

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 July 2019 at 7:00pm.

MEMBERS PRESENT

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

STAFF IN ATTENDANCE

Chief Executive Officer – R Bria
General Manager City Assets and Services – H Lacy
General Manager Community Services – M Lock
A/General Manager Business Services – P Jackson

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. 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.

4. APOLOGIES

4.1 Apologies Received - Councillor J Fleming and Councillor R Patton

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****C230719/1554**

That the minutes of the Ordinary Meeting of Council held on 9 July 2019 be taken as read and confirmed.

Moved Councillor Lonie, Seconded Councillor Clancy

Carried Unanimously

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 **Police Checks**

Councillor Bouchee asked a question in relation to Police Checks for Elected Members.

The Chief Executive Officer, Mr R Bria provided a response.

9.1.2 **No Right Turn sign on Jetty Road Glenelg**

Councillor Bouchee requested an update in relation to the No Right Turn sign on Jetty Road Glenelg and when it will be installed.

General Manager City Assets, Mr H Lacy provided a response.

9.1.3 **Street Signage for Somerton Park businesses**

Councillor Clancy asked a question in relation to the schedule for installation of street signage for the purpose of identifying local business within the industrial area of Somerton Park.

The Chief Executive Officer, Mr R Bria took this question on notice.

9.2 With Notice

9.2.1 Question on Notice – Timetable and Development Plan for Environmental Strategy Initiative (Report No: 285/19)

Councillor Chabrel asked the following question:

“Could Administration provide a timetable and development plan (including plans for public consultation) for the Environmental Strategy initiative of the 2019/20 Business Plan and any planned environmental audits?”

ANSWER – General Manager City Assets and Services

The development of the Environmental Strategy is at an early stage and no firm timetable has yet been developed. Further work is underway including a proposal to discuss possible strategies with Council at a future workshop (yet to be scheduled). Once the overall scope of the strategy is firmed up, Administration will be in a position to develop a timetable and to look at an appropriate time for community consultation. At this point, our initial thinking is that the strategy will require two (2) audits, an energy audit and a carbon audit, to provide baseline data to inform the strategy and possible future targets. No other environmental audits are proposed at this stage.

9.2.2 Question on Notice – Car Fleet (Report No: 288/19)

Councillor Bouchee asked the following question:

“Could the CEO please advise:

- 1. *Number of cars in Council car fleet?***
- 2. *Type of power – petrol, hybrid or diesel?***

Background

A motion was moved 10 years ago to transition car fleet where possible to hybrid/electric.

ANSWER – General Manager City Assets and Services

1. There are 15 passenger vehicles in the Council fleet.
2. As at 30 June 2019:

Hybrid	6
Diesel	1
Petrol	8*

*Currently another hybrid vehicle is on order to replace the diesel vehicle, increasing total vehicles to 7. Council will continue to assess the

suitability of additional hybrid vehicles at future replacement intervals.
Council owned 2 hybrid vehicles in 2014/15.

10. MEMBER'S ACTIVITY REPORTS - Nil

11. MOTIONS ON NOTICE

- 11.1 **Motion on Notice – Request to Establish Footpath on Gladstone Road North Brighton - Councillor Chabrel** (Report No: 286/19)

Withdrawn Item

At the request of the Councillor Chabrel, the above item was withdrawn from the Council agenda.

- 11.2 **Motion on Notice – Implement No Smoking on all Sporting Grounds – Councillor Clancy** (Report No: 287/19)

Councillor Clancy proposed the following motion:

Motion

C230719/1555

That administration provide a report to consider implementation of a no smoking policy for all sporting grounds and grounds of Community Centres including Glenelg Oval, Brighton sports precinct and Kauri Parade.

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

BACKGROUND

Adelaide Oval, Newly built Edwardstown sports club and Campbelltown sports centre are all smoke free and people have to go outside the grounds to smoke. Our sporting facilities are for people to get and stay fit and for those with health conditions such as asthma are unable to enjoy watching games, walking in the area or playing sport.

