

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 12 March 2013 at 7:01pm.

MEMBERS PRESENT

His Worship the Mayor, AK Rollond
Deputy Mayor, RA Clancy
Councillor RM Bouchée
Councillor PW Dixon
Councillor KM Donaldson
Councillor LR Fisk
Councillor JD Huckstepp
Councillor TD Looker
Councillor S Patterson
Councillor RC Patton
Councillor AP Roe
Councillor LJ Yates

STAFF IN ATTENDANCE

Chief Executive Officer - JP Lynch
General Manager City Assets - SG Hodge
General Manager City Services - RA Cooper
General Manager Corporate Services - IS Walker
Manager Organisational Sustainability – PE Aukett

1. OPENING

His Worship the Mayor declared the meeting open at 7.01pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting His Worship the 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

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 SC Lonie

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****C120313/827**

That the minutes of the Ordinary Meeting of Council held on 26 February 2013 be taken as read and confirmed.

Moved by Councillor Looker, Seconded by Councillor Donaldson

Carried**8. QUESTIONS BY MEMBERS****8.1 Without Notice****8.1.1 Sand Pumping Station Signage– Councillor Fisk**

Councillor Fisk asked a question regarding the signage on the Sand Pumping Infrastructure.

The General Manager City Assets, Mr S Hodge took the question on notice.

8.1.2 Brighton Caravan Park Residents – Councillors Clancy, Huckstepp, Looker, Dixon and Bouchee

Councillor Clancy asked His Worship the Mayor, Dr K Rollond about his comments in the media regarding the Council's lack of empathy to the Caravan Park Residents and how did he measure the Elected Members feelings.

His Worship the Mayor, Dr K Rollond provided a response.

Councillor Clancy asked His Worship the Mayor, Dr K Rollond if he would be submitting a rescission motion to reverse the Council decision.

His Worship the Mayor, Dr K Rollond provided a response.

Councillor Clancy sought leave of the meeting to make a Personal Explanation.

Motion

C120313/828

That Councillor Clancy is granted leave of the meeting to make a personal explanation.

Moved Councillor Looker, Seconded Councillor Donaldson

Carried

Councillor Clancy made her personal explanation.

Councillor Bouchee sought clarification on the information provided to Caravan Park residents regarding the redevelopment.

The Manager Organisational Sustainability, Ms T Aukett took the question on notice.

Councillor Huckstepp asked a question regarding when the Council made a decision regarding the redevelopment of the Caravan Park.

His Worship the Mayor, Dr K Rollond provided a response.

Councillor Dixon asked His Worship the Mayor, Dr K Rollond, to withdraw his comments regarding the empathy of council.

His Worship the Mayor, Dr K Rollond provided a response.

Councillor Yates asked a question regarding the information provided to Caravan Park residents was only provided to new residents.

His Worship the Mayor, Dr K Rollond provided a response.

Councillor Bouchee asked when Administration knew about the sales of the sites at the Caravan Park.

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

Councillor Looker asked His Worship the Mayor, Dr K Rollond a question regarding the length of time the annual renters remain in the Caravan Park, as the current timeframe is set for 1 July 2013 which coincides with the end of the current lease.

His Worship the Mayor, Dr K Rollond provided a response.

8.2 **With Notice - Nil**

9. **MEMBER'S ACTIVITY REPORTS - Nil**

10. PUBLIC PRESENTATIONS10.1 **Petitions** - Nil10.2 **Presentation** - Nil10.3 **Deputations**10.3.1 **Meg Schroder – Glenelg Foreshore Building**

This item was considered in confidence at the end of the council meeting.

11. MOTIONS ON NOTICE11.1 **Motion on Notice – Red Bin Waste Service – Councillor Huckstepp** (Report No: 85/13)**Background**

Following the Mayor's unilateral comments in the Advertiser on Saturday 2 March, it is necessary to re-confirm Council's position for the weekly waste collection service. This proposal was not canvassed with the full Council and has created a great deal of concern for ratepayers. It is also an unlawful proposition for Metropolitan Councils to go to a fortnightly service. This motion will allay any fears that have arisen in the community through recent media reports.

