

**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 9 August 2016 at 7:00pm.**

**MEMBERS PRESENT**

His Worship the Mayor, S Patterson  
Deputy Mayor M Bouchée  
Councillor R Aust  
Councillor A Bradshaw  
Councillor R Clancy  
Councillor K Donaldson  
Councillor R Patton  
Councillor J Smedley  
Councillor R Snewin  
Councillor A Wilson  
Councillor L Yates

**STAFF IN ATTENDANCE**

Chief Executive Officer - JP Lynch  
General Manager City Assets & Services - SG Hodge  
Acting General Manager Community Services – M Lock  
General Manager Business Services - IS Walker

**1. OPENING**

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

**2. KAURNA 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 S Lonie and Councillor S Charlick

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****C090816/458**

**That the minutes of the Ordinary Meeting of Council held on 26 July 2016 be taken as read and confirmed.**

Moved by Councillor Aust, Seconded by Councillor Donaldson

**Carried/Lost****8. PUBLIC PRESENTATIONS**

8.1 **Petitions** - Nil

8.2 **Presentation** - Nil

8.3 **Deputations** - Nil

**9. QUESTIONS BY MEMBERS**

9.1 **Without Notice**

**9.1.1 Reinvestment of Savings from Solar Panels– Councillor Bouchee**

Councillor Bouchee asked a question regarding reinvestment of savings from Council's solar panels into sandbags for the beach.

His Worship the Mayor took the question on notice.

**9.1.2 Kauri Parade Progress – Councillor Smedley**

Councillor Smedley asked a question regarding the progress of Kauri Parade.

The General Manager City Assets & Services, Mr S Hodge, provided a response.

**9.1.3 Toilets at Glenelg Town Hall – Councillor Yates**

Councillor Yates asked a question regarding making the toilets at Glenelg Town Hall into dual flush.

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

**9.1.4 Strategic Planning & Development Policy – Councillor Patton**

Councillor Patton asked a question regarding the \$750,000 for the Strategic Planning & Development Policy in the budget.

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

**9.1.5 The Big Wedgie Location – Councillor Patton**

Councillor Patton asked a question regarding the moving of The Big Wedgie from the Colley Terrace location to Wigley Reserve permanently.

The Acting General Manager Community Services, Ms M Lock, provided a response.

**9.1.6 Protection of the Minda Dunes – Councillor Bradshaw**

Councillor Bradshaw asked a question regarding the Coast Protection Authority not protecting the Minda dunes due to encumbrances placed on the land.

His Worship the Mayor took the question on notice.

**9.2 With Notice****9.2.1 Question on Notice – DPA for Jetty Road and South Esplanade – Height of Buildings (Report No: 190/16)**

Councillor Wilson asked the following questions:

- “1. Will council be notifying the residents around Seawall that the DPA for Jetty Road and South Esplanade has without any consultation or notice, been amended to provide that the site will be able to build from 11 storeys South of Saltram Walk graded to 5 on Pier St?”**
- 2. Can Administration advise how the proposed masterplan for Jetty Road will link in with the new DPA so that a consistency in design can be achieved for the area?”**

**ANSWER – Strategic Planner Policy**

1. The Glenelg District Centre (Jetty Road) and Residential High Density Zone Review Development Plan Amendment (DPA) was a Ministerial DPA.

At the conclusion of the formal public consultation period, a public hearing was held on the DPA and the Government made a number of changes to the Amendment. It is understood that policy changes made following consultation to enable increased building heights at 19 South Esplanade (Seawall apartments site) was in direct response to a representation made at the public hearing on behalf of the site's owners.

Ultimately, the Minister can make amendments to a DPA as a result of consultation, but a judgement must be made as to whether this would constitute a 'substance' change that would require re-consultation. In this instance, it is assumed that the Minister has considered the changes to be minor in the scope of the wider DPA and the Government has not re-notified adjacent land owners of this or any other changes to the DPA.

Consequently, no further notification of changes made to the DPA following consultation has occurred.

2. The DPA proposed a number of policy changes which guide the redevelopment of properties and increased residential living opportunities located above commercial development in the Glenelg District Centre.

The Jetty Road Master Plan will primarily seek to provide a framework for the upgrade to the public environment and streetscape in Jetty Road.

While the development of the Master Plan will need to be cognisant of these recent planning policy changes and consider the desired character of the precinct and its buildings as they relate to the public environment, the design of new buildings in the precinct will still ultimately be guided by the Development Plan.

Further, recent changes to the Development Regulations will mean that any building over 4 storeys in the precinct will be subject to a formal design review process by the SA Government Architect and assessed by the Development Assessment Commission.

