

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 14 July 2020 at 7:00pm.

MEMBERS PRESENT

Mayor A Wilson
Councillor R Abley
Councillor M Bouchee
Councillor A Bradshaw
Councillor P Chabrel
Councillor R Clancy
Councillor J Fleming
Councillor C Lindop
Councillor S Lonie
Councillor W Miller
Councillor R Patton
Councillor J Smedley
Councillor R Snewin

STAFF IN ATTENDANCE

Chief Executive Officer – R Bria
General Manager City Assets and Services – H Lacy
A/General Manager Community Services – S Heading
General Manager Strategy and Business Services – P Jackson
General Manager Alwyndor – B Davidson-Park

1. OPENING

Her Worship the Mayor declared the meeting open at 7.00pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting Her 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. SERVICE TO COUNTRY ACKNOWLEDGEMENT

The City of Holdfast Bay acknowledged all personnel who have served in the Australian forces and services, including volunteers, for our country.

4. PRAYER

Her 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.

5. APOLOGIES

- 5.1 Apologies Received - Nil
- 5.2 Absent - Nil

6. ITEMS PRESENTED TO COUNCIL - Nil

7. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

8. CONFIRMATION OF MINUTES

Motion

C140720/1949

That the minutes of the Ordinary Meeting of Council held on Tuesday 23 June 2020 be taken as read and confirmed.

Moved Councillor Lonie, Seconded Councillor Patton

Carried Unanimously

9. PUBLIC PRESENTATIONS

9.1 **Petitions - Nil**

9.2 **Presentations - Nil**

9.3 **Deputations**

9.3.1 **Holdfast Bay Residents Alliance – Mr Ken Daly**

Mayor Wilson approved a deputation from Mr Ken Daly on behalf of the Holdfast Bay Residents Alliance regarding the Draft 2020-21 Annual Business Plan and Budget (in accordance with Section 123(4)(a)(i)(B) of the Local Government Act 1999).

9.3.2 **Mr Jack Messenger**

Mayor Wilson approved a deputation from Mr Jack Messenger regarding the Draft 2020-21 Annual Business Plan and Budget (in accordance with Section 123(4)(a)(i)(B) of the Local Government Act 1999).

9.3.3 **5049 Coastal Community Group – Mr David Bagshaw**

Mayor Wilson approved a deputation from Mr David Bagshaw on behalf of the 5049 Coastal Community Group regarding the Draft 2020-21 Annual Business Plan and Budget (in accordance with Section 123(4)(a)(i)(B) of the Local Government Act 1999).

10. QUESTIONS BY MEMBERS**10.1 Without Notice****10.1.1 Minister Knoll's Suggestion to Limit Elected Member Numbers**

Councillor Bouchee asked a question in relation to Minister Knoll's suggestion to limit the number of Councillors (part of the Local Government Reform Bill).

Chief Executive Officer provided a response.

10.1.1 Representation Review Process

Councillor Bouchee asked a question in relation to the representation review process.

Chief Executive Officer provided a response.

10.2 On Notice - Nil**11. MEMBER'S ACTIVITY REPORTS****11.1 Councillor Lindop's Activity Report – December 2019 to June 2020 (Report No: 192/20)**

Presented for the information of Members was the Activity Report for Councillor Lindop for December 2019 to June 2020.

Motion**C140720/C1950**

That Councillor Lindop's Activity Report for December 2019 – June 2020 be received and noted.

Moved Councillor Lonie, Seconded Councillor Patton

Carried Unanimously**12. MOTIONS ON NOTICE****12.1 Motion on Notice – Anti-Racism Policy - Councillor Abley (Report No: 184/20)****Item Withdrawn**

At the request of Councillor Abley, Item 12.1 Motion on Notice – Anti-Racism Policy- Councillor Abley was withdrawn from the Council Agenda.

