

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 26 July 2022 at 7:00pm.

MEMBERS PRESENT

Mayor A Wilson
Councillor A Bradshaw
Councillor P Chabrel
Councillor J Fleming
Councillor J Fletcher
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 Assets and Delivery – M de Heus
General Manager Community and Business – M Lock
General Manager Strategy and Corporate – 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 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 – Councillor R Abley, Councillor R Clancy

5.2 Absent

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****C260722/2672**

That the minutes of the Ordinary Meeting of Council held on 12 July 2022 be taken as read and confirmed.

Moved Councillor Lonie, Seconded Councillor Patton

Carried Unanimously**9. PUBLIC PRESENTATIONS**

9.1 **Petitions - Nil**

9.2 **Presentation – Leave of the Meeting**

9.2.2 **Glenelg Cricket Club hosted Ukrainian Refugees**

Her Worship the Mayor sought leave of the meeting to allow Councillor Snewin to make a presentation (in accordance with regulation 15(2) of the *Local Government (Procedures at Meetings) Regulation 2013*. Leave of the meeting was granted.

Councillor Snewin acknowledged the Glenelg Cricket Club for hosting a number of Ukrainian refugees at a recent Glenelg Football match. While they may not have understood much of our game, their smiles and positive attitudes made for such a delightful afternoon.

9.3 **Deputations - Nil**

10. QUESTIONS BY MEMBERS

10.1 **Without Notice**

10.1.1 **FOGO Kitchen Caddies**

Councillor Miller asked a question in relation to the FOGO Kitchen Caddies.

General Manager, Assets and Delivery provided a response.

10.1.2 Addison Road, Hove

Councillor Fleming asked a question in relation to proposed kerb and water table works on Addison Road, Hove.

General Manager, Assets and Delivery took the question on notice.

10.1.3 Traffic works on Sixth Avenue, Glenelg East

Councillor Fletcher asked a question in relation to traffic works planned for Sixth Avenue, Glenelg East.

General Manager, Assets and Delivery took the question on notice.

10.1.4 Shipping Containers

Councillor Bradshaw asked a question in relation to the shipping containers near Brighton Oval.

General Manager, Assets and Delivery provided a response.

10.2 With Notice - Nil**11. MEMBER'S ACTIVITY REPORTS****11.1 Mayor's Activity Report – 1 April - 30 June 2022 (Report No: 246/22)**

Motion **C260722/2673**

Presented for the information of Members was the Activity Report for the Mayor for 1 April to 30 June 2022.

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

11.2 Members' Activity Report – 26 December 2021 – 22 July 2022 (Report No: 307/22)

Motion **C260722/2674**

This activity report was presented for the information of Members.

After noting the report any items of interest were discussed, if required with a leave of the meeting.

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

12. MOTIONS ON NOTICE

- 12.1 **Motion on Notice - Lost Sand Glenelg to Kingston Park – Mayor Wilson** (Report No: 229/22)

Motion**C260722/2675**

That Administration be directed to work with the Coastal Protection Board and provide Council with a report on the amount of sand lost in the Glenelg to Kingston Park beach system and advise how much additional sand is required for the purposes of maintaining a reasonable beach level along the Holdfast Bay Coast.

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

- 12.2 **Motion on Notice - Portable Solar Speed Monitoring Signs – Councillor Fleming** (Report No: 248/22)

Motion**C260722/2676**

- 1. That Council Administration investigate and bring back a Council report on the feasibility of purchasing or hiring temporary, portable or permanent smart solar speed monitoring signs for school zones; and**
- 2. That the Council report include, the most appropriate locations for the signs around our city, how many may be required and the cost of purchase and maintenance of them.**

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

- 12.3 **Motion on Notice - Water Safety Education for Immigrants – Councillor Abley** (Report No: 297/22)

Motion**C260722/2677**

That Council write to the Department of Home Affairs requesting consideration be given to water safety education and mandatory swimming lessons for immigrants to Australia, prior to arrival.