Motion**C120313/829**

That Council reaffirms its position that the red bin waste service will continue on its weekly collection cycle throughout the following year.

Moved Councillor Huckstepp, Seconded Councillor Clancy

Carried

Councillor Donaldson left the chamber at 7.37 pm.

Councillor Clancy left the chamber at 7.37 pm.

Division called

A division was called.

Those voting for: Councillors Fisk, Patton, Dixon, Bouchee, Patterson, Looker, Roe, Huckstepp and Yates (9)

Those voting against: Nil.

His Worship the Mayor declared the motion

Carried

11.2 Motion on Notice – Sutherland Park – Councillor Looker (Report No: 87/13)**Background**

Council recently approved the “Open Space and Public Realm Strategy” which contained a reference to remove the toilet facilities at Sutherland Park. This would be a mistake. Sutherland Park is a popular local park with playground, barbeque and toilet facilities. It is used every weekend by groups of people, kids parties, family gatherings often with a number of groups present at the same time. It has worked that way, trouble free, since the park was renovated over 10 years ago. The toilet facility enables the park to be used by groups that may stay all day while adults sit under the trees and kids play on the equipment and the grass. In the many years since restoration problems have been minimal and not related to the toilets which are locked late in the day. Our security log confirms this. It would be foolish and a waste of money to remove the toilets, an action which would diminish the ability of the park to serve the people. This clause needs removing now so that it does not get forgotten and continue as policy.

Motion**C120313/830**

That the Open Space and Public Realm Strategy be amended to delete the reference to removing toilet facility at Sutherland Park.

Councillor Donaldson rejoined the chamber at 7.40 pm.

Councillor Clancy re-joined the chamber at 7.41 pm.

Moved Councillor Looker, Seconded Councillor Bouchee

Carried**11.3 Motion on Notice – Football Tickets – Councillor Looker (Report No: 88/13)****Background**

Council’s presence at Glenelg football matches has had a long history but has been in decline since the introduction of the AFL. The Council of 2006 made some changes to the way this has operated and cut out the free lists of ex elected members and staff who automatically received tickets. The open bar paid for by ratepayers was also discontinued. Attendance at the footy changed from a ‘perk’ to focus on becoming a small reward for community volunteers however interest is declining and enthusiasm to take up the tickets is waning and council needs to consider its continuation.

Administration Comment

The City of Holdfast Bay has the opportunity to issue 44 tickets to each home game of the Glenelg Football Club (the number of seats in the area), to be seated in the Council’s area in the grandstand, which is in accordance with the lease. The first home game for the 2013 season is on 6 April 2013.

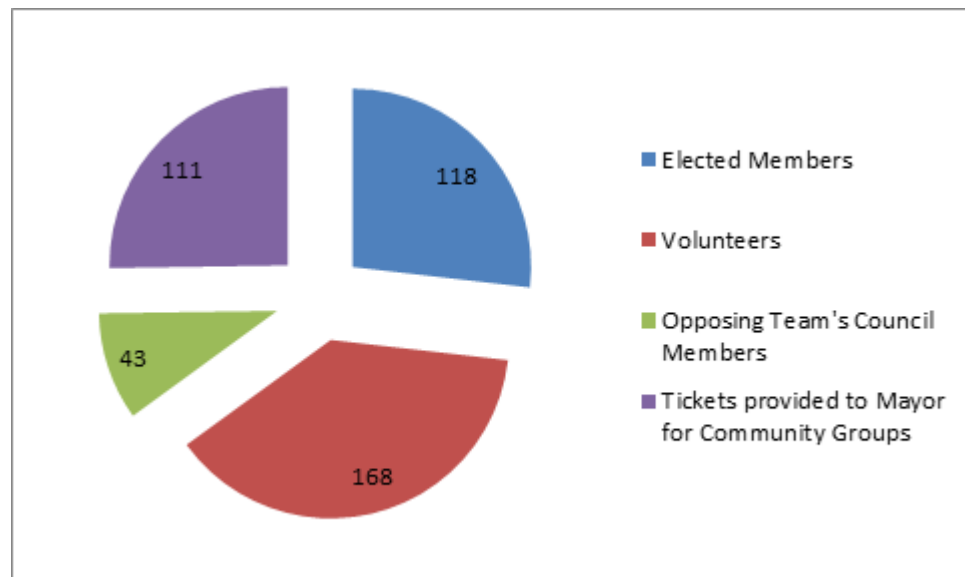
Council in June 2010 endorsed the Football Tickets Policy – Community Guests, and this provides direction on how tickets are distributed and the purpose of the hospitality Council provides at home games of the Glenelg Football Club each year. Council at half time provides guests with afternoon tea, tea and coffee and soft drinks from the bar. There are 10 home games each year and on average the half time hospitality costs \$477 per game during the season.

