

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 22 November 2011 at 7:02pm.

PRESENT

His Worship the Mayor	A K Rollond
Deputy Mayor	R A Clancy
Councillor	R M Bouchée
Councillor	P W Dixon
Councillor	K M Donaldson
Councillor	L R Fisk
Councillor	J D Huckstepp
Councillor	S C Lonie
Councillor	T D Looker
Councillor	S Patterson
Councillor	R C Patton
Councillor	A P Roe
Councillor	L J Yates
Chief Executive Officer	J P Lynch
General Manager Alwyndor Aged Care	G Potter
General Manager City Assets	S G Hodge
General Manager City Services	R A Cooper
General Manager Corporate Services	I S Walker

1. Opening

His Worship the Mayor declared the meeting open at 7.02pm.

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

C221111/335

Councillor Clancy moved and Councillor Huckstepp seconded that the minutes of the Ordinary Meeting of Council held on 8 November 2011 be taken as read and confirmed.

CARRIED

8. Questions by Members

8.1 Without Notice

8.1.1 Minda Materplan

Councillor Clancy asked a question regarding the Minda Masterplan which has commenced community consultation.

The Chief Executive Officer, Mr J Lynch provided a response.

Councillor Bouchée asked if the Masterplan showed development on the Jack Fox Oval site and would remediation be required as this historically known as a dump site.

The Chief Executive Officer, Mr J Lynch provided a response.

8.2 With Notice

8.2.1 Mayoral Activity Reports

In accordance with his notice, Councillor Looker asked the following question.

Would the Mayor please provide the written Mayoral activity reports for the past 3 months.

The Chief Executive Officer, Mr J Lynch's answer.

A Mayoral Activity Report is being prepared for presentation to the December Council meeting covering the period 1 July to 30 November 2011.

9. Member's Activity Reports

9.1 Activity Report - Murray Darling Association Annual General Meeting

C221111/336

Councillor Looker moved and Councillor Donaldson seconded that the report be received.

CARRIED

9.2 Holdfast Bay Community Centre

Councillor Donaldson reported that she had attended a Holdfast Bay Community Centre meeting on Tuesday 15 November 2011.

9.3 Glenelg Brass Band

Councillor Bouchée reported that she attended Glenelg Brass Band meeting.

10. Public Presentations

10.1 Petitions Nil

10.2 Presentations

10.2.1 Benefit of the Arts to the Community

Ms Trish Hansen, Manager Public Art and Design at Country Arts SA will made a five minute presentation to Council on the benefits of the Arts to the Community.

10.3 Deputations Nil

11. Motions on Notice

11.1 Improved Control of Dogs

In accordance with his notice:

Councillor Looker moved and Councillor Clancy seconded that council writes to the responsible Minister and the Dog and Cat Management Board seeking strategies to increase community safety through the improved controlling of dogs. To encourage our community to make their dogs “safer” while in the public domain under the Dog and Cat Management Act.

1. **Increase penalties for dog owners whose dog is involved in attacks.**
2. **Increased penalties for any owners whose dog harasses, chases, intimidates or otherwise endangers the health of any person or animal or bird.**
3. **Increased penalties for dog owners whose dog is not under effective control.**
4. **Expand the dangerous dog listing to cover other known dangerous breeds including crosses of that breed, that have the potential for harm in the community.**
5. **Include in the act the option, in some circumstances, to demand DNA testing as clarification of breeding.**
6. **Authorise Animal Management Officers to have the power to ask for a dog owners name and address, without SAPOL assistance or it will be an offence under the Act.**
7. **Declared dangerous dogs to have higher annual dog registration fees and owners of such dogs to have proven insurance cover.**
8. **Make explicit in the Act the meaning of the term “effective control”**
9. **Registration fees for non desexed dogs be increased to a level so that they encourage people to have their dogs be desexed.**
10. **Encourage dogs to be bred for companionship and not aggression, and that declared dogs not be allowed.**

C221111/337

Councillor Lonie moved and Councillor Donaldson seconded that this recommendation be adjourned further consultation with the Dog and Cat Management Board and Holdfast Dog Club and bring back to the 13 December 2011

meeting.

CARRIED

Councillor Clancy left the chamber at 7.28pm.

Councillor Clancy rejoined the chamber at 7.30pm.