12.2 Motion on Notice – Support for City Business Precincts – Mayor Wilson (Report No: 193/20)

Mayor Wilson proposed the following motion:

Motion**C140720/1951**

That Council endorses the Economic Recovery Taskforce to investigate and report back to Council on 28 July 2020, the potential for the COVID – 19 Fund to:

- 1. provide gas heaters to businesses that provide outdoor dining areas;**
- 2. lease the exterior of the Telstra Building at 1 Jetty Rd for the purpose of an art installation/painting, promoting the beach; and**
- 3. the installation of parklets on Jetty Rd Glenelg to support increased outdoor dining.**

Moved Councillor Lonie, Seconded Councillor Miller

Carried Unanimously

BACKGROUND

On 23 March 2020, the Federal Government commenced the introduction of a series of restrictions in response to the COVID-19 pandemic. These restrictions impacted the operation and trade of businesses within the City of Holdfast Bay.

Work is currently being undertaken by Administration to identify the support it can provide small businesses and similar support is being considered for other business sectors.

A COVID-19 Fund has been identified for the draft 2020/21 Annual Business Plan to provide economic and community support and an Economic Recover Taskforce established to develop initiatives to support businesses.

The Taskforce will next meet on Monday 20 July 2020 and consists of the following members:

- Roberto Bria – Chief Executive Officer (Chair)
- Amanda Wilson, Mayor
- John Smedley, Elected Member
- Jane Mary Fleming, Elected Member
- Andrew Taplin, Taplin Real Estate
- Con Maios, Maios Group
- Phil Hoffmann, Phil Hoffmann Travel
- Sharni Honor, The Porch Sessions
- Jonathon Mavic, Manhattan Haircutters

I propose that the Taskforce consider the above resolution at its first meeting and provide direction back to Council at the 28 July 2020 meeting.

12.3 Motion on Notice – Community Centres Contribution Funding – Councillor Bouchee (Report No: 194/20)

Councillor Bouchee proposed the following motion:

Motion**C140720/1952**

That Administration review the Glenelg North, Glenelg, Over 50s and Holdfast Bay Community Centres Contribution funding, budget line 314.806 (\$27,000) and bring back to council a proposal that represents an equitable distribution of the grant to all four community centres. Until such time as the report has been considered by Council no funds be expended from budget line 314.806.

Moved Councillor Bouchee, Seconded Councillor Lindop

Amendment

That Administration review the Glenelg North, Glenelg, Over 50s and Holdfast Bay Community Centres Contribution funding, budget line 314.806 (\$27,000) and bring back to council a proposal that represents an equitable distribution of the grant to all four community centres. Until such time as the report has been considered by Council no funds be expended from budget line 314.806 subject to reviewing their financial situation.

Moved Councillor Clancy

Lapsed for want of a seconder

The substantive motion, on being put was

Carried Unanimously

BACKGROUND

Historically Holdfast Bay Community Centre has been the sole recipient of the funding and it has not been available to the other 3 community centres. In these unprecedented times, all the centres have been impacted significantly and therefore an equitable distribution of the grant would assist the centres continuing to provide services to all the community.

13. ADJOURNED MATTER**13.1 Adjourned Report - New Management Agreement – Somerton Surf Lifesaving Club Inc. (Report No: 178/20)****Leave of the Meeting**

Her Worship the Mayor sought leave of the meeting at Item 13.1 Adjourned Report - New Management Agreement – Somerton Surf Lifesaving Club Inc (Report No: 178/20) to be considered in confidence at Item 18, Items in Confidence.

Leave of the meeting was granted.

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES.**14.1 Minutes – Jetty Road Mainstreet Committee Meeting – 1 July 2020 (Report No: 180/20)**

The Minutes of the Jetty Road Mainstreet Committee meeting held on 1 July 2020 were attached and presented for Council's information.

Motion**C140720/1953**

That Council notes the minutes of the Jetty Road Mainstreet Committee of 1 July 2020.

Moved Councillor Miller, Seconded Councillor Abley

Carried Unanimously**15. REPORTS BY OFFICERS****15.1 Items in Brief (Report No: 179/20)**

The item was presented for the information of Members.

