

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 9 February 2021 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
A/General Manager City Assets and Services – M de Heus
General Manager Community Services – M Lock
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 would like to acknowledge 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

C090221/2208

That the minutes of the Ordinary Meeting of Council held on 27 January 2021 be taken as read and confirmed.

Moved Councillor Lonie, Seconded Councillor Lindop

Carried Unanimously

9. PUBLIC PRESENTATIONS

9.1 **Petitions** - Nil

9.2 **Presentation** - Nil

9.3 **Deputations** - Nil

10. QUESTIONS BY MEMBERS

10.1 **Without Notice**

10.1.1 **Statements by Ministers**

Councillor Bouchee asked a question as to whether Council has any recourse for recent statements made by Ministers.

Her Worship the Mayor provided a response.

10.1.2 **Hove Rail Crossing**

Councillor Bouchee asked a question in relation to any outcomes from the letter from the Mayor to Minister Wingard, with particular reference to traffic studies for the Hove rail crossing.

Her Worship the Mayor provided a response.

10.2 On Notice

10.2.1 Heritage Markers Affected by Chapel Street/Hindmarsh Lane Redevelopment – Councillor Miller (Report No: 29/21)

Councillor Miller asked the following question:

Can Administration please advise what heritage markers exist along Chapel Street/Jetty Road/Hindmarsh Lane that will be affected by the upgrade works to be commenced this year?

BACKGROUND

As a previous motion of Council requires the retention of heritage markers within the Jetty Road Masterplan, it is important for Elected Members and the community to be aware and keep track of these markers to ensure their continued placement in the precinct.

ANSWER – General Manager, Strategy and Business Services

The Bronze Heritage Marker located in front of St Andrews by the Sea, Jetty Road, Glenelg has been factored into the design process. It will be removed through the initial construction phase of the project and then re-installed as part of the final design.

10.2.2 Seacliff Beach Access Ramp – Councillor Lindop (Report No: 46/21)

Councillor Lindop asked the following question:

Could Council Administration please advise when work to help improve access and safety will commence at the Seacliff Beach Access Ramp in Motion C140720/1956?

BACKGROUND

As per the motion carried on the 14th of July 2020 being:

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.

ANSWER – General Manager City Assets and Services

Works are scheduled to commence in March 2021 towards the end of the peak summer period.

10.2.3 Council Building Insurance – Councillor Fleming (Report No: 49/21)

Councillor Fleming asked the following questions:

1. **What is Council's total insurance premium bill for all of the council owned buildings.**
2. **What has been our claims history for the last 5 and 10 years.**

ANSWER – General Manager Strategy and Business Services

- Q1. Council is insured through the Local Government Risk Services (insurer for all SA Councils). Council's assets are insured under the Local Government Asset Mutual Fund (LGAAMF- the Fund). The Fund provides insurance specific to the business of local government and is not akin to commercial insurance as it is tailored to the business of local government.

As the Fund insurance is 'group coverage', property assets are listed in a schedule with all Council's assets insured. The total cost for assets insurance for 2020/21 was \$179,800 (ex GST).

A portion of the asset's insurance premiums are for buildings insured by Council on behalf of clubs/ organisations. The cost of cover for facilities for 2020/21 was \$61,917.32 (ex GST).

The insurance premiums are calculated by the Fund based on independent valuations of Council's assets (valuations arranged by Council periodically). The asset insurance schedule itemises the premium applicable for each asset insured. The relevant insurance premium applicable to each club/ organisation is then on-charged annually in accordance with lease agreements. The insurance premium cost is not determined by Council.

- Q2. In the past 10 years Council has made 46 claims to the Fund for asset damage or loss. In addition to LGAAMF claims, there

are public liability and motor vehicle claims which the Council manages through Local Government Risk Services.

11. MEMBER'S ACTIVITY REPORTS

11.1 Mayor's Activity Report for November 2020 to January 2021 (Report No: 41/21)

Presented for the information of Members is the Activity Report for the Mayor for November 2020 - January 2021.

Motion

C090221/2209

That the Mayor's Activity Report for November 2020 - January 2021 be received and noted.

