

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 23 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 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. 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

C230221/2222

That the minutes of the Ordinary Meeting of Council held on 9 February 2021 be taken as read and confirmed.

Moved Councillor Patton, Seconded Councillor Miller

Carried Unanimously

9. PUBLIC PRESENTATIONS

9.1 **Petitions** - Nil

9.2 **Presentations** - Nil

9.3 **Deputations** - Nil

10. QUESTIONS BY MEMBERS

10.1 **Without Notice**

10.1.1 **COVID-19 Vaccinations for Alwyndor**

Councillor Miller asked a question regarding the roll out of vaccine at Alwyndor.

General Manager Alwyndor provided a response.

10.1.2 **COVID-19 Vaccinations for CHB Staff**

Councillor Miller asked a question in relation to frontline Council staff being required to have the vaccine in the first round.

General Manager Community Services provided a response.

10.1.3 **Locations for COVID-19 Vaccinations Roll out**

Councillor Miller asked a question if Council was aware of any locations for vaccinations within the City.

General Manager Community Services provided a response.

10.1.4 Somerton Surf Life Saving Club Lease

Councillor Bouchee asked a question in relation to the Somerton Life Saving Club and status of the new lease agreement.

Chief Executive Officer took the question on notice.

10.1.5 Traffic Officer Replacement

Councillor Lindop asked a question in relation to recruitment for the Traffic Officer position.

A/General Manager City Assets and Services provided a response.

10.1.6 Expression of Interest (EOI) for Kingston Park Kiosk

Councillor Lindop asked a question in relation to the EOI for Kingston Park kiosk.

General Manager Strategy & Business Services provided a response.

10.2 On Notice - Nil

11. MEMBER'S ACTIVITY REPORTS - Nil

12. MOTIONS ON NOTICE

12.1 Motion on Notice – 21-25 South Esplanade Development - Councillor Bouchee (Report No: 68/21)

Motion

C230221/2223

That the Mayor write to the Premier, Acting Planning Minister and Member for Morphett requesting:

- 1. What were the circumstances under which the SCAP accepted an application for a 13 storey building when 5 years ago a very long and detailed DPA was carried out together with a very thorough consultation with residents, with final sign off by the then Planning Minister detailing a MAXIMUM of 5 storeys in this zone?**
- 2. What has been the process to increase the development limits from 5 storeys to 13 storeys?**
- 3. Why has the government (state planning commission) not previously sought to rezone the site via the normal process in which the community is consulted rather than merely react to a single proposal?**

4. **What is the government's attitude to the precedent this will establish for all of the rest of Holdfast Bay's planning height limits? What guarantees can the government provide that this proposal will not be used as the precedent for all to make changes at will without proper community consultation, which may result in a long wall of high-rise apartment buildings along the whole seafront?**
5. **What is the government's objectives in its rules and principles that allow this breach of standards which were only recently installed?**

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

Conflict of Interest

Councillor Fleming declared a material conflict of interest for Item 13.1 Adjourned 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*) was 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 7.21pm.

Leave of the Meeting

Councillor Bradshaw sought leave of the meeting to make a personal statement.

Leave of the Meeting was granted.

Personal Explanation

Councillor Bradshaw made a Personal Explanation with regards the nature of her conflict of interest in Item 13.1 Adjourned Motion on Notice – Hove Rail Crossing – Councillor Snewin. Councillor Bradshaw advised of the reasons she deemed her conflict to not be a material conflict of interest but a perceived conflict of interest and she would proceed based on legal advice received.

Conflict of Interest

Councillor Bradshaw declared a perceived conflict of interest for Item 13.1 Adjourned Motion on Notice – Hove Rail Crossing – Councillor Snewin. The nature of the perceived conflict of interest (pursuant to Section 75 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 perceived conflict of interest by making it known and remaining in the meeting as she was acting in the best interests of the community.

13. ADJOURNED MATTER

- 13.1 **Adjourned Motion on Notice – Hove Rail Crossing – Councillor Snewin** (Report No: 67/21)

This motion was most recently tabled as a Motion on Notice at the ordinary Council meeting on 9 February 2021 (Item 12.1 Motion on Notice – Hove Rail Crossing – Councillor Snewin (Report No: 52/21)), but the item was adjourned under Regulation 19, *Local Government (Proceedings at Meetings) Regulations 2013* until the briefing from the Department of Infrastructure and Transport (DIT) on Tuesday 16 February 2021 had occurred.

The briefing from DIT occurred on 16 February 2021 and it should be noted that this Council Agenda includes a report on the Hove Rail Crossing at Agenda Item 15.6 that provides information on the Hove Rail Crossing.

Councillor Snewin moved the motion and Councillor Bouchee seconded the motion and reserved the right to speak. The adjourned motion needs to be considered before any new motion can be considered.

Motion

C230221/2224

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

Lost

Councillor Fleming re-joined the meeting at 7.27pm.