Ticket Allocation is managed on a game by game basis to ensure that only 44 tickets are issued for each game. Members are asked to indicate which games that they wish to attend so that tickets can be made available.

Below is a table showing the ticket distribution for each game in 2012.

	Game 1	Game 2	Game 3	Game 4	Game 5	Game 6	Game 7	Game 8	Game 9	Game 10
Elected Members	10	16	12	14	14	10	10	10	10	12
Council Volunteers	20	18	20	18	18	19	14	16	11	14
Opposing Team's Council Members	6	5	6	5	8	2	2	4	2	3
Tickets Provided to Mayor for Distribution to Community Groups	8	5	6	7	4	13	18	14	21	15
Total Number of Tickets Issued Each Game	44	44	44	44	44	44	44	44	44	44

The total distribution of tickets to Home Games during 2012 is shown in the graph below.



In addition to the tickets provided to the Council's Volunteering Program, the volunteering program purchased an additional 6 tickets from the Glenelg Football Club for each game (60 tickets at a cost of \$840) to meet the demand for tickets from Council's volunteers. Feedback from volunteers who attend games has shown that they enjoy attending the home matches but do not always wish to be seated in the grandstand and attend the half time refreshments. Last season only 50% of the volunteers who received tickets to home games wished to be seated in the grandstand and half time refreshments.

The Volunteering Program has been informed that their ticket allocation will be reduced for the 2013 season so that more tickets can be distributed to Community Groups. The Volunteering Program anticipates that they will be purchasing between 10 and 16 tickets each game this year so that Council's volunteers still receive the reward of attending Glenelg Football Club home Games.

Motion

- 1. That as soon as practical and if possible prior to the commencement of the SANFL season Council review the "Football tickets Policy" with a view to ensure it complies with regulatory provisions related to gifts, to ensure selection of guests remains at arms length from elected members and to clarify the presence of elected members as being 'on duty' to assist with hosting of council guests.**
- 2. That at the end of season 2013 Council reviews this service."**

Moved Councillor Looker, Seconded Councillor Roe

Lost

Division called

A division was called.

Those voting for: Councillors Looker, Clancy, Roe and Yates (4)

Those voting against: Councillors Fisk, Patton, Dixon, Bouchee, Patterson, Donaldson and Huckstepp (7).

His Worship the Mayor declared the motion

Lost

- 11.4 **Motion on Notice – Fauna Usage of Native Trees – Councillor Yates** (Report No: 89/13)

Background

In 2010 SE Queensland introduced the above policy in its Koala Protection Area for trees used by koalas. I recently went to a workshop run by Fauna Rescue on koalas and a mention was made that this policy was very useful and could be applied to advantage in SA. I know our Council area is not overrun with koalas but they do live

here and a policy by us re this might be taken up by other Councils and benefit wildlife. Last year a Eucalyptus platypus street tree in Young St was taken out as part of the policy to remove this species of tree from our streets as it frequently fell over. I knew a koala spent some time in that tree and felt this fact was not recognised or considered when the tree was removed. Of course it would depend on similar anecdotal evidence from locals or observation by Council staff so many such trees would not be recognised but for those that were this would help to maintain the balance and also might give pause for thought on the species used to replace the habitat tree – in Young St a bottlebrush was put in which would not be of much use to a koala.

