Brighton road but also enable an easier connection between the south coast, southern vales and Fleurieu peninsula tourism areas and the Marion, Glenelg shopping and tourism precincts.

11.2 Under Sink Hot Water Service – Mayor's Parlour

In accordance with his notice:

Councillor Looker moved and Councillor Bouchée seconded that the electric hot water system under the sink in the Mayor's parlour be turned off unless required for a function and that administration, as a priority, actively seeks out and fixes other obvious wasteful instances of power use.

CARRIED

Background

C130710/939

Under the sink in the Mayor's parlour is a small 20 litre hot water service using 3.6 kw. If the "on cycle" to maintain the temperature is 15% then this unit alone would use 6570kw hours in a year at a cost of \$1051.20 and producing (using industry accepted equations provided by Origin Energy) 6.85 tonnes of CO2 gas. This unit is rarely used so switching it off would result in a significant saving in both money and production of greenhouse gas for no inconvenience to anyone.

Around the Council there must be many instances where simply switching off a device would result in reduction of consumption and emissions. There may also be other simple thing we could do in the routine course of our activities that would help minimise our environmental impact that collectively would add up to a significant reductions. For instance why does empty the Bay Discovery centre need to be floodlit during council meetings or why don't any windows open in the civic centre to allow the estimated 7 to 10 kwh air-conditioner to be turned off for at least part of the year? We have gone to the community with an extra charge for a HEAT fund and need to clearly show we have done all we can to reduce what we use now.

11.3 Letter of Congratulations to the Prime Minister of Australia, The Hon Julia Gillard MP

In accordance with her notice

C130710/940

Councillor Bouchée moved and Councillor Fisk seconded that the Chief Executive Officer and Mayor send a letter of best wishes and congratulations to the Prime Minister of Australia, The Hon Julia Gillard MP.

CARRIED

Councillor Looker moved that this matter be adjourned until after the upcoming federal election.

LAPSED FOR WANT OF A SECONDER

Background

South Australia has a unique and proud history of the progress and inclusion of women's role within our political society.

1895 South Australia was the first Australian Colony to grant women the vote and the first place in the world to allow women to stand for Parliament.

1919 Mrs Susan Benny was the first women to enter Local Government (Brighton) in Australia.

2007 South Australian raised Ms Julia Gillard, appointed Deputy Prime – Minister of Australia

2008 The then Deputy Prime Minister accepted this City's invitation to attend the 172nd Proclamation Day Ceremony at the Old Gum Tree.

11.4 Multi-storey Car Park to Service the Jetty Road, Glenelg Precinct

In accordance with his notice:

C130710/941

Councillor Crutchett moved and Councillor Bouchée seconded

1. That Administration prepares a standard letter that can be sent to companies/individuals who express an interest in working with Council

or acquiring Council assets following the below motion:

“C080610/892, that Council investigates within the strategic property review the construction of a council owned, or joint council/private owned multi-storey car park to service the Jetty Road precinct at Glenelg, with the aim to begin construction within a reasonable, appropriate time frame.”

The letter to include the following important points:

- Council owned car parks in the Jetty Road, Glenelg area are on the City of Holdfast Bay Community land register. The land cannot be removed from the register without community consultation and the permission of the Minister for Local Government.
 - Any proposal that includes these sites will require open community consultation for all options.
 - The car park sites are managed under the Community Land Business Facility Management Plan (copy available on the web).
 - Council will develop an existing and future car parking demand curve both for shoppers/visitors and employees in the area during the review.
 - There are commercial car parks operating in the area and council will need to consider legal obligations under competition and consumer law.
 - Any costs associated with developing a proposal by a proponent will be at the proponent’s risk.
 - Advise that if council offers ‘in principle support’ to a project or activity, the decision is not Council’s final decision, and does not commit Council to ultimately proceeding with the project or activity.
 - Any proposal that includes additional residential or commercial leasable area will be required to provide sufficient car parking to meet the requirements specified in the development plan and achieve the increased demand identified in the demand curve.
2. That the listing of the Property and Control of Jetty Road, circulated by Councillor Crutchett, be updated.

CARRIED

Background

Council has about \$10 million worth of land suitable for car parking development around Jetty Road Glenelg and about \$2.5 million in the parking fund. The motion is bound to generate some interest among developers and property investors to get in on any development opportunities.

Below is the existing comparison with our nearest competitors.