Leave of the Meeting

Her Worship the Mayor sought leave of the meeting to move Item 15.6 Hove Rail Crossing (Report No: 66/21) in the Agenda to be considered after Item 13.1 Adjourned Motion on Notice – Hove Rail Crossing – Councillor Snewin.

Leave of the Meeting was granted.

Conflict of Interest

Councillor Fleming declared a material conflict of interest for Item 15.6 Hove Rail Crossing. The nature of the material conflict of interest (pursuant to Section 73 and 74 of the *Local Government Act 1999*) was 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 7.27pm.

Councillor Bradshaw declared a perceived conflict of interest for Item 15.6 Hove Rail Crossing. The nature of the perceived conflict of interest (pursuant to Section 75 of the *Local Government Act 1999*) is that an immediate family member owns a business in the Hove rail crossing corridor.

Councillor Bradshaw dealt with the perceived conflict of interest by making it known and remaining in the meeting as she was acting in the best interests of the community.

15.6 Hove Rail Crossing (Report No: 66/21)

In June 2019, funding was foreshadowed for the Hove Rail Crossing in the State Budget. The State and Federal governments subsequently jointly announced \$171m in funding for an upgrade to Hove Rail Crossing at Brighton Road on 29 October 2019, at which time a Planning Study commenced. In November 2020, engagement with the community commenced in relation to four possible options and the implications of those options.

On 16 February 2021 representatives of the Department for Infrastructure and Transport (DIT) briefed the Council at a workshop. From the briefing, Council understands that the primary purpose of the project is to address the inherent risks of a level crossing/road intersection point, pursuant to the national framework of the Office of the National Rail Safety Regulator. The options analysis is therefore not dependant on any further studies and the viable options are rail over or under, or road over or under. All four options have pros and cons.

While Council understands the State Government's driver for the project, there are a number of concerns that Elected Members are hearing from residents. As consultation on the project is ongoing, it was recommended that Council write to the Minister for Infrastructure and Transport to advise of these concerns.

Motion**C230221/2225****That Council:**

- 1. Endorses writing to the Minister for Infrastructure and Transport;**
- 2. That the letter drafted to include the following:**
 - a) Council supports the option of rail under for the following reasons:**
 - achieves project purpose
 - low visibility / visual impact
 - no issues of over looking
 - increased potential long term redevelopment opportunities as indicated by State Government 30 year plan
 - ability to alter / divert roads on /off Brighton Road by DIT if and when required due to increased traffic in next 20/30 years
 - reduces negative financial impacts on CoHB ie rates, maintenance, infrastructure upgrades due to bridge placement option
 - ability of CoHB to develop an entry statement with landscaping, connectivity (as completed at Oaklands Crossing) consolidation of interface between rail/residential and retail landholders;

- b) **that property acquisitions be minimised by providing a shuttle bus running passengers between the Brighton and Oakland stations, rather than building a temporary train line; and**
- c) **seek that DIT work closely with Council and the community to ensure whichever solution the impact on those immediately affected is minimised and that the finished product will be a net benefit to the city.**

Moved Councillor Bouchee, Seconded Councillor Snewin

Carried

Leave of the Meeting

Councillor Clancy sought leave of the meeting to allow Councillor Lindop to address the chamber for a second time.

Leave of the meeting was granted.

Division Called

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

Those voting for: Councillors Bouchee, Miller, Smedley, Patton, Abley, Clancy, Snewin, Lonie and Bradshaw (9).

Those voting against: Councillors Chabrel and Lindop (2).

Councillor Fleming re - joined the meeting at 8.00pm.

Councillor Patton left the meeting at 8.01pm.

Councillor Patton re-joined the meeting at 8.03pm.

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES

14.1 Minutes – Audit Committee – 10 February 2021 (Report No: 59/21)

The public minutes of the meeting of the Audit Committee held on 10 February 2021 were presented to Council for information and endorsement.

Motion

C230221/2226

1. That Council notes the public minutes of the Audit Committee of December 2020 namely:

(a) That the Audit Committee advises Council it has received and considered a Standing Items Report addressing:

- **Monthly Financial Statements**
- **Risk Management and Internal Control**
- **Audit – External/Internal**
- **Public Interest Disclosures – previously Whistle Blowing**

- **Economy and Efficiency audits**
- **Audit Committee Meeting Schedule and Membership**

(b) **That the Audit Committee advises Council it has received and noted the revised Long Term Financial Plan (noting that the net financial liabilities ratio target of 75% will be exceeded in 2029 and may require review).**

(c) **That the Audit Committee supports the 2021-22 budget timetable and development.**

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

14.2 **Draft Minutes – Alwyndor Management Committee – 28 January 2021** (Report No: 63/21)

The draft minutes of the Alwyndor Management Committee meeting held on 28 January 2021 were provided for information.