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

- 12.4 **Motion on Notice - Ban of Second Generation Anticoagulant Rodenticides (SGARS) – Councillor Abley** (Report No: 298/22)

Motion**C260722/2678**

- 1. That Council endorse the ban of Second Generation Anticoagulant Rodenticides (SGARs) from being used by Council and/or contractors throughout the City.**

2. **Council publish information for residents, educating them on the harmful effects of using SGARs and alternative options for rodent control via our website and social media platforms.**

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

Conflict of Interest

Councillor Miller declared an actual conflict of interest for Item 12.5 **Motion on Notice - Attendance at National Parks and Leisure Gala Dinner** (Report No: 301/22). The nature of the actual conflict of interest (pursuant to Section 75 and 75A of the *Local Government Act 1999*) is that he has a direct financial advantage.

Councillor Miller dealt with the actual conflict of interest by making it known and leaving the meeting at 7.38 pm.

- 12.5 **Motion on Notice - Attendance at National Parks and Leisure Gala Dinner – Councillor Abley** (Report No: 301/22)

Motion

C260722/2679

That Council endorses Councillor Miller attending the National Parks and Leisure Australia Gala Dinner and Awards Ceremony in Melbourne on Tuesday 18 October 2022 as Council’s representative and nominee for the Major Event of the Year Award.

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

Councillor Miller re-joined the meeting at 7.39 pm.

13. **ADJOURNED MATTER - Nil**

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES

- 14.1 **Minutes – Jetty Road Mainstreet Committee – 6 July 2022** (Report No: 294/22)

The minutes of the Jetty Road Mainstreet Committee meeting held on 6 July 2022 were attached and presented for Council’s information.

Jetty Road Mainstreet Committee Agenda, Reports and Minutes are all available on Council’s website and the meetings are open to the public.

Motion

C260722/2680

That Council notes the minutes of the Jetty Road Mainstreet Committee held on 6 July 2022.

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

14.2 **Draft Minutes – Alwyndor Management Committee – 30 June 2022** (Report No: 299/22)

The draft minutes of the Alwyndor Management Committee meeting held on 30 June 2022 were provided for information.

Motion

C260722/2681

1. That the draft minutes of the Alwyndor Management Committee meeting held on 30 June 2022 be noted.

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Attachment 2 to Report No: 299/22 Draft Minutes - Alwyndor Management Committee – 30 June 2022 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 Attachment 2 be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

Moved Councillor Lonie, Seconded Councillor Snewin

Carried Unanimously

15. **REPORTS BY OFFICERS**

15.1 **Items in Brief** (Report No: 247/22)

These items were presented for the information of Members.

After noting the report any items of interest were discussed and, if required, further motions proposed.

Motion

C260722/2682

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

1. Federal Labor's Urban Rivers and Catchments Program
2. Covid Compliance Response
3. New Year's Eve Funding
4. Motion submitted to 2022 National General Assembly of Local Government

Moved Councillor Lindop, Seconded Councillor Lonie

Carried Unanimously

15.2 **Freedom of Entry HMAS *Glenelg*** (Report No: 295/22)

The naval vessel HMAS *Glenelg* is scheduled to be decommissioned in October 2022. The Commanding Officer of the vessel has requested the opportunity for the Ship's Company to exercise Freedom of Entry through *Glenelg* on 13 August 2022.

Motion**C260722/2683****That Council notes the report.**Moved Councillor Smedley, Seconded Councillor Patton **Carried Unanimously****15.3 Local Government Finance Authority Annual General Meeting, Board Nominations and Notice of Motions (Report No: 300/22)**

The Local Government Finance Authority of South Australia (LGFA) has provided advance notice of its upcoming Annual General meeting (AGM) to be held on Friday 28 October 2022, at Adelaide Oval.

Section 15(1) of the *Local Government Finance Authority of South Australia Act 1983*, provides that "Every council is entitled to appoint a person to represent it at a general meeting of the Authority". The LGFA is calling for the appointment of the Council Representative for the AGM.

The LGFA is a body corporate established under the *Local Government Finance Authority Act 1983*, and is administered by a Board of Trustees (LGFA Board). The Board is seeking nominations for Members of the Board to fill two (2) positions on the LGFA Board.

The appointment of the Council Representative for the AGM and Nomination for Members of the Board must be lodged with the LGFA no later than Friday 19 August 2022.

Nominations

Her Worship the Mayor called for Local Government Finance Authority Board nominations.

A nomination was received for Councillor Smedley.

Councillor Smedley's nomination was included in the Council's motion.