Moved Councillor Lonie, Seconded Councillor Bouchee **Carried Unanimously**

Conflict of Interest

Councillor Fleming declared a material conflict of interest for Item 12.1 Motion on Notice – Hove Rail Crossing – Councillor Snewin. The nature of the material conflict of interest (pursuant to Section 73 and 74 of the *Local Government Act 1999*) is that she owns a business and residence near the Hove crossing rail corridor.

Councillor Fleming dealt with the material conflict of interest by making it known and leaving the meeting at 7.07pm.

Councillor Bradshaw declared a material conflict of interest for Item 12.1 Motion on Notice – Hove Rail Crossing – Councillor Snewin. The nature of the material conflict of interest (pursuant to Section 73 and 74 of the *Local Government Act 1999*) is that an immediate family member owns a business in the Hove crossing rail corridor.

Councillor Bradshaw dealt with the material conflict of interest by making it known and leaving the meeting at 7.09pm.

12. MOTIONS ON NOTICE

12.1 Motion on Notice – Hove Rail Crossing - Councillor Snewin (Report No: 52/21)

Councillor Snewin proposed the following motion:

Motion

Given that Council has not been provided with sufficient information from the Department of Infrastructure and Transport (DIT) to make an informed decision, Council resolves that it does not support any of the 4 options proposed for the Brighton Road rail crossing at this time.

Moved Councillor Snewin, Seconded Councillor Bouchee

Adjournment**C090221/2210**

That the motion be adjourned until after the briefing by the Department of Infrastructure and Transport (DIT) on Tuesday 16 February 2021.

Moved Councillor Abley, Seconded Councillor Lindop

The amendment on being put was

Her Worship the Mayor used her casting vote for the motion and declared it

Tied
Carried

Councillor Fleming and Councillor Bradshaw re-joined the meeting at 7.14pm.

13. ADJOURNED MATTER**13.1 Adjourned Report – Attendance at National General Assembly 2021 and Calling for Motions (Report No: 44/21)**

This report was most recently tabled at the ordinary Council meeting on 27 January 2021 (Item 15.8 Attendance at National General Assembly 2021 and Calling for Notices of Motions (Report No: 28/21)), but the Item was adjourned under Regulation 19, Local Government (Proceedings at Meetings) Regulations 2013, to allow the Mayor to consider availability to attend.

Nominations

Her Worship the Mayor called for nominations.

Nominations were received for Councillor Lindop and Councillor Smedley.

Motion**C090221/2211**

1. That Council approves the attendance of Councillor Lindop and Councillor Smedley at the National General Assembly (NGA) 2021 from 20 - 23 June 2021, in accordance with Council's 'Elected Member Training and Development Policy'.
2. That both Elected Members attending the National General Assembly 2021, present a written report back to Council.
3. That Councillor Smedley be Council's voting delegate at the National General Assembly 2021.

Moved Councillor Snewin, Seconded Councillor Abley

Carried Unanimously

14. REPORTS OF MANAGEMENT COMMITTEES, AND SUBSIDIARIES**14.1 Appointment to the Southern Region Waste Resource Authority Audit Committee (Report No: 50/21)**

The Chief Executive Officer of Southern Region Waste Resource Authority (SRWRA) sought the re-appointment or new appointment of an Audit Committee member for a period of 12 months commencing March 2021.

SRWRA has an Audit Committee which includes independent members appointed by each of the three constituent councils. One of Council's independent Audit Committee members, being Mr Sam Spadavecchia expressed an interest in being re-appointed to the role for a further 12 months.

Although Mr Spadavecchia's Audit Committee role with Council expired in January 2021, Administration considered it appropriate to recommend Mr Sam Spadavecchia for the SRWRA Audit Committee role due to maintaining continuity on the SRWRA Audit Committee during the delaying of the Material Recycling Facility (MRF).

Motion

C090221/2212

That Council appoint Mr Sam Spadavecchia to the Southern Region Waste Resource Authority Audit Committee for a term of 12 months.

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

15. REPORTS BY OFFICERS

15.1 Items in Brief (Report No: 40/21)

These items were presented for the information of Members.

