

**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 24 September 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 J Fleming  
Councillor C Lindop  
Councillor S Lonie  
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  
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. 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 W Miller

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****C240919/1611**

**That the minutes of the Ordinary Meeting of Council held on 10 September 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 **Holm Oaks on Tarlton Street, Somerton Park**

Councillor Clancy asked a question in relation to the condition of the three Holm Oaks the Eastern/Southern side of Tarlton Street, Somerton Park which appear to be causing damage to adjoining properties.

Manager City Assets and Services, Mr H Lacy took the question on notice.

9.2 **With Notice - Nil**

**10. MEMBER'S ACTIVITY REPORTS - Nil****11. MOTIONS ON NOTICE**

11.1 **Motion on Notice – Bait Vending Machine - Councillor Fleming** (Report No: 357/19)

Councillor Fleming proposed the following motion:

**Motion****C240919/1612**

**That Administration prepare a report on options to address community concerns in regards to the bait vending machine that has been installed on the Esplanade at Brighton and that this report be brought back to Council by November 2019.**

Moved Councillor Fleming, Seconded Councillor Snewin

**Carried Unanimously**

**BACKGROUND**

On September 4 2019 it was brought to my attention through resident complaints and social media that a bait vending machine had been installed on the Esplanade at Brighton close to the Arch of Remembrance. On further enquiry the machine was approved by administration on a 12 month trial basis. From my perspective it has been placed in an inappropriate position, and the permit fee seems extremely low. My other concern is about the possible impact on a similar business on Brighton Road who have been rate payers for over 40 years. This machine is on a 12 month trial, however I have received a number of requests from the Community for it to be removed earlier.

**11.2 Motion on Notice – Ferry Services - Councillor Smedley (Report No: 358/19)**

Councillor Smedley proposed the following motion:

**Motion****C240919/1613**

- 1. That the City of Holdfast Bay provides in principle, support for the establishment of daily fast ferry service from Glenelg to Kangaroo Island and potentially other locations eg Yorke Peninsula.**
- 2. That Administration work with the Jetty Road Mainstreet Committee and other key business stakeholders to determine requirements for establishing such a service from Glenelg and provide a report to Council.**

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

**BACKGROUND**

There have been a number of media reports over the last week from the Kangaroo Island Mayor advising that there is a company that would be most interested in starting a ferry between Glenelg and Kingscote in the near future and that a new ferry service from Adelaide to Kangaroo Island must be included in plans for an overhaul of Glenelg Jetty. Further to this, consideration must be afforded for the ferry service interface with Jetty Road Glenelg retail precinct and associated infrastructure. The establishment of a direct ferry service between Glenelg and Kingscote on the face of it would have direct economic benefits to the Holdfast Bay Community in regards to additional tourism etc. The motion is to provide in-principle support by Council so that Administration can work with the Jetty Road Mainstreet Committee (JRMC) and other key business stakeholders on what would be the requirements to support the establishment of such a service.

**12. ADJOURNED MATTER - Nil****13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL****13.1 Minutes – Jetty Road Mainstreet Committee – 4 September 2019 (Report No: 346/19)**

The Minutes of the Jetty Road Mainstreet Committee meeting held on 4 September 2019 were attached and presented for Council's information.

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

**Motion**

**C240919/1614**

**That Council notes the minutes of the Jetty Road Mainstreet Committee of 4 September 2019.**

Moved Councillor Lonie, Seconded Councillor Abley

**Carried Unanimously**

**14. REPORTS BY OFFICERS**

**14.1 Items in Brief (Report No: 351/19)**

These items were presented for the information of Members.

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

**Motion**

**C240919/1615**

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

- 1. Glenelg Oval Stage 1A – Update**
- 2. Michael Herbert Bridge – Lighting up for Charity**
- 3. Brighton Oval Stage 1 – Update**
- 4. National General Assembly 2019 – Councillor Chabrel**

Moved Councillor Lonie, Seconded Councillor Lindop

**Carried**

**14.2 New Licence Agreement – Seacliff Tennis Club and Uniting Church Australia (Report No: 352/19)**

The Seacliff Tennis Club Incorporated (the Licensor) sought approval from Council to license part of their leased areas at the Kauri Sporting Centre to the Uniting Church Netball Association.

**Motion**

**C240919/1616**

- 1. That Council approves the Seacliff Tennis Club Incorporated (the Licensor) entering into a licence agreement with the Uniting Church in Australia Property Trust (the Licensee) for the use of two courts at Kauri Sporting Centre based on the following:**
  - a) the licence to have a five (5) year term which commenced from 5 August 2017 and expires on 4 August 2022;**
  - b) Licensee is entitled to use the two (2) courts between 1 May and 30 September each year; and**
  - c) the annual licence fee being \$220.00 (plus GST) and subject to review by CPI on the 5 August each year.**
- 2. That the Chief Executive Officer and Mayor be authorised to execute and seal any documents as required to give effect to this licence.**

Moved Councillor Lonie, Seconded Councillor Lindop

**Carried Unanimously**

14.3 **Implementation of Smoke Free Areas in Council Owned Facilities** (Report No: 341/19)

The harmful health impacts of second-hand smoke have been well known for some years. Exposure to second-hand smoke can cause a number of serious illnesses including heart disease, stroke, lung cancer and nasal sinus cancer, along with immediate breathing difficulties for those with respiratory disorders.

