

## CITY OF HOLDFAST BAY

**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 26 October 2010 at 7:03pm.**

### PRESENT

His Worship the Mayor	A K Rollond
Deputy Mayor	R A Clancy
Councillor	R D Beh – 7:04pm
Councillor	R M Bouchée
Councillor	P N Crutchett
Councillor	J L Deakin
Councillor	L R Fisk
Councillor	P D H Heysen
Councillor	J D Huckstepp – 7:04pm
Councillor	T D Looker
Councillor	S C Lonie – 7:04pm
Councillor	A C Norton
Councillor	L van Camp
Chief Executive Officer	J P Lynch
General Manager City Assets	S G Hodge
Acting General Manager City Services	P E Aukett
General Manager Corporate Services	I S Walker

### 1. Opening

His Worship the Mayor declared the meeting open at 7:03pm.

### 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 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**

C261010/1027

**Councillor Clancy moved and Councillor Heysen seconded that the minutes of the Ordinary Meeting of Council held on 12 October 2010 be taken as read and confirmed.**

**CARRIED**

**8. Questions by Members**

8.1 Without Notice

**Councillors Beh, Huckstepp and Lonie joined the chamber at 7:04pm.**

8.1.1 Development Assessment Panel – Cooling Towers

**Councillor Clancy declared an interest in the matter, due to her membership of the Development Assessment Panel and left the chamber at 7:07pm.**

Councillor Bouchée asked a further question regarding the Cooling Towers and the relevance of precedence on the Development Plan.

**The Chief Executive Officer, Mr J Lynch took the question on notice.**

Councillor Crutchett asked which Category the Development was.

**His Worship the Mayor provided a response.**

**Councillor Clancy rejoined the Chamber at 7:11pm.**

8.1.2 Historic Conservation Areas

Councillor Bouchée asked a question regarding development in the Historic Conservation areas in the Somerton Ward and if any other Councils have development plans which stipulate historic character in new developments.

**The Chief Executive Officer, Mr J Lynch took the question on notice.**

8.1.3 Volunteers Policy

Councillor Crutchett asked a question regarding the classification of Elected Members under Council's Volunteer Policy.

**The Acting General Manager City Services, Ms T Aukett provided a response.**

Councillor Crutchett asked that the Chief Executive Officer investigate the human resource management practices of the volunteer program following concerned volunteers approaching him.

**The Chief Executive Officer, Mr J Lynch took the question on notice.**

Councillor Huckstepp commented that he had also received complaints from volunteers regarding the questionnaire provided to them.

**8.2 With Notice**

**8.2.1 Development Assessment Panel Minutes – Cooling Tower**

At the Council Meeting held 12 October 2010, Councillor Bouchée asked the following questions which were taken on notice. An answer is provided below.

1. Councillor Bouchée asked a question regarding the proposed 12 metre cooling tower on The Esplanade which was deferred by Council's Development Assessment Panel.
2. Councillor Bouchée asked if Council was being caught unprepared by matters like the cooling tower. Is the Council Development Plan policy sufficient to deal with these types of developments.

**The General Manager City Services, Ms R Thomas's response.**

**Unfortunately, the City of Holdfast Bay Development Plan, whilst comprehensive, neither anticipates nor makes provision for every conceivable form of development. As such, unusual and unique development applications such as the 12-metre high cooling tower proposed at 123 Esplanade, Brighton has no specific reference in Council's Development Plan from which to make an assessment. As a result, generic provisions are applied instead to form the basis of the assessment, which in isolation are not prescriptive or specific enough to be particularly useful.**

**The Development Plan is amended from time to time to cater for emerging development trends. For instance, provisions relating specifically to the installation of telecommunication towers are recent additions to metropolitan Development Plans, which were previously assessed against general provisions. It is anticipated that whilst development applications for cooling towers will never become so prevalent as to warrant their own provisions in Council Development Plans, provisions relating to the scale and form of environmental initiatives applied to domestic settings will invariably find their way into Development Plans. For instance, wind turbines, photovoltaic cells, and cooling towers are increasingly finding their way into suburbia. In response, the State Government may be compelled to introduce provisions through the Better Development Plan modules to address such installations. The City of Holdfast Bay could request that this occurs sooner rather than later.**

**9. Member's Activity Reports**

**9.1 Holdfast Bay Community Centre**

Councillor Looker reported that he had attended a meeting of the Holdfast bay Community Centre.

## 9.2 Neighbourhood Watch

Councillor Looker reported that he and Councillor Bouchée has attended a Neighbourhood Watch meeting.

## 10. Public Presentations

### 10.1 Petitions

#### 10.1.1 Speed Restrictions, Acacia Street, Seacliff

A petition has been received from 10 Residents of Acacia Street regarding the speed restrictions.