Motion

C090221/2213

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

- 1. Mawson Oval – Renewal of Joint Use Agreement Update**
- 2. New Planning System – Commencement Date (Metropolitan Councils)**
- 3. December 2020 Grants Update**
- 4. WAY2GO**
- 5. Australia Day Awards Recipients**
- 6. Australia Day Event**
- 7. Holdfast Tennis Club Opening**

Moved Councillor Abley, Seconded Councillor Lonie **Carried Unanimously**

15.2 Budget and Annual Business Plan Update – As at 31 December 2020 (Report No: 42/21)

This report covered the second update of Council's 2020/21 budget conducted as at 31 December 2021.

A comprehensive review of Municipal budgets has increased the forecast operating deficit by \$74,704 to \$342,986 which includes \$95,000 of additional projects already approved by Council. The original deficit is due to budget carry forwards and to allow for the effects of the COVID-19 pandemic and the relief measures Council offered.

Capital revenue has increased by \$1,402,000 due to grant funding received for the Glenelg Oval Unisex Change Room, Wigley Reserve Playspace and Stormwater Management Plan Implementation projects. Capital expenditure has increased by \$1,071,538 mainly to account for the Glenelg Oval Unisex Change Room project as already approved by Council.

Alwyndor forecast an increase in their operating deficit of \$287,998 to \$666,998 due to lower than expected revenue as a result of ongoing COVID-19 restrictions and slower growth rates than originally budgeted for. Capital expenditure has increased by \$440,000 to account for two projects carried forward from 2019/20: solar panel installation and the Riddle entrance upgrade.

Attached were financial reports for Municipal and Alwyndor operations, commercial activities, and progress summaries and analysis of Annual Business Plan projects.

Motion

C090221/2214

1. **That Council notes the second 2020/21 budget update for Council's municipal operations including:**
 - (a) **an increase in the forecast operating deficit for 2020/21 of \$74,704 from \$268,282 to \$342,986;**
 - (b) **an increase in forecast capital expenditure of \$1,071,538 from \$26.557 million to \$27.628 million;**
 - (c) **an increase in forecast capital revenue of \$1,402,000 from \$6.724 million to \$8.126 million;**
 - (d) **a decrease in forecast net financial liabilities of \$255,758 at 30 June 2021 from \$31.422 million to \$31.166 million.**

2. **That Council notes the second 2020/21 budget update for Alwyndor operations including:**
 - (a) **an increase in the forecast operating deficit for 2020/21 of \$287,998 from an operating deficit of \$379,000 to an operating deficit of \$666,998;**
 - (b) **an increase in forecast capital expenditure for 2020/21 of \$440,000 from \$586,000 to \$1,026,000;**
 - (c) **an increase in the forecast funding required for 2020/21 of \$613,542 from a funding surplus of \$443,00 to a funding requirement of \$170,542.**

3. **That Council note the Annual Business Plan quarterly update for December 2020.**

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

15.3 **Brighton Jetty Sculptures Exhibition Council Purchase** (Report No: 45/21)

This report outlined the selected installation site for the purchased artwork from the 2021 Brighton Jetty Sculptures Exhibition for Council endorsement.

Motion**C090221/2215**

That Council endorse the installation site selected for the newly purchased sculpture from the 2021 Brighton Jetty Sculptures Exhibition.

Moved Councillor Abley, Seconded Councillor Lonie

Carried Unanimously**Conflict of Interest**

Councillor Bouchee and Councillor Fleming declared a material conflict of interest for Item 15.4 Council Assessment Panel – Updated Terms of Reference. The nature of the perceived conflict of interest (pursuant to Section 73 and 74 of the *Local Government Act 1999* is that they are both members of the Council Assessment Panel.

Councillor Bouchee and Councillor Fleming dealt with the material conflict of interest by making it known and leaving the meeting at 7.34pm.

15.4 Council Assessment Panel – Updated Terms of Reference (Report No: 33/21)

In readiness for the introduction of the Planning and Design Code, the Local Government Association has prepared updated model Terms of Reference for adoption by Council Assessment Panels across all South Australian Councils.

It was recommended that Council endorse the updated Terms of Reference on behalf of the Council Assessment Panel, which has already considered and recommended the document for Council approval.

Motion**C090221/2216**

That Council adopt the Terms of Reference for the Council Assessment Panel, as presented in Attachment 1 to this report.

Moved Councillor Clancy, Seconded Councillor Lonie

Carried Unanimously

Councillor Bouchee and Councillor Fleming re-joined the meeting at 7.35pm.