Community support for smoke-free, safe and healthy environments is increasing and as a result, many South Australian public areas have become voluntarily smoke-free over the past decade, including outdoor events and community spaces. Smoke free areas provide health friendly environments that encourage usage of Council facilities such as community centres and sporting facilities.

Establishing a Smoke Free Council Facilities Policy is a positive public health initiative and a step towards making community facilities more health and family orientated environments.

**Motion**

**C240919/1617**

**That Council endorse the draft Council Owned Facilities - Smoke Free Policy for public consultation.**

Moved Councillor Clancy, Seconded Councillor Lonie

**Carried**

**Division:**

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

Those voting for: Councillors Snewin, Clancy, Bouchee, Smedley, Abley, Chabrel, Lonie, Lindop and Bradshaw (9)

Those voting against: Councillors Fleming and Patton (2)

Her Worship the Mayor declared the motion

**Carried**

14.4 **Glenelg Oval – Eastern Retaining Wall Upgrade** (Report No: 314/19)

Planning and preparations are underway for the upgrade of the Holdfast tennis courts, club house and landscaping. During investigations for that project, the poor condition of a section of the retaining wall that stands as the boundary between the football oval and the tennis courts came to light.

This stone wall, which is situated on the eastern boundary of the Glenelg Oval, was built in 1935 and has some heritage value. However, the northern section of the wall poses a risk of structural failure. A condition assessment, geotechnical investigation and heritage assessment have been carried out with advice being to remediate the wall now rather than rebuilding it after a failure in the future.

Five (5) alternative remediation concepts were considered, from full replacement to partial repair. With assistance from the heritage expert and Council's consultant engineers, an option to repair the wall has been developed and is recommended for implementation at an estimated cost of approximately \$60,000.

This report recommended the repairs be effected before the tennis court upgrade proceeds and that a new budget allocation of \$60,000 be approved in the 2019/20 Capital Works budget to fund the work.

**Motion****C240919/1618****That Council:**

1. **note the condition and heritage assessment of the retaining wall along the eastern boundary of the Glenelg Oval adjoin the Holdfast Bay Tennis Club;**
2. **approve a new capital project to undertake repair of the failing retaining wall; and**
3. **approve allocation of new capital expenditure of \$60,000 within the 2019/20 Capital Works Program to undertake the work.**

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

**14.5 Electric Scooter Trial Along the Coast Park (Report No: 349/19)**

This report summarised the outcome of discussions with DPTI, LGA and the Western Alliance of Councils and further details of the opportunity to consider a trial of electric scooters (e-scooters) within the Holdfast Bay Council area and the implications associated with such a trial.

**Motion****C240919/1619****That Council:**

1. **endorse administration to continue to work with the Western Alliance of Councils to progress the tender documents and processes development for the 6-month trial, commencing November 2019; and**
2. **endorse the Request for Tender document for 'E-Scooter mobility services' for release to the market and the tender process to be managed by the Local Government Association (LGA).**

Moved Councillor Lonie, Seconded Councillor Patton

**Carried****Division:**

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

Those voting for: Councillors Snewin, Clancy, Bouchee, Smedley, Abley, Patton, Chabrel, Lonie and Lindop (9)

Those voting against: Councillors Fleming and Bradshaw (2)

Her Worship the Mayor declared the motion

**Carried****14.6 Winter Wonderland 2019 Event Report (Report No: 347/19)**

The report provided an overview of the results of Winter Wonderland ice skating rink in Moseley Square that took place from 28 June to 22 July 2019 during the school holidays.

The City of Holdfast Bay contributed \$43,576 towards Winter Wonderland, which was jointly funded with Jetty Road Mainstreet Committee.

The City of Holdfast Bay, in conjunction with the Jetty Road Mainstreet Committee, will assess the future direction of the event in the coming months.

**Motion**

**C240919/1620**

**That the Council note this report.**

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

**14.7 Tourism Plan 2020 Review (Report No: 348/19)**

The Holdfast Bay Tourism Plan 2020 was adopted by Council in July 2017 confirming an ongoing commitment of Council, Industry and the Community to see our City go from strength to strength as a Tourism destination.

To ensure the currency and continued relevance of the Tourism Plan, an annual review of the strategies have been undertaken. Given the changing nature of the industry, it is expected that modifications will occur over time to ensure the plan remains relevant, achievable and measurable.

**Motion**

**C240919/1621**

**That Council note the report.**

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

**14.8 Glenelg Town Hall Museum and Gallery Upgrade (Report No: 350/19)**

The purpose of the report was to provide a brief summary on the Glenelg Town Hall Museum and Gallery Upgrade.

**Motion**

**C240919/1622**

**That Council note this report.**

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

**14.9 Beachouse Glenelg – Remediation Former Ferris Wheel Site (Report No: 354/19)**

**Adjournment:**

That the motion be adjourned for a period of 1 month to allow further information and proposed designs for the area to be provided to Council.