Current Parking Comparism

Area	Approx. Leasable m ²	Number of Car Parks	Approximate Walking Length of Shops
Jetty Road, Glenelg	27,000	3,000	830 metres
Marion	132,000	5,509	1,580 metres Marion has 2 levels of 790m
Harbour Town Adelaide	20,000	1,050	650 metres

I anticipate a lot of interest will be generated in how Council will achieve the desired outcome from the Strategic Property Review and this motion will give confidence to the community and developers that all opportunities will be explored.

11.5 Centenary of Anzac Day Celebrations

In accordance with his notice:

Councillor Clancy left the chamber at 7:44pm.

Councillor Clancy rejoined the chamber at 7:45pm.

C130710/942

Councillor Crutchett moved and Councillor Huckstepp seconded that Administration prepare a submission in conjunction with the relevant council stakeholders on how Council would like to celebration the centenary of Anzac Day.

CARRIED

Background

I understand the federal government has called for submission for the celebration of the centenary of Anzac Day.

Glenelg played an important role in preparing the troops for departure and also played an important role in celebrating the return of many of the Soldiers. Glenelg also played an important role in the rehabilitation of the wounded.

I understand submission closes in September 2010. I have passed onto the history centre some of my research on Glenelg's role in the Anzac tradition. Anzac Highway is also an important reminder of the contribution and sacrifices our troops made.

11.6 Future Car Parking Development Models

In accordance with her notice:

C130710/943

Councillor Bouchée moved and Councillor Fisk seconded:

1. **That where the Council of Holdfast Bay decides it will consider participating in any proposal from the private sector for future public car parking provision this will only be in the form of Public Private Partnerships (PPP) and the Holdfast Bay Council contribution to the partnership will be the land which will form part of a Build Own Operate and Transfer (BOOT) scheme. This enables the development to be undertaken off-budget.**
2. **That the development will be undertaken by the private sector on Council owned land, and then operated by the private sector for an agreed contract time (recovering both the capital cost and the appropriate profit margin) and then the entire asset is returned to Council at the end of the contract period, to be owned, operated and managed by the Council for the community.**

LOST

A division was called.

Voted For	Voted Against
R D Beh	R A Clancy
R M Bouchée	P N Crutchett
L R Fisk	J D Huckstepp
	S C Lonie
	T D Looker

HIS WORSHIP THE MAYOR DECLARED THE MOTION LOST**Background**

This structure enables the development of critical infrastructure with the appropriate allocation of risk and reward (generally the risk borne by the private sector and the private sector reaps the profit reward) but the asset is returned to Council to form part of the ongoing critical social infrastructure which Council then manages for the community. The normal period of a BOOT scheme is determined by the probable profit margins and the identifiable risks. On physical (hard) infrastructure (in comparison with soft infrastructure such as the provision of library services or, tourism services, instead of the building from which these are provided) is determined by the cost recovery period and the periodicity of borrowings. The period of a BOOT scheme is generally between 20 and 30 years or up to three borrowing cycles (generally between 7-10 years each in Australia).

The Commonwealth and SA Governments have extensive documentation on how these schemes work and model provisions that the Council can draw upon in the preparation of a document on which expressions of interest (EOI) could be sought to ensure that the Council selects the partnership that is most advantageous to its interest. This must be oversighted by an independent probity auditor. The EOI process, and oversight, also ensures that there is no potential for the Council to be accused of corrupt dealings with a single preferred party that does not provide maximum benefit to the City of Holdfast Bay. This must be protected by a closed cry (confidential) tender process.

Where there is no Expression of Interest submitted that clearly maximises the ongoing benefit to the Council, the Council may choose to abort the EOI process and undertake the development entirely by itself, without any private sector partnership, or not proceed with any development.

COUNCIL

13.07.2010

The proposed PPP and BOOT processes, preceded by a formal EOI, will ensure that Councillors will transparently comply with their obligations under the provisions of the Local Government Act 1999, Section 59(1)(a)(iii), and that the dealings with any private sector partner are properly at arms length.

12. Adjourned Matters

12.1 Adjourned Item – [183/10] Options for Dealing with the Processing of Encroachment Applications (Report No: 326/10)

Council at its meeting held on 8 June 2010 resolved to adjourn consideration of Report No: 183/10 until its meeting to be held on 13 July 2010, and sought further information as to the determination of the proposed fee structure.

The matter is now presented for further consideration.

Councillor Bouchée left the chamber at 8:00pm.