Motion**C140720/1954**

That the following item be noted and discussed if required:

1. SAPOL Bicycle Patrol of Coast Park Update

Moved Councillor Abley, Seconded Councillor Clancy

Carried Unanimously**15.2 Disposal of Land and Assets Policy Review (Report No: 169/20)**

The Disposal of Land and Assets Policy outlines the requirement for disposing of Council land and assets.

This policy has been reviewed and was presented to Council for adoption. Proposed changes were identified through track changes.

Motion**C140720/1955**

That Council approve and endorse the amended Disposal of Land and Assets Policy.

Moved Councillor Bouchee, Seconded Councillor Miller

Carried Unanimously**15.3 Seacliff Beach Access – Safety Improvements (Report No: 170/20)**

Safety issues were identified for pedestrians and other Coast Park users when crossing the beach access ramp at Seacliff.

In response to Motion C140420/1774 carried at Council's meeting on 14 April 2020 (Report No: 72/20), Administration has investigated the safety concerns associated with the Seacliff Beach access ramp / Coast Park trail and examined methods to improve the safety and accessibility for all users.

This report detailed proposed improvements to infrastructure and signage in order to decrease the risk for beach and Coast Park users, without reducing the accessibility of the beach as a boat launch site.

Motion**C140720/1956**

1. **That Council approve the following works, in order to improve safety and accessibility for users of the Seacliff Beach Access Ramp:**
 - a) **undertake design and construction of new driveway invert of the vehicle ramp, drainage and linemarking;**
 - b) **improved signage on the ramp and beach to better define usage rules, give way priorities, and launch area to increase safety and awareness for all users; and**
 - c) **design and construct two (2) new pedestrian access ramps on the northern and southern side of the beach access ramp to provide safe pedestrian access to the beach from adjoining carpark and footpath.**
2. **That Council allocate a new budget item estimated at \$69,500 in the 2020/21 Capital Works Budget to undertake the design and construction of the proposed works.**

Moved Councillor Lonie, Seconded Councillor Lindop

Leave of the Meeting

Councillor Bouchee requested for Councillor Lindop to be granted to speak for a second time.

Leave of the meeting granted.

The motion, on being put was

Carried Unanimously

15.4 Policy Review – Order Making Policy (Report No: 172/20)

The Order Making Policy is required under Section 259 of the Local Government Act 1999 ('the Act') and each council is required to develop an Order Making Policy. The attached draft Order Making Policy has been prepared and must be adopted pursuant to Section 259 of the Act and sets out the steps Council will take in the making of orders.

The policy has been updated based on the Local Government Association (LGA) Model Order Making Policy. Whilst additional sections have been added for clarification, the intent and operation is unchanged. The amendments reflected in the amended policy are minor and as such Council can determine that community consultation requirements of Section 259 of the LG Act are not required.

This policy has been reviewed and was presented to Council for adoption.

Motion**C140720/1957****That pursuant to Section 259 of the Local Government Act 1999, Council:**

- 1) determines that the amendments to the Order Making Policy as submitted with this report are of a minor nature; and**
- 2) approves and adopts the Order Making Policy as presented in Attachment 2 as amended.**

Moved Councillor Lonie, Seconded Councillor Abley

Carried Unanimously**15.5 Draft Public Art Policy and Public Art Guidelines (Report No: 175/20)**

This report presented the draft Public Art Policy and Public Art Guidelines that has been developed in response to the Creative Holdfast: Arts & Culture Strategy 2019 – 2024 and will guide the future planning, management and investment for public art.

Motion**That Council endorse the Draft Public Art Policy for community consultation and note the Guidelines.**

Moved Councillor Lindop, Seconded Councillor Abley

Adjournment**C140720/1958**

That the report be adjourned on the basis that Elected Members requested the opportunity to provide feedback on the Draft Public Art Policy and Public Art Guidelines and a report be provided to Council once feedback has been received.

Moved Councillor Bradshaw, Seconded Councillor Chabrel

Carried Unanimously

Councillors Bouchee, Patton, Abley, Miller and Clancy spoke to the motion (Councillor Lindop retains the right of reply).