9.2.2 **Question on Notice – Messenger Article on New Tram Tracks on Jetty Road, Glenelg** (Report No: 193/16)

Councillor Smedley asked the following question:

- “1. Can you advise the details of DPTI’s commitment to the works regarding the tram tracks and the timetable for their completion?”***
  
- 2. If DPTI’s commitment is of a longer term nature, ie tied to the useful life of the current tracks, given ongoing incidents in the vicinity of the tram stop, could Council approach DPTI with an interim, shorter term solution, that the section of track in front of and to a reasonable distance either side of the current tram stops be either relayed, or perhaps retrofitted with the inlays, as a matter of priority?”***

**BACKGROUND**

I refer to the Guardian Messenger article dated 18 May 2016, entitled New tram tracks set to be laid on Glenelg’s Jetty Rd with rubber inlays to improve cyclist safety.

The article advised that City of Holdfast Bay had announced that Jetty Road’s tram tracks were to be lifted and re-laid with rubber inlays to improved cycling safety on the street, particularly in the vicinity of Stop 16/21D (North and South) where the road narrows to accommodate the tram stop platform.

**ANSWER – Acting General Manager City Assets & Services – Mr K O’Neill**

Administration has met with DPTI project managers recently and the key points were:

- A project group between DPTI and the City of Holdfast Bay has been established.
- DPTI would not be able to commence the project before December 2016 due the time required for specification development and planning processes.
- We are reluctant to interrupt the Jetty Rd business during the coming summer season.
- Therefore, the project team is working towards developing a schedule to commence the project in May 2017 so that we could complete the work this financial year.
- There will be a number of key issues that needs resolution during the design phase of the project.
- Cycling safety had been identified as one of the key issues.

- Project management group is determined to identify a solution (which doesn't appear to be easy and no solution had been identified yet)
- The project team will meet on a regular basis from here on.

## 10. MEMBER'S ACTIVITY REPORTS

### 10.1 **Mayoral Report – May 2016 – July 2016** (Report No: 188/16)

Presented for the information of Members is the Activity Report for the Mayor for May 2016 – July 2016.

#### **Motion**

**C090816/459**

**That the Mayor's Activity Report for May 2016 – July 2016 be received and noted.**

Moved Councillor Yates, Seconded Councillor Patton

**Carried**

### 10.2 **Councillor Bouchee**

Councillor Bouche reported that she attended WC Kibby Men's Shed at Glenelg North, a Depot staff meeting and the Telstra VIP Winter Wonderland event.

### 10.3 **Councillor Yates**

Councillor Yates reported that she attended a SRWRA meeting and the Little Marion Almond Blossom Walk.

### 10.4 **Councillor Bradshaw**

Councillor Bradshaw reported that she attended the Brighton Croquet Club AGM.

## 11. MOTIONS ON NOTICE

### 11.1 **Motion on Notice – Landscaping of Brighton Road** (Report No: 189/16)

Councillor Yates proposed the following motion:

#### **BACKGROUND**

1. The recent heat mapping done in Holdfast Bay showed that Brighton Rd, the backbone and major thoroughfare of our city, is a hot spot along its whole length. Landscaping such as was done on Portrush Rd, Norwood with trees and grasses in the median strip would improve the road, preferably with areas of WSUD (water sensitive urban design) to encourage healthy tree growth as well as reduce heat and air pollution.

However, the narrow median strip of Brighton Rd has led DPTI to refuse to allow replanting of trees there when any die or are damaged by traffic. Thus, the whole road now looks very tired and unattractive to the many car drivers stuck in traffic along its length for long periods in the rush hour. What they may remember when Holdfast Bay is mentioned is an old green carpet on the median strip which the roots of surviving trees have pulled up unevenly and 50 or so gaps with no trees that are just bare dirt areas left cut out of the carpet. Areas where moss has covered the carpet look better - at the northern end of the road. The area just south of Edward St looks particularly unattractive as there are 4 gaps in a row there so that the small median strip between road entries is left completely bare. Not a good look for a premier seaside area.

Brighton Rd could be a showcase for Holdfast Bay rather than the unpleasant polluted traffic route it has become. It is time to update it but DPTI needs to be involved in these plans. If trees cannot be planted in the median strip, there must be some suitable greenery that would help alleviate the heat island effect and look more attractive, but it would be preferable if DPTI were persuaded to change its policy on trees.

As a hot spot, it may be possible to get a grant via The Resilient South to green the road more. It needs to be updated and the median strip especially needs attention to make it attractive and reduce the heat island effect of all the bitumen and traffic.