Motion

C120313/831

Mature trees that are known to be used by fauna such as possums and koalas, should where practicable be offset, at a ratio of 5:1 when one of these trees is to be removed i.e. the equivalent of five new fauna habitat trees for every non-juvenile fauna habitat tree removed. This is a net benefit ratio of 5:1. This will ensure suitable habitat remains.

Moved Councillor Yates, Seconded Councillor Bouchee

Carried

- 11.5 **Motion on Notice – Traffic Accidents and Damage to Trees – Councillor Yates (Report No: 90/13)**

Background

Currently there is no written policy regarding claims for damage or destruction of a Council tree but it has become practice to consider this action so this motion would ensure consistency.

Motion

C120313/832

When a tree on a Council-maintained nature strip, pavement or median strip is damaged or destroyed during a traffic accident, when practical, Council should make a claim on the person found to be at fault or their insurance company for the estimated value of the tree. This money can then be used to pay for replacement trees and their maintenance.

Moved Councillor Yates, Seconded Councillor Looker

Carried

- 11.6 **Motion on Notice – Oaklands Roads Overpass – Councillor Looker (Report No: 91/13)**

Background

The City of Marion has commenced a petition calling for the construction of an overpass/underpass at the congested Oaklands Crossing. Whilst located in the City of Marion this crossing is used by residents from this city and is a key piece of local

infrastructure. With the imminent arrival of the electrified system bringing increased frequency of trains the problems at this site are destined to become worse.

Motion

C120313/833

That the City of Holdfast Bay writes to the City of Marion in support of its petition to the State Government to undertake the construction of the Oakland rail overpass/underpass.

Moved Councillor Looker, Seconded Councillor Huckstepp

Carried

Division called

A division was called.

Those voting for: Councillors Fisk, Patton, Dixon, Bouchee, Patterson, Looker, Clancy, Donaldson, Roe, Huckstepp and Yates (10)

Those voting against: Councillor Bouchee (1).

His Worship the Mayor declared the motion

Carried

12. ADJOURNED MATTER - Nil

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

13.1 Minutes - Jetty Road Main Street Management Committee – 6 February 2013 (Report No: 52/13)

The Minutes of the Jetty Road Mainstreet Management Committee meeting held 6 February 2013 are attached and presented for Council's information.

Motion

C120313/834

- 1. That the minutes of the Jetty Road Mainstreet Management Committee held 6 February 2013 is received.**
- 2. That it be noted that the Committee request Council to carry out a review of the Car Park Fund with a view to stimulating economic development within the Jetty Road precinct. Further that Committee request a deputation to Council when this report is submitted for Council's consideration.**

Councillor Huckstepp left the chamber at 8.25 pm.

Councillor Huckstepp re-joined the chamber at 8.26 pm.

Councillor Patterson left the chamber at 8.27 pm.

Councillor Patterson re-joined the chamber at 8.30 pm.

Councillor Bouchee left the chamber at 8.32 pm.

Councillor Bouchee re-joined the chamber at 8.33 pm.

Moved Councillor Patton, Seconded Councillor Looker

Carried

13.2 **Minutes – Jetty road Main Street Management Committee – 25 February 2013**
(Report No: 78/13)

The Minutes of the Special Meeting of the Jetty Road Mainstreet Management Committee meeting held 25 February 2013 are attached and presented for Council's information.

Motion

C120313/835

1. **That Council endorse the minutes of the Special Meeting of the Jetty Road Mainstreet Management Committee held 25 February 2013.**
2. **That Council notes the Committee's endorsement of the Jetty Road levy for financial year 2013-2014.**

Moved Councillor Patton, Seconded Councillor Bouchee

Carried

14. REPORTS BY OFFICERS

14.1 **Items in Brief** (Report No: 81/13)

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

C120313/836

That the report be noted and items of interest discussed.