15.5 Asset Management Plans – Community Feedback (Report No: 34/21)

Council's Asset Management Plans (AMPs) provide a snapshot of the current and future state of Council's infrastructure, and the proposed investment necessary to ensure council is developing, maintaining and renewing its assets in a cost effective and sustainable manner.

Council has five AMPs being - Buildings, Stormwater, Transport, Open Space & Coastal and Plant and Equipment. Council and the Audit committee endorsed the draft plans in October 2020 for public consultation.

The AMPs were referred for public consultation from the 3 - 27 November 2020. The results of engagement were reported in Attachment 1 with responses to submissions presented in Attachment 2. As a result of the community feedback,

minor edits were made to the AMPs and these, together with further minor edits and recent Council decisions, were presented in updated AMPs (refer Attachments 3 – 7).

There is a negligible change to the total capital expenditure forecast over the next 10 years which is \$83.2 million.

Administration sought final endorsement of the five revised asset management plans by Council.

Motion

C090221/2217

That Council:

- 1. notes the results of public consultation and the subsequent responses provided to submissions; and**
- 2. endorses the revised Asset Management Plans 2020.**

Moved Councillor Lonie, Seconded Councillor Lindop

Carried Unanimously

15.6 Representation Review Options Paper (Report No: 43/21)

Following Council's resolution on 8 September 2020 (C080920/2025- Report No. 242/20 Representation Review Commencement 2020/21), the Representation Review process has commenced.

A Representation Options Paper (Options Paper) has been prepared by Council's consultant, pursuant to the requirements of Section 12(5) and (6) of the *Local Government Act 1999* (the Act) and was attached to this report. The Options Paper examined the advantages and disadvantages of various options that are available to the City of Holdfast Bay in respect to its future composition and structure. The Act requires, as part of the review process, that the Options Paper be released for public consultation for a period of at least six (6) weeks (s12(7) of the Act).

This report was for Council to endorse the Options Paper and for public consultation to commence. It was recommended consultation from Thursday 18 February 2021 and close 5pm on Friday 9 April 2021, which allowed for more than the six (6) weeks minimum consultation (and allows for the Easter public holidays).

Motion

C090221/2218

That Council endorses the Representation Options Paper to be released for public consultation.

Moved Councillor Bouchee, Seconded Councillor Miller

Amendment

That Council endorses the Representation Options Paper to be released for public consultation but to include an option for two wards with four Councillors each ward.

Moved Councillor Clancy, Seconded Councillor Bradshaw

The amendment on being put was

Lost

The substantive motion on being put was

Carried Unanimously

15.7 Memorial to Recognise the Mental Health Impacts of War and Conflict on Service Personnel (Report No: 47/21)

This report responded to Council Resolution C101120/2115 to investigate a proposal for a general memorial to honour service personnel returning from conflict with mental health trauma.

The report reflected the outcomes of discussions with the William Kibby VC Veterans Shed and the Plympton Glenelg Returned and Services League (PGRSL). The two organisations presented valid arguments both for and against formal recognition, with PGRSL favouring a memorial and the William Kibby VC Veterans Shed highlighting the sensitivity of the issue as veterans often experience difficulties in openly discussing their challenges or seeking assistance and would not want to be reminded of any psychological disability a person may be suffering.

It was determined that funding could be directed toward a Local Heroes Memorial Wall at the William Kibby VC Veterans Shed, as well as renewing existing memorial plaques to be inclusive of all sacrifice, both whilst in active service and as a result of psychological trauma upon return. Funding could be further invested into training of volunteers to provide informal counselling services and support until such time as veterans are open to seeking formal support.

Motion

C090221/2219

That Council:

- 1. install or update an existing memorial plaque at the Arch of Remembrance at Brighton and at the Moseley Square memorial with wording that encompasses all sacrifice, e.g. "the City of Holdfast Bay recognises the Service and suffering that our Veterans from all conflicts have endured whilst in the service of their Country in areas of operation, and also recognises the suffering that Veterans and their families endure upon their return".**
- 2. contribute to the installation of a Local Heroes Memorial Wall at the William Kibby VC Veterans Shed Memorial Garden, specifically to offer an interactive, contemplative space for veterans and their families; and**
- 3. invest into the training of volunteers from the PGRSL and the William Kibby VC Veterans Shed to ensure that veterans suffering PTSD are**

able to be supported with informal counselling when they do 'open up' about their ongoing challenges.