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: 278/19)

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**C230719/1556****That the following items be noted and items of interest discussed:**

1. **Commonwealth Home Support Program (CHSP) and SA HACC Program Update**
2. **Dementia Friendly Holdfast Bay**
3. **Correspondence from Hon Steven Marshall MP, Premier of SA**
4. **Brighton Oval Building Development – Update**

Moved Councillor Lonie, Seconded Councillor Clancy

Carried Unanimously

- 14.2 **Chapel Street Plaza and Hindmarsh Lane Upgrade – 70% Design Stage** (Report No: 283/19)

The Chapel Street Plaza and Hindmarsh Lane (Stage 1) draft concept was endorsed by Council at the meeting on 29 January 2019. Subsequently the Project Team consulted with key stakeholders including businesses and property owners surrounding Chapel Street and Hindmarsh Lane throughout March 2019. As a result of the feedback received, a number of changes have been made and the designs have been further developed, which are outlined in this report.

The designs have progressed to a stage where they are now 70% complete, in regards to engineering investigations and development. This report provides an update on the progress of the designs before the final designs and construction documentation is returned to Council for endorsement later this year.

Motion**C230719/1557****That Council:**

1. **note the feedback received during engagement with key stakeholders on Chapel Street Plaza and Hindmarsh Lane concepts; and**
2. **note the Chapel Street Plaza and Hindmarsh Lane 70% detailed design milestone and upcoming project stages including further stakeholder engagement and development of final designs and documentation for Council endorsement.**

Moved Councillor Lonie, Seconded Councillor Miller

Carried Unanimously

- 14.3 **2019-20 Outdoor Dining Fees and Charges** (Report No: 282/19)

Subsequent to the adoption of the 2019-20 fees and charges it has been noted that the fees for outdoor dining have been calculated incorrectly and exceed the general fee increases proposed through the budget process. This report identifies the relevant fees and proposes an amendment to ensure their increase is consistent with the increase applied to the remaining fees and charges. It should

be noted that the budgeted 2019-20 income figure for outdoor dining is correct and remains unchanged.

Motion

C230719/1558

That in respect of the 2019-20 financial year the amended fees and charges for outdoor dining detailed in Table 1 within Report No: 282/19, be adopted and that the relevant policies and schedule be updated accordingly.

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

Conflict of Interest

Councillor Bradshaw declared an actual Conflict of Interest (pursuant to Section 74 of the *Local Government Act 1999*) for item 14.4 Council Policy Updates (Report No: 272/19). The nature of the actual Conflict of Interest (pursuant to Section 74 of the *Local Government Act 1999*) was that her daughter is a specified personal trainer in the area.

Councillor Bradshaw dealt with her actual Conflict of Interest by making it known to the chamber and left the chamber at 7.36pm.

14.4 Council Policy Updates (Report No: 272/19)

As part of the on-going review of Council policies, the Community Consultation and Engagement Policy, Youth Policy and Personal Trainers Policy and Permit System have been reviewed for Council endorsement. Each of the three policies required minor amendments.

Motion

C230719/1559

That Council:

- 1. endorse the Community Consultation and Engagement Policy;**
- 2. endorse the Youth Policy; and**
- 3. endorse the Personal Training Policy and Permit System.**

Councillor Bradshaw re-entered the chamber at 7.48pm.

Moved Councillor Lonie, Seconded Councillor Abley

Carried

14.5 Council Permission for Structures on Verge (Report No: 279/19)

Council has received a request from the landowner of 1 Richardson Avenue, Glenelg North for permission to construct an art installation on the verge adjacent the property for the purpose of screening an SA Power Networks transformer box and bollards from view. The art installation is designed to complement the architecture of the dwelling on the adjacent land that is presently under construction. The art installation will be funded and maintained by the

proponent, with no technical impediments to its construction. It is recommended that a permit is granted by Council for the art installation, reviewed on an annual basis, in accordance with the terms and conditions of the City of Holdfast Bay Encroachments Policy.