Moved Councillor Bouchee, Seconded Councillor Fleming **Carried**

No Councillors spoke to the motion.

**14.10 Greening Our Community Grants 2019-20 (Report No: 353/19)**

Council provides annual funding to enable suitable community based environmental projects to receive grant funding. Known as Greening Our

Community Grants, the program has a total budget of \$20,000 available for allocation in 2019/20.

Seven (7) applications were received for Greening Our Community Grants in 2019-20.

Council has previously authorised an Evaluation Committee of three (3), including one Elected Member and two administrative staff, to evaluate applications and recommend selected projects to Council for funding. The Committee reviewed each candidate project using six criteria. Five applications were recommended for funding approval in the 2019/20 grants program.

**Motion**

**C240919/1623**

1. **That Council approve funding for the following five (5) community based environmental projects under the Greening Our Community Grants for 2019-20:**

APPLICANT	PROJECT	AMOUNT
Glenelg Primary Schools	Shade STEM Project	\$5,000.00
Glenelg North Community Garden	Rainwater Tanks	\$4,150.45
Seacliff Community Recreation Centre	Install Energy Efficient Blinds	\$3,520.91
McAuley Community School	Develop/run Living Smart course	\$2,200.00
YMCA (on behalf of Holdfast Bay Community Centre)	Develop a community garden	\$5,000.00
	<b>TOTAL</b>	<b>\$19,871.36</b>

2. **That the successful and unsuccessful applicants be notified in writing.**

Moved Councillor Bouchee, Seconded Councillor Smedley

**Carried**

**14.11 Monthly Financial Report – 31 August 2019 (Report No: 355/19)**

Financial Reports were tabled as at 31 August 2019. They comprised a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor Aged Care, and a month by month variance report for Council's municipal activities. The adjusted forecast budget included the carried forward amount as approved by Council 13 August 2019.

As this report was for the first 2 months, there were no changes to the Alwyndor and Municipal budgets other than the approved carried forwards. The report highlighted Council's decisions that will affect the budget and these will be included in the first quarterly budget review report in October.

**Motion**

**C240919/1624**

**That Council receives the financial reports and budget update for the 2 months to 31 August 2019 and notes:**

- **no change to the Municipal activities 2019/20 budget forecast other than the approved carried forward budgets;**
- **no change to the Alwyndor Aged Care 2019/20 budget forecast; and**



- **that Council approved 2019/20 budget variations will be included in the first budget update as at 30 September 2019.**

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

**15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**

**16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING**

**Leave of the Meeting:**

Councillor Smedley sought leave of the meeting to raise an item of urgent business for Council and the City of Holdfast Bay to appropriately acknowledge the outstanding result for Glenelg Football Club winning the SANFL Grand Final on Sunday 22 September 2019.

Leave of the meeting was granted.

**Conflict of Interest:**

Councillor Abley declared a perceived conflict of interest for confidential item 17.1 Update Brighton Oval Masterplan – Stage 2 (Report No: 342/19). The nature of the perceived conflict of interest (pursuant to Section 74 of the Local Government Act 1999) was that a family member is employed by a company who may tender for work associated with this project.

Councillor Abley dealt with her perceived conflict of interest (pursuant to Section 74 of the Local Government Act 1999) by making it known to the chamber and leaving at the chamber at 8.21pm.

**17. ITEMS IN CONFIDENCE**

**17.1 Update Brighton Oval Masterplan – Stage 2 (Report No: 342/19)**

**Motion – Exclusion of the Public – Section 90(3)(b) Order C240919/1625**

- 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: 342/19 Updated Brighton Oval Masterplan – Stage 2 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: 342/19 Updated Brighton Oval Masterplan – Stage 2 in confidence 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; would prejudice the commercial position of the Council.**

**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 Clancy, Seconded Councillor Lindop

**Carried**

**Short Term Suspension of Meeting Procedures:**

Her Worship the Mayor with the approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013 for a period of 3 minutes to allow Members a short break. Formal meeting procedures resumed at the end of this time.

The meeting procedures were suspended at 8.16 pm.

The meeting resumed at 8.19 pm.

Councillor Chabrel re-joined the chamber at 8.20pm

**Adjournment:**

That the report be adjourned to enable a scheduled workshop in relation to item 17.1 Update Brighton Oval Masterplan – Stage 2 (Report No: 342/19) to allow for further information to be presented. The item will be adjourned until the council meeting following the scheduled workshop.

Moved Councillor Bouchee Seconded Councillor Smedley

**Carried**

No Councillors spoke to the motion.

**RETAIN IN CONFIDENCE - Section 91(7) Order**

**C240919/1627**

- 1. That having considered Agenda Item 17.1 Updated Brighton Oval Masterplan - Stage 2 (Report No: 342/19) in confidence under section 90(2) and (3)( b) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence for a period of 18 months and/or the Chief Executive Officer is authorised to release the documents when finalisation of tenders and that this order be reviewed every 12 months.**

Moved Councillor Lonie, Seconded Councillor Clancy

**Carried**

**CLOSURE**

The Meeting closed at 8.30pm.

**CONFIRMED      8 October 2019**

**MAYOR**