Councillor Bouchée rejoined the chamber at 8:01pm

C130710/944

Councillor Crutchett moved and Councillor Fisk seconded:

- 1. That the report be received and the adjourned item [Report No:183/10] Options for Dealing with the Processing of Encroachment Applications be reconsidered.**
- 2. Council endorses the options provided in Attachment 2 of Report No. 183/10 to form the basis for amendments to the Encroachments Policy.**
- 3. A draft Encroachments Policy be prepared to include the options outlined in Attachment 2 and be provided to Council for future consideration along with further consideration of delegations.**

CARRIED

12.2 Adjourned Item – [144/10] – Marymount College – New Recycling Shed (Report No: 328/10)

At its meeting held on 23 March 2010 Council's Economic and Corporate Committee resolved to adjourn consideration of Report Number 144/10, and sought further information for the Committee's consideration.

Because of the recent changes to Council's standing committees the matter is now presented to Council for further consideration.

Councillor Beh moved and Councillor Looker seconded:

- 1. That the report be received and the adjourned item [Report No: 144/10] Marymount College – New Recycling Shed be reconsidered.**
- 2. That Council provides its consent as landlord (subject to any necessary Development Act consents), to the College's proposal to erect a new colorbond shed at the southern end of the existing groundsman's shed on Council land on Mawson Oval.**
- 3. That Marymount be advised in writing that they remain liable for any maintenance associated with the proposed works and that they will be required to rectify any damage to the premises that may occur as a result of the installation, placement or removal of such infrastructure.**

LOST

A division was called.

Voted For	Voted Against
R M Bouchée	R D Beh
T D Looker	R A Clancy
	P N Crutchett
	L R Fisk
	J D Huckstepp
	S C Lonie

HIS WORSHIP THE MAYOR DECLARED THE MOTION LOST

13. Reports of Management Committees, Subsidiaries and the Development Assessment Panel

13.1 Minutes – Glenelg Community Centre Property Advisory Committee, 7 June 2010 (Report No: 329/10)

The Glenelg Community Centre Property Advisory Committee was established to manage the Glenelg Community Centre.

The minutes of this committee held 7 June 2010 are attached and submitted to Council for information and endorsement.

C130710/945

Councillor Looker moved and Councillor Clancy seconded that the minutes of the Glenelg Community Centre Property Management Committee meeting held 7 June 2010 be received and noted.

CARRIED

13.2 Information Report – Southern Region Waste Resource Authority 7 June 2010 (Report No: 330/10)

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the “constituent councils”), pursuant to Section 43 of the Local Government Act, 1999.

Under its charter, SRWRA is responsible for providing and operating waste management services on behalf of the constituent councils and ensuring that a long term waste management strategy exists in the southern region of Adelaide.

Pursuant to its charter all agendas, reports and minutes remain confidential, unless the Board resolves that the document is to be available to the public. Presented for the information of Elected Members’ is the information which the SRWRA Board has released from its meeting held on 7 June 2010.

C130710/946

Councillor Clancy moved and Councillor Lonie seconded that information report of the Southern Region Waste Resource Authority for its meeting held 7 June 2010 be received and noted.

CARRIED

14. Reports by Officers

14.1 Items in Brief (Report No: 331/10)

Report No: 331/10 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

C130710/947

Councillor Looker moved and Councillor Fisk seconded that the report be noted and items of interest be discussed.

CARRIED

14.2 Alwyndor	Nil
14.3 Civic	Nil
14.4 Corporate Development	Nil
14.5 Encroachments	Nil
14.6 Finance	

14.6.1 Glenelg Football Club Right of Entry (Report No: 332/10)

In July 2008, Council adjourned consideration of the grant of a right of entry to ANZ Bank in relation to the premises leased to Glenelg Football Club. Since then, Council has successfully negotiated a range of agreements to preserve, protect and strengthen its rights and interests in relation to the lease and loan agreement with the Club

Councillor Bouchée moved and Councillor Huckstepp seconded that His Worship the Mayor and the Chief Executive Officer be authorised to sign and seal the an agreement between Council, Glenelg Football Club ('the Club'), Glenelg Footballers Club ('Footballers Club') and Australian and New Zealand Banking Group Ltd ('ANZ') under which Council grants a right to ANZ to enter premises leased by Council to the Club and Footballers Club and that all confidential items relating to this matter be released from confidence.