The petition states as follows:

*"We hereby give notice to ask to remove Speed Restrictions from Acacia Street as it is not workable."*

Attached for the information of Elected Members is the petition. Administration has verified that the number of signatures attached is 10.

**C261010/1028**

**Councillor Deakin moved and Councillor Lonie seconded:**

- 1. That the petition be received by Council.**
- 2. That Council undertakes a residential survey of Acacia Street, Wheatland Street to Pine Avenue to ascertain the wishes of the residents.**
- 3. That if the majority of the residents request the removal of the traffic control devices, then Administration undertake the removal as soon as practically possible.**
- 4. That the head petitioner be advised of Council's decision.**

**CARRIED**

### **The General Manager City Assets, Mr Steve Hodge Comments**

**For a considerable period of time in 2007-2008 Council received correspondence from residents of Acacia Street, Seacliff, requesting the installation of Traffic Control Devices in Acacia Street between Wheatland Street and Pine Avenue. Council resolved to install traffic control devices in Acacia Street between Wheatland Street and Maitland Terrace on a trial basis. These devices were installed early in 2009 following agreement between the residents and Council.**

**If a survey of the affected residents results in the majority of residents requesting the removal of the traffic control devices then Administration believes that the devices should be removed and plans for any further installations in Acacia Street, Seacliff, be abandoned.**

10.2 Presentations Nil

10.3 Deputations Nil

## 11. Motions on Notice

### 11.1 Recognition of Tree Planting by Girl Guides in Kingston Crescent Gully in Seacliff

In accordance with his notice:

**C261010/1029**

**Councillor Crutchett moved and Councillor Huckstepp seconded as part of the celebration to commemorate 100 years of Girl Guides in Australia; Council Fund and install a suitable plaque/sign to commemorate 1972 efforts of the girl guides and their leaders in 1972 in planting tree in the barren Kingston Crescent Gully in Seacliff.**

**CARRIED**

### Background

I am sure guiding Australia can come up with suitable wording.

### Southwest Met Guides keep spirit alive

*20 Oct 10 @ 05:43am by Alice Monfries*



REUNITED: Former girl guide leaders Betty Pedley (left), Claire Donovan, Dorothy Siddal, Joan Pike, Marianne Sag and Mary Trott.

GIRL guides and their leaders in 1972 planted trees in the barren Kingston Cres gully in Seacliff.

Nearly 40 years on, 14 leaders of the group were reunited at the gully, which now is thick with greenery.

Former Southwest Met guides leader Mary Trott, 86, has watched from her Seacliff home, as the landscape has grown.

“I have photos of when it was barren, when the guides were planting, then the watering, when they grew to head height and then now as a forest,” she says.

The women, most of whom now are members of the Blue G’s Trefoil Guild - adult and former guides - met at 10am on the 10th day of the 10th month of 2010, to reaffirm their guide promise and celebrate 100 years of Girl Guides in Australia.

“It was lovely to meet again and renew our girl guide promise together,” Seacliff Park resident Joan Pike, 81, says.

“Our Trefoil meets monthly to help units and to keep the guiding spirit alive and our friendship going.”



Aerial Image of Kingston Crescent Gully, Seacliff

11.2 Precinct 6 – Coast Park Consultation and Design Project – North Brighton to Seacliff

In accordance with her notice:

**C261010/1030**

**Councillor Lonie moved and Councillor Deakin seconded that Council rescinds Part Two of Resolution SP240810/004:**

***“2. The final Draft Coast Park Concept Design proceed no further than the end of precinct 5 ending at the entrance to the Seacliff car park. Further, that precinct 6 be deferred and reconsidered in conjunction with precinct 7 when final agreements and decisions are made for the southern completion of the project.”***

**CARRIED**

And if successful she will move:

**C261010/1031**

**Councillor Lonie moved and Councillor Deakin seconded:**

- 1. That the final draft Coast Park Concept Design include Precinct 6, Option 1 – a proposed shared pathway in front of the Seacliff Yacht Club and Seacliff Surf Life Saving Club as recommended by the Community Reference Group.**
- 2. That Precinct 7 be deferred until after final negotiations with the Kaurua People and in relation the Kingston Caravan Park Masterplan and decisions are made for the southern completion of the project, .**

**CARRIED**

A division was called.