15.6 E-Scooter Update (Report No: 176/20)

SA Health has recently granted approval for resumption of E-scooter services. In consideration of the logistics required for operators to remobilise their resources, as well as the September conclusion date of the current trial, Council's approval for a revised 6-month Coastal E-scooter Trial from September 2020 was sought. Terms and conditions will be updated to include COVID-19 risk management and control measures.

The Western Alliance have consulted with SAPOL, SA Health, Ride and Neuron and all are supportive of the proposed revised Trial period.

Motion**C140720/1959**

That Council endorse the 6 month trial of the e-scooters, from 4 September 2020 to 7 February and 2021 to include a review to be undertaken at 3 months.

Moved Councillor Smedley, Seconded Councillor Chabrel

Lost

Councillor Abley left the Chamber at 8.36pm.

Councillor Abley re-joined the meeting at 8.38pm.

15.7 **Greener Neighbourhood Grant Application** (Report No: 177/20)

The Greener Neighbourhoods Grant Program, run by the Department of Environment and Water (DEW), is providing funding to metropolitan councils to support projects that increase tree canopy, green cover and biodiversity outcomes, and lead to on-ground benefits for local communities.

Administration would like to submit an application to complete the biodiversity corridor along the Sturt Creek, with a total project cost of \$140,000.

The grant application requires Council approval, and Council to commit \$65,000 to the total project cost in 2020-21.

Motion**C140720/1960**

1. **That Council approve an application to the Greener Neighbourhood Grant Program for a grant of \$65,000 to complete the biodiversity corridor.**
2. **That subject to the grant being awarded, Council:**
 - a. **approve inclusion of an allocation of \$65,000 in the 2020/21 Capital Works Program to provide match funding for the grant;**
 - b. **note an offer from the Friends of Sturt River for a contribution (subject of a separate grant application to SA Water by the Friends) to the total project costs of \$10,000; and**
 - c. **approve the project to proceed.**

Moved Councillor Chabrel, Seconded Councillor Miller

Carried Unanimously

Councillor Fleming left the chamber at 8.50pm

Councillor Fleming re-joined the chamber at 8.52pm

Councillor Clancy left the chamber at 8.52pm

Councillor Clancy re-joined the chamber at 8.55pm

Councillor Bradshaw left the chamber at 8.56pm

15.8 **Glenelg Oval State Government Grant Update** (Report No: 182/20)

This report updated Elected Members on the recent announcement of State Government grant funding of \$487,000 towards new uni-sex change room facilities at Glenelg Oval and outlined next steps regarding the project and masterplan.

Motion

C140720/1961

That Council:

1. **notes the report;**
2. **acknowledges the successful State Government grant application of \$487,000; and**
3. **proceed with the new uni-sex change room facilities at Glenelg Oval at a total project cost of \$987,000.**

Moved Councillor Smedley, Seconded Councillor Snewin **Carried Unanimously**

Councillor Bradshaw re-joined the chamber at 8.59pm.

15.9 **Alwyndor Management Committee – Terms of Reference** (Report No: 185/20)

As a Section 41 Committee of Council the Alwyndor Management Committee (AMC) is required to have a Terms of Reference (ToR) approved by Council.

The ToR have been reviewed, considered by the AMC and were recommended for the consideration and approval of Council.

Motion

C140720/1962

That Council approve the revised Alwyndor Management Committee Terms of Reference.

Moved Councillor Chabrel, Seconded Councillor Lonie

Carried

Councillor Lonie left the chamber at 9.07pm

15.10 **Local Government Act Emergency Variations – Public Access and Public Consultation – Amendments to Temporary Policy** (Report No: 190/20)

Following the major emergency declaration and subsequent variations to the *Local Government Act 1999* (the Act) that temporarily removed requirements for face to face activities, Council amended its Community Consultation and Engagement Policy on 28 April 2020, to preclude any form of face to face consultation and engagement activities.

Restrictions have now eased substantially and there is a desire to return to some face to face consultation and engagement activities. However, since the Major Emergency Declaration is still in force, the temporary provisions approved by Council on 28 April 2020 still apply. It is recommended that the Policy be amended to enable a risk-based approach to be taken to re-starting consultation and engagement activities.