Moved Councillor Looker, Seconded Councillor Patterson

Carried

14.2 **Gas Pipeline Installation – Pine Avenue Seacliff** (Report No: 77/13)

The APA Group intends to construct a gas pipeline, a portion of which needs to cross a recreation reserve located between Kingston Crescent and Pine Avenue, Seacliff. This will require an easement to be created. This report recommends that

the easement be granted by Council and that permission be given to the APA Group to enter upon the land in order to construct the pipeline.

Motion

C120313/837

1. That Council approve the granting of an easement across the recreation reserve, subject to the APA group meeting all conveyancing and legal costs, and that the Mayor and Chief Executive officer be authorised to sign the associated documents with the seal of Council affixed thereto.
2. That Maloney Field Services be advised that Council agrees to the easement being created and gives permission for the APA Group to enter upon the reserve and construct the pipeline, provided APA reinstates the area after construction of the pipeline, and nearby residents are given prior notification of the works by APA.

Moved Councillor Yates, Seconded Councillor Huckstepp

Carried

14.3 **Election of Metropolitan Adelaide Representatives to the LG State Executive Committee** (Report No: 82/13)

Following the call for nominations for Metropolitan Adelaide Representatives to the LGA State Executive Committee, the Local Government Association (LGA) has received 12 nominations for the 8 member positions and the 4 proxy members.

This report seeks Council's preferences for the positions.

Motion

C120313/838

That Council cast a vote for the 8 Metropolitan Representatives and 4 Proxy Members numbering the ballot paper (as shown below) 1 to 12:

9	WHITTAKER, Jillian	Councillor	Campbelltown City Council
10	LLEWELLYN-SMITH, Michael	Deputy Lord Mayor Dr	City of Adelaide
1	TRAINER, John	Mayor	City of West Torrens
11	JAMIESON, Peter	Councillor	City of Port Adelaide Enfield
2	PICTON, Michael	Mayor	City of Mitcham
12	WIGG, Carolyn	Councillor	Corporation of the Town of Walkerville
3	SPRAGG, William	Mayor	Adelaide Hills Council
6	CLYNE, Lachlan	Mayor	City of Unley
5	ROSENBERG, Lorraine	Mayor	City of Onkaparinga
4	BRIA, Robert	Mayor	City of Norwood, Payneham & St Peters
7	ALDRIDGE, Gillian	Mayor	City of Salisbury
8	PARKIN, David	Mayor	City of Burnside

Moved Councillor Looker, Seconded Councillor Donaldson

Carried

14.4 **Audit Committee Sitting Fees** (Report No: 84/13)

The sitting fees paid to independent members of the Audit Committee have not been reviewed since 2010. This report recommends that the sitting fees be increased and linked to an annual indexation process in a similar manner to elected members' allowances.

Motion

C120313/839

1. **That Council increases the sitting fee for independent members of the City of Holdfast Bay Audit Committee to \$407 for a presiding member and \$367 for an ordinary member per meeting effective from 1 January 2013.**
2. **That Council adjust annually the sitting fees for the independent members of the Audit Committee at the same time and on the same basis as elected members' allowances are adjusted.**

Moved Councillor Looker, Seconded Councillor Yates

Carried

Division called

A division was called.

Those voting for: Councillors Patton, Dixon, Bouchee, Patterson, Looker, Clancy, Donaldson, Roe, Huckstepp and Yates (9)

Those voting against: Councillors Fisk and Bouchee (2).

His Worship the Mayor declared the motion

Carried

14.5 Elected Member Training Request – 2013 National General Assembly of Local Government (Report No: 86/13)

The 2013 National General Assembly of Local Government, Foundations for the Future TWENTY13 will be hosted by the Australian Local Government Association (ALGA) from 16 - 19 June 2013, in Canberra, ACT.