Motion

1. **That Council endorses the granting of a permit under section 221 of the Local Government Act 1999 for the construction of an art installation located on the Margaret Street verge adjacent 1 Richardson Avenue, Glenelg North to screen the SA Power Networks transformer box and bollards as proposed in Attachment 1 to this report, subject to the permit being:

 - a. reviewed annually; and
 - b. in accord with the terms and conditions outlined in the City of Holdfast Bay Encroachments Policy.**
2. **That the cost and ongoing maintenance of the art installation is met by the current and future landowners of 1 Richardson Avenue, Glenelg North.**

Moved Councillor Lonie, Seconded Councillor Lindop

Adjournment

C230719/1560

That the report be adjourned until the next Council meeting on the basis that Council require further information relating to the Policy.

Moved Councillor Clancy, Seconded Councillor Miller

Carried

14.6 **City of West Torrens – Local Area Traffic Management at Glenelg North** (Report No: 280/19)

The City of West Torrens, in consultation with the City of Holdfast Bay's Traffic Unit, has undertaken a Local Area Traffic Management Plan (LATM) for roads in Novar Gardens and Glenelg North to address concerns over speeding, rat-running and intersection safety. In Glenelg North, the issues are primarily short-cutting traffic and speeding on Bonython Avenue and Shannon Avenue. Shannon Avenue is a key collector road providing access to Immanuel College and a convenient link to Morphett Road through the City of West Torrens and a link between Tapleys Hill Road and Anzac Highway via Kibby Avenue with City of Holdfast Bay (CHB).

The findings of LATM and preliminary community consultation conducted in October 2018 is that changes to traffic control devices are required at three (3) locations on, or near the boundary with City of Holdfast Bay. Location 1 is the intersection of Shannon Avenue and Bonython Avenue, within City of Holdfast Bay. Location 2 is the intersection of McCann Avenue and Bonython Avenue, within City of Holdfast Bay. Location 3 is the intersection of Shannon Avenue and Wongala Avenue, near City of Holdfast Bay.

This report advises the results of the LATM and provides details of City of West Torrens plans for installing infrastructure at each of these intersections. Whilst Locations 1 & 2 are within City of Holdfast Bay, the City of West Torrens has agreed to fully fund the installation and manage construction of the infrastructure at these locations within City of Holdfast Bay, on the proviso that City of Holdfast Bay own and be responsible for all future maintenance of these new assets.

Motion

That Council:

- 1. endorses installation of the proposed traffic controls and improvements at Locations 1 and 2 within City of Holdfast Bay as outlined in the attachments to this report;**
- 2. notes that the City of West Torrens proposes to fully fund the construction of the necessary infrastructure and line marking at the proposed Locations 1 and 2 within City of Holdfast Bay and approves the City of Holdfast Bay taking ownership of the assets upon completion and becoming responsible for all future maintenance costs associated with the infrastructure; and**
- 3. authorise community consultation in relation to the proposed works at Locations 1 and 2 in conjunction with City of West Torrens.**

Moved Councillor Chabrel, Seconded Councillor Abley

Amendment

C230719/1561

That:

- 1. subject to Community Consultation with City of Holdfast Bay residents, that consideration is given for installation of the proposed traffic controls and improvements at Locations 1 and 2 within City of Holdfast Bay as outlined in the attachments to this report;**
- 2. Council notes that the City of West Torrens proposes to fully fund the construction of the necessary infrastructure and line marking at the proposed Locations 1 and 2 within City of Holdfast Bay and approves the City of Holdfast Bay taking ownership of the assets upon completion and becoming responsible for all future maintenance costs associated with the infrastructure;**
- 3. Council authorise community consultation in relation to the proposed works at Locations 1 and 2 in conjunction with City of West Torrens.**