11.2 Destination Signage on Trams

In accordance with his notice:

C221111/338

Councillor Looker moved and Councillor Donaldson seconded that Council writes to DPTI requesting the destination signage on the tram be changed from “Moseley Square” back to “Glenelg”.

CARRIED

Background

The old red rattlers, “The Glenelg Tram”, had signage that clearly identified the destination as Glenelg. The modern trams now list Mosley Square. Some overseas tourists recently advised me that they had missed the tram as they were waiting for the “Glenelg Tram” and were not sure where Moseley Square was. The name Glenelg is our internationally know destination and the tram is still known as “The Glenelg Tram”. It is appropriate that destination signage is clear as to where the tram is going.

11.3 Increased Powers for Regulatory Services Officers

In accordance with his motion:

C221111/339

Councillor Looker moved and Councillor Lonie seconded that administration draft a motion, to be put to the next Annual General Meeting of the Local Government Association, which has the effect of seeking from the State Government increased powers for council regulatory services officers.

CARRIED

Background

Although Council has the role to oversee various legislated requirements such as animal control and litter the actual power of a Council officer in many instances is limited to calling the Police. Residents are demanding more enforcement in areas such as dangerous dogs and 'hoon' cyclists on the South Esplanade and 'blame' Council when action is not taken. Often the matters are not of nature that Police would rate as urgent but are of great significance to our residents. Our own regulatory services people are clear that extra powers would enable improvements in dealing with these issues.

12. Adjourned Matters Nil

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

13.1 Information Report – Southern Region Waste Resource Authority (Report No: 413/11)

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 31 October 2011.

SRWRA has written to Council seeking endorsement of the reappointment of their Audit Committee for a further twelve months, which comprises, the Chairman of SRWRA Board, Mr Mark Booth and a member of each of the constituent Councils audit committees. The City of Holdfast Bay member is Ms Vicki Brown.

Presented to members for consultation is the review of the Strategic Plan 2010-2014, which replaces the previous three year Business Plan, prior to adopting or amending the Strategic Plan, consultation with the constituent councils must be conducted. The changes to the Strategic Plan are minimal.

C221111/340

Councillor Huckstepp moved and Councillor Yates seconded:

- 1. That information report of the Southern Region Waste Resource Authority for its meeting held 31 October 2011 be received and noted.**
- 2. That Council endorses the reappointment of the Southern Region Waste Resource Authority Audit Committee for a further term of twelve months expiring in December 2012.**
- 3. That council informs the Southern Region Waste Resource Authority that it has considered the Strategic Plan and has no feedback.**

CARRIED

13.2 Minutes – Jetty Road Mainstreet Management Committee (Report No: 414/11)

The Jetty Road Mainstreet Management Committee (JRMMC) has been established to undertake work to benefit the traders on Jetty Road, Glenelg, using the separate rate raised for this purpose. The Council has endorsed the committees Terms of Reference and given the committee delegated authority to manage the business of the committee.

The Minutes of the Jetty Road Mainstreet Management Committee meeting held 2 November 2011, are attached and presented for Councils’ information.

C221111/341

Councillor Patton moved and Councillor Fisk seconded that the following minutes of the Jetty Road Mainstreet Management Committee held 2 November 2011 be received and the following recommendations numbered 1 - 3 be noted.

5.2 Sponsorship Request

- 1. That the JRMMC support the Bay Sports Festival 2011 to the value of \$1,600 of Jetty Road Gift vouchers.**

5.6 Finance Report

- 2. That the Finance Report be received and noted.**

5.7 Jetty Road Precinct Christmas Function

- 3. That the Jetty Road Traders Christmas party will take place at 6.00pm-8.00pm**

on Monday 5 December 2011 at the Dublin Hotel.

CARRIED

14. Reports by Officers

14.1 Items in Brief (Report No: 415/11)

Report No: 415/11 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

C221111/342

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

CARRIED

Councillor Fisk declared an interest due to his involvement in the matter, supporting the resident and left the chamber at 7.45pm.

14.2 Request for Funds to Defend an Appeal Before the Environment, Resources and Development Court for a Replacement Privacy Screen and New Verandah Along Part of the Northern Boundary at 70 Myrtle Road, Seacliff (Report No: 398/11)

Council has received notice of an appeal lodged with the Environment, Resources and Development Court against a decision of the Development Assessment Panel made on 28 September 2011 for a replacement privacy screen and new verandah along part of the northern boundary at 70 Myrtle Road, Seacliff. In accordance with a previous Council resolution, prior approval is sought for the expenditure of funds to resource a proper defence of the decision.