For	Against
R D Beh	P N Crutchett
R M Bouchée	P D H Heysen
R A Clancy	J D Huckstepp
J L Deakin	
L R Fisk	
T D Looker	
S C Lonie	
A C Norton	
L van Camp	

**HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED**

**AMENDMENT**

**Councillor Crutchett moved and Councillor Hesyen seconded:**

- 1. That we recommend to the new Council the final draft Coast Park Concept Design include Precinct 6, Option 1 – a proposed shared pathway in front of the Seacliff Yacht Club and Seacliff Surf Life Saving Club as recommended by the Community Reference Group.**
- 2. That Precinct 7 be deferred until after final arrangements and decisions are made for the southern completion of the project**

**LOST****Background**

I am aware that both the Seacliff and Brighton Sailing Club and the Seacliff Surf Life Saving Club are disappointed by Council deferring the decision in regards to Precinct 6. I believe they would support Council firstly reconsidering this decision, and then Council selecting the preferred option for Precinct 6, this being the proposal recommended by the Community Reference Group.

Consultation has occurred with the community and these clubs, I do not believe that seeking consultation to then defer a decision is necessarily a good precedent to set. I would move this occurs to give recognition to the consultation and feedback obtained, and so that both of clubs have certainty regarding Council's future coast park construction allowing them to proceed with improvements to their properties without jeopardising funds and plans.

As I believe the clubs are, aware that construction will not occur for some years, however certainty is what is being sought rather than imminent completion.

An earlier decision from Council will provide greater certainty for the future planning of both clubs with respect to beachside access and also with respect to the Brighton Caravan Park Masterplan which is required to consider the alignment of the pathway.

In addition to this benefit to both clubs and the caravan park planning, Option 1 is considered to be more in the spirit of the State Government's Coast Park Project, providing for a shared pathway along the coast rather than a pathway diverted to the rear of several buildings and car parking - and as such, will not put at jeopardy possible future funding support from the State when the time comes for construction.

**11.3 Rescission Motion – Section 270 Review – Holdfast Quays Marina Association**

His Worship the Mayor, granted Mr Chris Carter, President of the Holdfast Quays Marina Association permission to address Council briefly on this matter and distributed information to members.

**Councillor Fisk declared an interest in the matter, due to his interest in the Holdfast Quays Marina and left the chamber at 8:14pm.**

In accordance with her notice:

- C261010/1032** Councillor Clancy moved and Councillor Looker seconded:
1. That Council rescinds its resolution C121010/1017 to adjourn discussion about the general and separate rates applied to the Patawalonga Marina Berth Holders, and
  2. That Council also rescinds a second resolution C121010/1018 advising berth owners to pay their first quarter rates instalment; and
- CARRIED**
- If successful:
- C261010/1033** Councillor Clancy moved and Councillor Deakin seconded that Council reconsiders the adjourned item [Report No: 458/10] Section 270 Review – Holdfast Quays Marina Association.
- CARRIED**
- C261010/1034** Councillor Clancy moved and Councillor Deakin seconded that Council:
1. Notes the contents and findings of the independent report from Business and Risk Solutions which is attached to the adjourned item.
  2. Upholds the 2010/11 rates declarations in relation to the general rate and separate rate applying to the marina berths in the Patawalonga Basin.
- CARRIED**
- His Worship the Mayor determined that the meeting would benefit from a short term suspension of the proceedings under Regulation 21(8) of the *Local Government (Procedures at Meetings) Regulations 2000* to facilitate informal discussions regarding point 4 of the motion. The chamber agreed to the suspension at 8:19pm.
- Councillor van Camp left the chamber at 8:25pm.
- Councillor van Camp rejoined the chamber at 8:27pm.
- His Worship the Mayor closed the informal discussion at 8:34pm.
- C261010/1035** Councillor Looker moved that the Council move to the next item of business.
- LAPSED FOR WANT OF A SECONDER**
- C261010/1036** Councillor Deakin moved and Councillor Crutchett seconded that the general rate and the transitional arrangements remain unchanged.
- CARRIED**
- Councillor Norton left the chamber at 8:49pm.
- Councillor Norton rejoined the chamber at 8:51pm.
- C261010/1037** Councillor Deakin moved and Councillor Huckstepp seconded:
1. Separate rate consist of actual Operational costs (indexed), renewal costs less income from other sources eg rental on the dive shop and slipway.
  2. Implements a sustainable asset management plan for the Lock



**including a revised Operation and Maintenance contract to ensure more reliable and minimised life cycle cost projections including the involvement of Holdfast Quays Marina Association**

- 3. Any rebate in the separate rate is set by council when it sets the separate rate each year.**
- 4. That the Holdfast QMA be advised of Councils decision**

**CARRIED**

A division was called.

For	Against
R D Beh	
R M Bouchée	
R A Clancy	
P N Crutchett	
J L Deakin	
P D H Heysen	
J D Huckstepp	
T D Looker	
S C Lonie	
A C Norton	
L van Camp	

**HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED**

Councillor Crutchett requested that Administration write to berth holders informing them of Council's decision and ask that the rates be paid.