Moved Councillor Clancy, Seconded Councillor Miller

The amendment on being put was

Carried

The motion, as amended, on being put was

Carried Unanimously

14.7 **Opportunities to Reduce Single-Use Plastic Consumption in the City of Holdfast Bay** (Report No: 281/19)

Councillor Abley left the chamber at 8.24pm

Councillor Abley re-joined the chamber at 8.26pm

On 28 August 2018, Council resolved that Administration research and report back on options to reduce both Council's and the community's use of single-use plastics and currently unrecyclable plastics such as composites and polystyrene, thereby reducing the need for plastic recycling, decreasing waste to landfill and improving Council's total carbon footprint by evaluating current supply chains.

This report lists a number of potential opportunities that could be implemented to reduce reliance on single-use plastics at events, within Council and the community. Budget implications have also been included.

Motion

C230719/1561

1. **That Council note the opportunities listed within the report and refer these for consideration in Council's Environmental Strategy development.**
2. **That the Chief Executive Officer provide a report to the first budget workshop for 2020/21 that reports on the progress of initiatives and priorities for future funding.**

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

14.8 **Landowners Consent for Repatriation of Aboriginal Remains in Kingston Park** (Report No: 284/19)

At the meeting of 23 April 2019, Council granted landowner's consent for the proposed burial of the ancestral remains of three (3) Kurna people being returned by the Natural History Museum, United Kingdom (Council Resolution C230419/1463). In addition, approval was granted for exemption to By-Law [2.10] in order for the necessary work, burial and the erection of any proposed memorial to be undertaken on site.

Further to this approval, representatives of the Kurna community have requested approval for the burial of eight (8) additional partial remains at the same location. The provenance research conducted has identified that a majority of these remains are of people from the Holdfast Bay area.

Motion

C230719/1562

That Council approve the burial of eight partial ancestral remains to occur at the same location and at the same time as the burial for the ancestral remains approved on 23 April 2019, Council Resolution C230419/1463.

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

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

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

Leave of the Meeting

The Chief Executive Officer sought leave of the meeting to raise an item of Urgent Business on the grounds that he wanted to provide an update to the Council regarding the Buffalo, in confidence at Item 17.2 – Confidential Items.

Leave of the meeting was granted.

17. ITEMS IN CONFIDENCE

17.1 **Kauri Community and Sporting Complex – Expression of Interest Results (Report No: 232/19)**

Motion – Exclusion of the Public – Section 90(3)(k) Order C230719/1563

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: 232/19 Kauri Community & Sporting Complex – EOI Results 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: 232/19 Kauri Community & Sporting Complex – EOI Results on the following grounds:
 - k. pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this Agenda Item are tenders for the provision of services, being the outcome of the Expression of Interest process undertaken for the Kauri Community & Sporting Complex.
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 Abley, Seconded Councillor Lonie **Carried Unanimously**

RETAIN IN CONFIDENCE - Section 91(7) Order C230719/1563

That having considered Agenda Item 17.1 232/19 Kauri Community & Sporting Complex – EOI Results in confidence under section 90(2) and (3)(k) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachment and minutes relevant to this item be retained in confidence for a period of 12 months and the Chief Executive Officer is

authorised to release the documents when all organisations are informed formally of the council's decision regarding the management arrangements for the Kauri Parade Sports Complex.

This order is subject to section 91(8)(b) of the Act which provides that details of the identity of the successful tenderer must be released once Council has made a selection.

Moved Councillor Lonie Seconded Councillor Lindop **Carried Unanimously**

17.2 Buffalo Update

Motion – Exclusion of the Public – Section 90(3)(b, d & h) Order C230719/1566

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: 185/19 Buffalo - Update 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: 185/19 Buffalo - Update 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 could reasonably be expected to confer a commercial advantage on a person with whom the Council is

conducting business; or
would prejudice the commercial position of the Council.
 - 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.