Moved Councillor Chabrel, Seconded Councillor Lonie **Carried Unanimously**

Conflict of Interest

Councillor Snewin declared a perceived conflict of interest for Item 15.8 Glenelg Oval Masterplan Stages 3 and 4 Funding Submission. The nature of the perceived conflict of interest (pursuant to Section 75 of the *Local Government Act 1999*) is that he holds an office position for the Glenelg District Cricket Club.

Councillor Snewin dealt with the perceived conflict by making it known and leaving the meeting at 7.49pm.

15.8 Glenelg Oval Masterplan Stages 3 and 4 Funding Submission (Report No: 48/21)

As an outcome of the State Government's October 2020 announcement of the Local Government Infrastructure Partnership Program (LGIPP), and on release of the program funding guidelines in December 2020, Administration submitted a funding application for the delivery of stages 3 and 4 of the Glenelg Oval Masterplan. These stages combined are estimated to cost approximately \$2,800,000. Stage 1 of the Glenelg Oval Masterplan (Holdfast Tennis Club redevelopment) has been completed, and Stage 2 (Glenelg Oval uni-sex change rooms) is underway with pre-construction design.

Under this funding program, the State Government will provide grants to Councils for up to 50 percent of the cost of approved infrastructure projects, contingent on match funding from the Council. Grant applications closed on 29 January 2021, and Administration submitted an application seeking funding of \$1,400,000 with Council required to match this funding if the application is successful. To formally assess the funding application, the State Government now require confirmation of Council's in principle funding support, subject to budget consultation and final approval in June 2021.

This report requested Council provide in principle funding support of \$1,400,000 for the Glenelg Oval Masterplan stages 3 and 4 to enable the grant funding application to be formally assessed.

Motion

C090221/2220

That Council provides in principle funding support of \$1,400,000 for the implementation of stages 3 and 4 of the Glenelg Oval Masterplan enabling Council's Local Government Infrastructure Program funding application to be compliant with funding guidelines. Council's funding contribution would be allocated evenly over the 2021/22, 2022/23 and 2023/24 financial years in line with project delivery timelines.

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

Councillor Snewin re-joined the meeting at 7.56pm.

16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**17. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING****17.1 State Commission Assessment Panel – Submission – 21-25 South Esplanade Glenelg****Motion****C090221/2221**

- 1. That following an invitation by the State Commission Assessment Panel (SCAP) to provide comments as an adjoining landowner for a development application to construct a 13-storey apartment building at 21-25 South Esplanade, Glenelg, Administration prepare a submission on Council's behalf for the Mayor's authorisation, which outlines the following concerns with the proposal:**
 - **The excessive height of the development relative to the Development Plan requirements and general character of the locality (and particularly Pier Street).**
 - **The limited capacity for Pier Street to cater for the volume of traffic envisaged.**
 - **The visual impact of the high-rise building on the amenity of residential properties located to the east and south of the site.**
 - **The scale of the development negatively impacts on the outlook from the public realm and connectivity to the reserve located to the immediate west.**
 - **Adequate provision for visitor car parking is lacking and /or restricted, placing greater pressure on the already at-capacity local road network, such as Pier Street, to cater for the overflow.**
 - **The capacity of State utilities, including waste water services, is not designed to manage the higher than anticipated density of development proposed, which may exacerbate localised pressures.**
 - **A council kerbside collection service cannot be offered on the basis that it is logistically impractical to collect the number of bins envisaged from the local street network, and as such, a formal commitment is required to ensure that waste collection is managed on-site by private agreement.**
 - **The design of the western façade requires further refinement to ensure that there is greater visual connectivity at the interface between private and public spaces, with fewer solid elements and greater permeability.**
- 2. That Council reserves its right to have a representative appear before the SCAP in support of its written submission as an adjoining landowner.**

- 3. That this submission, submitted on behalf of Council as an adjoining landowner, is separate to and distinct from, Administration's technical submission on the proposal.**

Moved Councillor Miller, Seconded Councillor Smedley

Carried Unanimously

CLOSURE

The Meeting closed at 8.05pm.

CONFIRMED 23 February 2021

MAYOR