Motion **C230221/2227**

1. **That the draft minutes of the Alwyndor Management Committee meeting held on 28 January 2021 be noted.**

RETAIN IN CONFIDENCE - Section 91(7) Order

2. **That having considered Attachment 2 to Report No: 63/21 Draft Minutes – Alwyndor Management Committee – 28 January 2021 in confidence under Section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the Act orders that Attachments 1 and 2 be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.**

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

14.3 **Minutes – Jetty Road Mainstreet Committee – 3 February 2021** (Report No: 61/21)

The Minutes of the Jetty Road Mainstreet Committee meeting held on 3 February 2021 were attached and presented for Council's information.

Motion **C230221/2228**

That Council notes the minutes of the Jetty Road Mainstreet Committee of 3 February 2021.

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

15. REPORTS BY OFFICERS**15.1 Items in Brief (Report No: 64/21)**

These items were presented for the information of Members.

Motion**C230221/2229**

That the following items be noted and discussed if required:

- 1. Traffic Signals – Intersection of Brighton Road and Edwards Street, Brighton.**
- 2. Request for a Single Department of Human Services (DHS) Screening Clearance.**

Moved Councillor Lonie, Seconded Councillor Lindop

Carried Unanimously**15.2 Monthly Financial Report – 31 January 2021 (Report No: 65/21)**

Attached were financial reports as at 31 January 2021. They comprised of a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor Aged Care. The adjusted forecast budget included the carried forward amount as approved by Council 11 August 2020 and the two quarterly budget updates approved by Council 20 October 2020 and 9 February 2021.

No changes to Alwyndor and Municipal budgets were recommended at this time, but the report highlighted items that showed a material variance from the YTD budget.

Motion**C230221/2230**

That Council receives the financial reports and budget update for the 7 months to 31 January 2021 and notes:

- no change to the Municipal activities 2020/21 revised budget forecast; and**
- no change to the Alwyndor Aged Care 2020/21 revised budget forecast.**

Moved Councillor Smedley, Seconded Councillor Abley

Carried Unanimously**15.3 Citywide Spend and Win Competition (Report No: 62/21)**

The Economic Recovery Taskforce (ERT) met on 10 August 2020 and discussed a range of strategies to encourage visitation to the City and by extension, stimulate economic activity.

A number of initiatives were discussed by the Taskforce and were submitted to Council for consideration and endorsement. Council endorsed the Spend and Win Competition in October 2020.

The competition ran City wide for four weeks from 16 November to 13 December 2020. This report summarised the results.

Motion

C230221/2231

That Council note this report.

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

15.4 **Appointment of the Public Meeting Committee for the Heritage Contributory Items – Transition Development Plan Amendment (Report No: 58/21)**

As part of the Local Heritage Development Plan Amendment (DPA), an eight week public consultation process is required to be undertaken. At the completion of the public consultation, Council is required to conduct a public meeting, should any representations be made that wish to be formally heard.

An eight week formal public consultation for the Heritage Development Plan Amendment is about to commence.

A public meeting has been scheduled and advertised for 7pm Monday June 14 2021 at the Civic Centre in Brighton.

Council was required to appoint a committee to hear any representation at the public meeting.

Nominations

Her Worship the Mayor called for nominations.

Nominations were received for Councillors Miller, Clancy, Lonie and Smedley.

Motion

C230221/2232

That Council appoints four members to a Local Heritage Committee being Councillor Miller, Councillor Clancy, Councillor Lonie and Councillor Smedley to hear deputations at a public meeting to be held following the close of consultation and to provide advice to Council regarding the outcomes of the consultation

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

15.5 **Strategic Plan Review (Report No: 60/21)**

The *Local Government Act 1999* requires Council to undertake a comprehensive review of its strategic management plans within two years after each general election. As the last general election was held in November 2018, a review of the current strategic plan - Our Place 2030 - has been undertaken.

Due to COVID-19 restrictions limiting opportunities for public meetings, the approach taken has included a significant desktop review component. However, direct inputs were also provided by Elected Members and administrations' Senior Leadership and Leadership Teams in the last quarter of 2020.

The City of Holdfast Bay has had a legislatively compliant strategic framework in place for a number of years and the current strategic plan has a time horizon of 2030. However, there have been significant changes in both internal and external conditions since the last plan was produced and therefore the review recommends that a new strategic plan be developed

Motion

C230221/2233

That Council:

- 1. notes that a review of the strategic plan has been undertaken;**
- 2. accepts the recommendations of the review; and**
- 3. endorses that a new strategic plan be developed in line with the recommendations of the review.**

Moved Councillor Lonie, Seconded Councillor Smedley

Carried Unanimously

Leave of the Meeting

Item 15.6 on the Agenda was considered after Item 13.1 as per leave of the meeting granted.

- 16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**
- 17. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil**
- 18. ITEMS IN CONFIDENCE - Nil**

CLOSURE

The Meeting closed at 8.18pm.

CONFIRMED 9 March 2021

MAYOR