Motion

C120313/840

1. **That Council approves the attendance of Mayor Rollond at the National General Assembly of Local Government, from 16 - 19 June 2013.**
2. **That Council appoints Mayor Rollond to be the voting delegate at the National General Assembly of Local Government**
3. **That any delegates attending the 2013 National General Assembly of Local Government present a report back to Council.**

Moved Councillor Bouchee, Seconded Councillor Dixon

Carried

14.6 Appointment to Audit Committee (Report No: 96/13)

Council's Audit Committee comprises two Elected Members, plus three independent members. The Elected Members have been appointed to the Audit Committee by Council for the term of Council. Independent Members have been appointed by Council for 3 year terms, expiring at different times to provide a measure of continuity.

Mr Kosonen's term expires on 23 March 2013, advertisements were placed in public newspapers during January and February 2013 inviting expressions of interest from suitably qualified people for appointment to the Audit Committee. This report seeks Council's endorsement of a new member to the Audit Committee.

Motion**C120313/841**

- 1. That Council appoint Mr John Wood as independent member of the Audit Committee for a term of 3 years expiring on 23 March 2016.**
- 2. That Council extends its appreciation to Mr Mike Kosonen for his service on the Audit Committee.**

Moved Councillor Looker, Seconded Councillor Bouchee

Carried**14.7 Appointment of Two Elected Members to the Assessment Panel for the Brighton Caravan Park Management Expression of Interest (Report No: 97/13)**

This report seeks nomination of two elected members to an assessment panel for tenderers seeking to be appointed manager of the Brighton Caravan Park for the next 3-5 years.

Motion**C120313/842**

That Council nominates Councillors Clancy and Huckstepp to the Assessment Panel for the Brighton Caravan Park Management Expressions of Interest.

Moved Councillor Looker, Seconded Councillor Bouchee

Carried**15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil****16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil**

Councillor Dixon left the chamber at 8.50 pm.

Motion**C120313/843**

That the Council Meeting be suspended to allow the Strategic Planning and Development Policy Committee to meet.

Moved Councillor Clancy, Seconded Councillor Bouchee

Carried

The meeting was suspended for the Strategic Planning and Development Policy Committee meeting.

Motion

C120313/844

That the Council Meeting be resumed.

Moved Councillor Looker, Seconded Councillor Yates

Carried

17. ITEMS IN CONFIDENCE

10.3.1 Deputation - Meg Schroder – Glenelg Foreshore Building

Motion

C120313/845

- 1. That under provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, General Managers and administrative staff in attendance in order to consider in confidence this item.**
- 2. That the Chief Executive Officer is satisfied that it is necessary that the public be excluded to enable the Council to discuss and to consider the matter at the meeting on the following grounds:**
 - b. Information the disclosure of which –**
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and**
 - (ii) would, on balance, be contrary to the public interest, as the benefit or detriment to Council in not disclosing information relating to Deputation – Meg Schroder – Glenelg Foreshore Building outweighs the public interest at this time.**

Moved Councillor Huckstepp, Seconded Councillor Donaldson

Carried

Meg Schroder gave a presentation to Council on a proposal for the Glenelg Foreshore Building

Councillor Yates left the chamber at 9.29 pm.

Councillor Yates re-joined the chamber at 9.31 pm.

Councillor Donaldson left the chamber at 9.35 pm.

Councillor Donaldson re-joined the chamber at 9.35 pm.

Order to Retain Documents in Confidence

Motion

C120313/846

1. That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the documents relating to the Deputation - Meg Schroder – Glenelg Foreshore Building including:
 - Attachment relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(b).
2. This matter will be retained in confidence until the future use of the Glenelg Foreshore Building is determined.
3. That the Chief Executive Officer is authorised to release the documents.

Moved Councillor Huckstepp, Seconded Councillor Clancy

Carried

CLOSURE

The Meeting closed at 9.50pm.

CONFIRMED Tuesday 26 March 2013

MAYOR