2. Recent storms have felled approximately 10 spotted gums on the eastern side of Brighton Rd - they were unable to develop buttress roots in the small unpaved areas they were planted in, even though provided with flexible rubber surrounds, and so were unstable and could not withstand the high winds. If better planting methods cannot be found for them, it may be sensible to change the street tree listed in the planting strategy to eg plane tree.

**Motion**

**C090816/460**

**That:**

1. **Council writes to DPTI to ask that a discussion on the landscaping of Brighton Rd can commence.**
2. **Council review the street tree planting for Brighton Rd which lists spotted gums for the eastern side of Brighton Rd.**

Moved Councillor Yates, Seconded Councillor Bouchee

**Carried**

**12. ADJOURNED MATTER - Nil**

**13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL - Nil****14. REPORTS BY OFFICERS****14.1 Items in Brief (Report No: 183/16)**

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****C090816/461**

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

- **Oscar Yearly Crime Statistics**
- **Letter from the LGA on collection of the NRM Levy**
- **Conclusion of Parliamentary Scrutiny of the Ministerial Glenelg District Centre (Jetty Road) and Residential High Density Zone Review Development Plan Amendment**
- **Coastal Storm Damage**
- **Value in LGA Membership**

Moved Councillor Shewin, Seconded Councillor Patton

**Carried****14.2 Brighton Caravan Park 2015-16 Performance (Report No: 191/16)**

Notwithstanding some delays to completion of Stage 1 of the Brighton Caravan Park, business performance in 2015-16 has exceeded the budget.

**Motion****C090816/462**

**That Council notes the business performance of the Brighton Caravan Park for 2015-16.**

Moved Councillor Bouchee, Seconded Councillor Yates

**Carried****14.3 Somerton Yacht Club – Proposed Redevelopment (Report No: 178/16)**

The Somerton Yacht Club, which leases its clubrooms from Council, has written to the City of Holdfast Bay seeking in principle approval to undertake a redevelopment of this building.

The estimated cost of the proposed redevelopment is approximately \$500,000 and the club is proposing the following financing structure:

- **State/Federal Government Grants - \$250,000**

- Council - \$200,000
- Club - \$50,000

The purpose of this report is to consider whether Council is prepared to contribute any capital funding towards this redevelopment in the budget for the 2017/18 financial year.

**Motion**

**C090816/463**

1. **That Council notes the proposal by the Somerton Yacht Club to redevelop the building it leases at John Miller Reserve Somerton Park.**
2. **That Council provides 'in principle' support for \$200,000 contribution to this redevelopment in the budget for the 2017/18 financial year subject to funding by the State and Commonwealth Governments. That it is subject to certified costings for the project and a detailed business plan.**

The mover and seconder agreed to the amendment proposed by Cr Smedley and was incorporated in the motion.

Moved Councillor Wilson, Seconded Councillor Yates

**Tied**

A division was called:

Those voting for: Councillors Smedley, Wilson, Bouchee, Yates and Donaldson (5)

Those voting against: Councillors Patton, Aust, Bradshaw, Clancy and Snewin (5).

**His Worship the Mayor used his casting vote against the motion and declared the motion LOST**

**15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**

**16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil**

**17. ITEMS IN CONFIDENCE**

**17.1 Chief Executive Officer's Performance Appraisal**

The Mayor circulated, under separate cover, a confidential report to members regarding the Chief Executive's Performance Appraisal.

**Motion**

**C090816/464**

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:**
  - a. **information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead) in the matter of/in regards to the Chief Executive's Performance Appraisal.**

Moved Councillor Snewin Seconded Councillor Clancy

**Carried**

Councillor Patton left the chamber at 8.11pm.

Councillor Patton rejoined the chamber at 8.14 pm.

#### **Chief Executive Officer's (CEO) Performance Appraisal**

##### **Motion**

**C090816/465**

1. **That Council receives the draft CEO Performance Review distributed under separate cover by the Chairman of the Executive Committee.**
2. **That Council endorses the recommended CEO Performance Review provided by the Executive Committee, which includes 7 Key Result Areas previously endorsed by council, associated activities and measures and a set of executive leadership behaviours. The CEO Performance Review will be used to undertake the annual performance review of the CEO going forward, noting it is not to be applied retrospectively to the 2015-16 annual performance review.**

Moved Councillor Clancy, Seconded Councillor Smedley

**Carried**

#### **17.2 Discussion Regarding Minda Development**

##### **Motion**

**C090816/466**

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 the discussion regarding Minda development outweighs the public interest at this time.

**h. legal advice.**

Moved Councillor Bouchee, Seconded Councillor Donaldson

**Carried**

**CLOSURE**

The Meeting closed at 8.31 pm.

**CONFIRMED      23 August 2016**

**MAYOR**