AMENDMENT

C130710/948

Councillor Crutchett moved and Councillor Fisk seconded:

- 1. that His Worship the Mayor and the Chief Executive Officer be authorised to sign and seal the an agreement between Council, Glenelg Football Club ('the Club'), Glenelg Footballers Club ('Footballers Club') and Australian and New Zealand Banking Group Ltd ('ANZ') under which Council grants a right to ANZ to enter premises leased by Council to the Club and Footballers Club.**
- 2. that council be provided annually with an assets register by the Glenelg Football Club.**
- 3. that all confidential items relating to this matter be released from confidence.**

THE AMENDMENT ON BEING PUT WAS CARRIED

THE MOTION, AS AMENDED, ON BEING PUT WAS CARRIED

14.7 Governance

14.7.1 Review of Council Policies – City Services (Report No: 333/10)

As part of its on-going review of Council policies, eight policies managed by the City Services Department have been considered by the Policy Review Working Party, and six of the those policies are now presented to Council for

endorsement. Two policies, Social Development and Youth, have not been reviewed and it is recommended that they be held over until the new Manager Community Engagement has an opportunity to consider these policies.

C130710/949

Councillor Looker moved and Councillor Fisk seconded that:

- 1. The following policies, as amended, be adopted by Council:**
 - a. Building Inspection Policy**
 - b. Development Application Policy**
 - c. Fireworks Displays Policy**
 - d. Heritage Conservation and Incentives Policy**
 - e. Public Art Policy**
 - f. Use of Foreshore and Reserve Areas Policy**
- 2. The two policies, Social Development and Youth are held in abeyance until the new Manager Community Engagement has had an opportunity to review them.**

CARRIED

14.7.2 Caretaker Policy Guidelines for Elected Members and Employees
(Report No: 334/10)

Following the endorsement of the revised Caretaker Policy at the Council Meeting held 22 June 2010 and the concerns raised by Elected Members at the meeting regarding Council's activities during this period, in particular those concerning attendance at events and functions during this period, Administration has prepared guidelines for council's consideration and endorsement.

These guidelines provide guidance on the appropriate behaviour of Elected Members and Employees during the caretaker period, 7 September 2010 until the declaration of election results in November 2010. They are intended to provide reassurance to the public that Council resources, in any form, will not be used for election campaigning.

C130710/950

Councillor Fisk moved and Councillor Lonie seconded:

- 1. That Council endorses the Caretaker Policy Guidelines for Elected Members and Employees as presented at Attachment 1.**
- 2. That the Mayor, and other Elected Members, continue to attend scheduled external events, and essential Council events, including citizenship ceremonies, during the Caretaker Period, noting a restriction on giving speeches or keynote addresses.**

CARRIED

14.8 Property Nil

14.9 Regulatory Nil

14.10 Other Matters

14.10.1 Final Annual Report – Glenelg Community Centre Property Advisory Centre (Report No: 313/10)

Council provides funds within its recurrent budget to support the Glenelg Community Centre Advisory Committee with its management role of the Glenelg Community Centre for the benefit of members of the local community.

The purpose of this report is to review the 2009/2010 financial year operations of the Advisory Committee of the Glenelg Community Centre.

C130710/951

Councillor Fisk moved and Councillor Looker seconded:

1. **That the report of the 2009/2010 financial year operations of the Glenelg Community Centre Advisory Committee be received and the Committee be commended for its work and results over the last twelve (12) months.**
2. **That the Council note that this will be the final Annual Report of this Committee, having resolved to be voluntary phased out in accordance with Council Resolution C230310/773.**

CARRIED

15. Resolutions subject to formal motions

Presented for the information of Members is a listing of resolutions subject to formal resolutions to adjourn or lay on the table items of Council business, for the current term of Council.

16. Urgent Business – Subject to the Leave of the Meeting

16.1 Wake Wars

C130710/952

Councillor Fisk moved and Councillor Looker seconded that the Wake Wars event no longer be allowed to be held on the Patawalonga in Glenelg North.

CARRIED

16.2 Consideration of Items in Confidence

C130710/953

Councillor Clancy moved and Councillor Bouchée seconded:

1. **That Council moves consideration of the Confidential Report No: 335/10, Tourist Information Building Update and Confidential Report No: 336/10 King Street Replacement Bridge Design Options to the Community and Visitors Committee, in order for it to be discussed at the end of the meeting and so minimise inconvenience to any members of the public.**
2. **For the purposes of resolving the matters considered by the Confidential Report No: 335/10 and Confidential Report No: 336/10 Council delegates the Community and Visitors Committee with the power to make a decision in the matters canvassed by the report.**

CARRIED

17. Closure

The Meeting closed at 8:25pm.

CONFIRMED Tuesday 27 July 2010

MAYOR