C221111/343

Councillor Looker moved and Councillor Lonie seconded that Council Administration is permitted to expend funds to resource the proper defence of the appeal described in Attachment 1 to this report lodged with the Environment, Resources and Development Court against a decision of the City of Holdfast Bay Development Assessment Panel for a replacement privacy screen and new verandah along part of the northern boundary at 70 Myrtle Road, Seacliff.

CARRIED

Councillor Fisk rejoined the chamber at 7.48pm.

14.3 Request for Funds to Defend an Appeal Before the Environment, Resources and Development Court for a Four Level Building Comprising Three Dwellings in Three Levels Above Ground Plus Undercroft Car Park at 29 Esplanade Somerton Park (Report No: 399/11)

Council has received notice of an appeal lodged with the Environment, Resources and Development Court against a decision of the Development Assessment Panel made on 24 August 2011 for a four level building comprising three dwellings in three levels above ground plus undercroft car park at 29 Esplanade, Somerton Park. In accordance with a previous Council resolution, prior approval is sought for the expenditure of funds to resource a proper defence of the decision.

C221111/344

Councillor Looker moved and Councillor Bouchee seconded that Council Administration is permitted to expend funds to resource the proper defence of the appeal described in Attachment 1 to this report lodged with the Environment, Resources and Development Court against a decision of the City of Holdfast Bay Development Assessment Panel for a four level building comprising three dwellings in three levels above ground plus undercroft car park at 29 Esplanade, Somerton Park.

CARRIED

A division was called.

For	Against
R M Bouchée	L R Fisk
R A Clancy	
P W Dixon	
K M Donaldson	
J D Huckstepp	
S C Lonie	
T D Looker	
S Patterson	
R C Patton	
A P Roe	
L J Yates	

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED

14.4 Adoption of Annual Report (Report No: 416/11)

The 2010/2011 Annual Report has been prepared to meet all statutory requirements. Council's Annual Report is an important document providing legislators and the community with assurance that the City of Holdfast Bay is meeting its strategic and legislative requirements. It is intended that the Report will be available in both hard-copy and soft-copy by the end of December 2011.

C221111/345

Councillor Lonie moved and Councillor Looker seconded that Council adopts the content, subject to minor changes, of the 2010/2011 Annual Report.

CARRIED

14.5 Elected Member Code of Conduct (Report No: 417/11)

Section 63 of the *Local Government Act 1999* requires council to prepare and adopt a code of conduct and to complete a review of its code of conduct within 12 months after a general election..

The Elected Members' Code of Conduct is a public declaration of the principles of good conduct and standards of behaviour that members of the City of Holdfast Bay commit to. It outlines the agreed basis on which Elected Members will conduct themselves in their relationships with other Elected Members, staff and the community.

Following a workshop held with members a draft code of conduct has been prepared for endorsement.

C221111/346

Councillor Clancy moved and Councillor Patterson seconded that the Elected Member Code of Conduct as presented at Attachment 1 of Report No: 417/11 be adopted.

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 Seacliff Surf Lifesaving Club

C221111/347

Councillor Roe moved and Councillor Huckstepp seconded that council write to the commissioner of liquor and gambling supporting the removal of condition 6 from licence 51011842.

CARRIED

16.2 Minda Dump Site – Jack Fox Oval

C221111/348

Councillor Clancy moved and Councillor Bouchée seconded that council write to the EPA regarding the presumed dump site (1954 - 1970) Jack Fox Oval and danger/potential for ground water contamination

CARRIED

C221111/349

Councillor Donaldson moved and Councillor Yates seconded that Council respond to the community consultation regarding the Minda Masterplan, expressing our concerns regarding the proposed development e.g. construction on the secondary dunes, building height of six storeys, Jack Fox Oval dump site, preservation of significant trees, wind tunnel effect on dunes caused by buildings, shading of native plants from buildings.

CARRIED

17. Items in Confidence

C221111/350

Councillor Lonie moved and Councillor Clancy seconded

1. That council moves consideration of the Confidential Report No: 419/11 to the Assets and Environment 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: 419/11 Council delegates the Assets and Environment Committee with the power to make a decision in the matters canvassed by the report.

CARRIED

18. Closure

The Meeting closed at 8.10pm.

CONFIRMED

Tuesday 13 December 2011

MAYOR