Conflict of Interest

Councillor Smedley declared an actual conflict of interest for Item 15.3 **Local Government Finance Authority Annual General Meeting, Board Nominations and Notice of Motions** (Report No: 300/22) before the vote. The nature of the actual conflict of interest (pursuant to Section 73 and 74 of the *Local Government Act 1999*) is that if successful he would receive a sitting fee.

Councillor Smedley dealt with the conflict of interest by leaving the meeting at 7.56pm.

Motion**C260722/2684**

- 1. notes the arrangements of the Local Government Finance Authority of South Australia for the Annual General Meeting;**

2. **approves Mayor Wilson to attend the Local Government Finance Authority AGM as Council's representative and voting member, to be held on Friday 28 October 2022; and**
3. **nominates Councillor Smedley to the LGFA Board for consideration as a Board Member for the Local Government Finance Authority of South Australia.**

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

Councillor Smedley re-joined the meeting at 7.57 pm.

15.4 **Seacliff Traffic Calming and Urban Greening – Myrtle Road and Waratah Street**
(Report No: 305/22)

This report was in response to a resolution of Council (C141221/2496) on 14 December 2021.

Administration investigated this resolution with emphasis being placed on opportunities for urban greening, with traffic calming being a secondary benefit. Both Waratah Street and Myrtle Road are narrow roads with very limited room for street trees in the verge.

There is a history of complaints received by the City regarding traffic speeds along both Myrtle Road and Waratah Street.

The report identifies that Waratah Street currently warrants traffic calming measures, however activity to restrict speeds on Waratah Street would likely result in increased use and speed of vehicles along Myrtle Road, and therefore measures should be considered for both roads collectively.

Narrow road reserve widths as well as above ground and underground utility locations within the road reserve limit appropriate options for urban greening. Options to create "single lane" slow points by narrowing the road with kerb protuberances and therefore providing planting areas, which may incorporate Water Sensitive Urban Design (WUSD) can also achieve Local Area Traffic Management (LATM) solutions. However, this will result in a net loss of potential parking spaces within the road reserve, depending on the number of treatments installed. Alternate options have therefore been provided for consideration, which may not have the same environmental benefits.

Motion

C260722/2685

1. **That Administration prepare a preliminary design and detailed costing for single lane slow points on both Waratah Street and Myrtle Road; and that this preliminary design is taken to the residents of Waratah Street and Myrtle Avenue for Community Consultation; and**

2. That Administration bring back a report to Council with the preliminary design, the detailed costings, and the results of the Community Consultation prior to being considered in a list of projects seeking New Initiative funding in the 2023/24 financial year.

Moved Councillor Lindop, Seconded Councillor Lonie

Carried Unanimously

16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

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

18. ITEMS IN CONFIDENCE

14.2 Draft Minutes – Alwyndor Management Committee – 30 June 2022 (Report No: 299/22)

Motion – Exclusion of the Public – Section 90(3)(b & d) Order C260722/2686

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 Agenda Item 14.2 Attachment 2 - Confidential Draft Minutes – Alwyndor Management Committee – 30 June 2022 (Report No: 299/22)

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 Agenda Item 14.2 Attachment 2 - Confidential Draft Minutes – Alwyndor Management Committee – 30 June 2022 (Report No: 299/22) on the following grounds:

- b. pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would prejudice the commercial position of the Council; and

- 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.

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 or discussion confidential.**

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

18.1 **Tramside Kiosk Lease (Report No: 302/22)**

Motion – Exclusion of the Public – Section 90(3)(b & d) Order **C260722/2687**

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: 302/22 Tramside Kiosk Lease 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: 302/22 Tramside Kiosk Lease on the following grounds:**
 - b. **pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would prejudice the commercial position of the Council; and**
 - 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.**

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 or discussion confidential.**

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

RETAIN IN CONFIDENCE - Section 91(7) Order

C260722/2688

That having considered Agenda Item 18.1 Tramside Kiosk Lease (Report No: 302/22) in confidence under section 90(2) and (3)(b & d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the Report and Minutes be retained for the duration of the approved lease period (provided always that the release of the Report and Minutes is subject to the redaction of any financial information contained therein).

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

CLOSURE

The Meeting closed at 8.16 pm.

CONFIRMED 9 August 2022

MAYOR