## **12. Adjourned Matters**

- 12.1 Adjourned Item – [458/10] Section 270 Review – Holdfast Quays Marina Association (490/10)

Council considered this item in conjunction with the Notice of Motion - 11.3 Rescission Motion – Section 270 Review – Holdfast Quays Marina Association

**Councillor Lonie left the chamber at 8:54pm**

**Councillor Beh left the chamber at 8:54pm.**

**Councillor Crutchett left the chamber at 8:54pm**

**Councillor Fisk rejoined the chamber at 8:54pm**

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

- 13.1 Minutes – Alwyndor Aged Care (Report No: 483/10)

The Alwyndor Aged Care Management Committee was established to manage the affairs of Alwyndor Aged Care Facility. The Council has endorsed the Committee's Terms of Reference and given the Committee delegated authority to manage the business of Alwyndor Aged Care Facility.

The Minutes of the Alwyndor Aged Care Management Committee for the meeting held on 21 September 2010 are attached.

The Alwyndor Aged Care Funds Statement as at 31 August 2010 is Comparison Budget is presented to Members information.

**C261010/1038**

**Councillor Clancy moved and Councillor Huckstepp seconded that the Minutes of the Alwyndor Aged Care Management Committee meeting held 21 September 2010 and the Funds Statement for August 2010 be received and noted by Council.**

**CARRIED**

13.2 Information Report – Southern Region Waste Resource Authority  
(Report No: 489/10)

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 11 October 2010.

**C261010/1039**

**Councillor Bouchée moved and Councillor Huckstepp seconded that information report of the Southern Region Waste Resource Authority for its meeting held 11 October 2010 be received and noted.**

**CARRIED**

#### **14. Reports by Officers**

14.1 Items in Brief (Report No: 485/10)

Report No: 485/10 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

**Councillor Crutchett rejoined the chamber at 8:56pm.**

**C261010/1040**

**Councillor Norton moved and Councillor Clancy 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 Monthly Financial Reports (Report No: 486/10)

This report provides Elected Members with financial reports as at 30 September 2010. It comprises a Funds Statement and a Capital Expenditure Statement for the year to date compared with the 2010/11 budget.

Council's year to date (YTD) operating surplus is \$47,000 higher than YTD budget due primarily to timing variances. Capital expenditure is \$309,000 lower than YTD budget mostly due to timing relating to weather and timing of invoices.

**Councillor Lonie rejoined the chamber at 8:57pm**

**Councillor Beh rejoined the chamber at 8:57pm.**

**C261010/1041**

**Councillor Clancy moved and Councillor Bouchée seconded that the financial reports to 30 September 2010 be received and noted.**

**CARRIED**

14.7 Governance	Nil
14.8 Property	Nil
14.9 Regulatory	Nil

14.10 Other Matters

14.10.1 Increase to Car Parking Fund Fee (Report No: 488/10)

At its meeting of 27 April 2010, Council resolved that the Administration seek professional advice with a view to increasing the contributions rate under the Glenelg Access strategy Reserve fund (previously known as the Holdfast Bay Car Parking Contributions Fund), and amend the relevant documents.

The professional advice determined that the 'value' of a car parking space, calculated using a consistent formula that reflects increased land values and park construction costs, has increased from the current \$19,250 to \$31,500.

Given the recent history of its application, the impact on planning outcomes, and possible disincentives for regeneration of the Jetty Road Glenelg precinct and its recent application history, this report nonetheless recommends retaining the current contribution rate.

**C261010/1042**

**Councillor Crutchett moved and Councillor Deakin seconded**

- 1. That the new car parking rate of \$31,500 per space under the Holdfast Bay Car Parking Contributions Fund be adopted.**
- 2. That the new rate adopted above be published in the South Australian Government Gazette pursuant to Section 50A(6) of the Development Act 1993 prior to taking effect.**
- 3. That Administration update Councils Car Parking policy code to reflect the revised car parking contribution rate once gazetted**

**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 Cooling Tower

**Councillor Clancy declared an interest in the matter, due to her membership of the Development Assessment Panel and left the chamber at 9:03pm.**

**C261010/1043**

**Councillor Norton moved and Councillor Bouchee seconded that council write to the DAP Presiding Member regarding the council's opposition to the 12m cooling towers and wish to be included as an adjoined party.**

**CARRIED**

**Councillor Clancy rejoined the chamber at 9:17pm.**

**17. Items in Confidence Nil**

**18. Closure**

The Meeting closed at 9:17pm.

**CONFIRMED Tuesday 9 November 2010**

**MAYOR**