Motion

C140720/1963

That Council, pursuant to Section 50(5a) of the *Local Government Act 1999*, as inserted under the *Public Access and Public Consultation Notice (No 2) 2020*, endorses the amended Community Consultation and Engagement Policy as specified in this report.

Moved Councillor Abley, Seconded Councillor Lindop

Carried Unanimously

Councillor Lonie re-joined the chamber at 9.08pm

15.11 Draft 2020-21 Annual Business Plan Consultation Outcomes (Report No: 191/20)

Council received 34 submissions in response to its Draft 2020-21 Annual Business Plan community consultation. The key topics raised through the consultation included comments on the rate increase and budget deficit, administrative costs, Elected Member benefits, DaCosta Park Playspace, delaying major projects, Alwyndor, the COVID relief fund and Tourism and Marketing.

Motion

C140720/1964

- 1. That Council note the submissions arising from the community consultation on the Draft 2020-21 Annual Business Plan and the answers that will be provided; and**
- 2. The draft Annual Business Plan be reviewed to allow for a reduction of the rate from 2.4% to 1.9% with the same operating deficit.**

Moved Councillor Smedley, Seconded Councillor Snewin

Carried Unanimously

Division Called

A division was called and the previous decision was set aside.

Those voting for: Councillors Bouchee, Lindop, Snewin, Patton, Smedley, Lonie, Fleming, Abley, Miller, Bradshaw, Clancy, and Chabrel (12)

Those voting against: Nil (0)

Her Worship the Mayor declared the motion

Carried

16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

17. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING – Nil

18. ITEMS IN CONFIDENCE**13.1 Adjourned Report - New Management Agreement – Somerton Surf Lifesaving Club Inc. (Report No: 178/20)****Motion – Exclusion of the Public – Section 90(3)(d) C140720/1965**

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 178/20 Adjourned Report - New Management Agreement – Somerton Surf Lifesaving Club Inc. in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No:178/20 Adjourned Report - New Management Agreement – Somerton Surf Lifesaving Club Inc. on the following grounds:
 - d. pursuant to Section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information confidential.

Moved Councillor Miller, Seconded Councillor Lonie

Carried Unanimously**RETAIN IN CONFIDENCE - Section 91(7) Order****C140720/1966**

That having considered Agenda Item 13.1 (Report 178/20) Adjourned Report - New Management Agreement – Somerton Surf Lifesaving Club Inc. in confidence under section 90(2) and (3)(d) the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachments, recommendation and discussion be retained in confidence for a period of 24 months from the date of this decision and that the Chief Executive Officer is authorised to release the documents at the expiry of that period or

when the Management Agreement has been signed whichever occurs first and that this order be reviewed every 12 months.

Moved Councillor Smedley, Seconded Councillor Clancy

Carried

18.1 Reappointment of Alwyndor Management Committee Members (Report No: 183/20)

Motion – Exclusion of the Public – Section 90(3)(a)

C140720/1967

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 183/20 Reappointment of Alwyndor Management Committee Members in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 183/20 Reappointment of Alwyndor Management Committee Members on the following grounds:
 - a. pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 183/20 Reappointment of Alwyndor Management Committee Members is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being reappointed members of the Alwyndor Management Committee.
3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Councillor Chabrel, Seconded Councillor Snewin

Carried Unanimously

Motion

C140720/1968

1. That Council reappoint the following Alwyndor Management Committee members for an additional term, commencing August 2020 until 31 July 2023:
 - Mr Kim Cheater; and
 - Mr Kevin Whitford.

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Agenda Item 18.1 Report No: 183/20 Reappointment of Alwyndor Management Committee Members in confidence under section 90(2) and (3)(a) of the Local Government Act

1999, the Council, pursuant to section 91(7) of that Act orders that the report and attachment and be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

Moved Councillor Chabrel, Seconded Councillor Lonie

Carried Unanimously

CLOSURE

The Meeting closed at 9.36 pm.

CONFIRMED 28 July 2020

MAYOR