

**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 13 April 2021 at 7:00pm.**

**MEMBERS PRESENT**

Mayor A Wilson  
Councillor R Abley  
Councillor M Bouchee  
Councillor A Bradshaw  
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  
A/General Manager Community Services – M Rechner  
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.

Councillor Shewin joined the meeting at 7.02pm.

**5. APOLOGIES**

- 5.1 Apologies Received – Councillor Chabrel
- 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**

**C130421/2258**

**That the minutes of the Ordinary Meeting of Council held on 23 March 2021 be taken as read and confirmed.**

Moved Councillor Abley, Seconded Councillor Lonie

**Carried Unanimously**

**9. PUBLIC PRESENTATIONS**

- 9.1 **Petitions - Nil**
- 9.2 **Presentation - Nil**
- 9.3 **Deputations**

**Holdfast Quays Marina Association Incorporated (HQMA) – Mr Allan Aitcheson and Mr Jamie Beavis**

*Mayor Wilson has approved a deputation on behalf of HQMA regarding ablution facilities.*

**10. QUESTIONS BY MEMBERS**

**10.1 Without Notice**

**10.1.1 Extension of Mix 102.3 Ferris Wheel**

Councillor Miller asked why the Elected Members had not been informed about the extension of time for the Ferris Wheel to remain at Glenelg foreshore.

Chief Executive Officer took the question on notice.

**10.1.2 Condolences for the passing of the Duke of Edinburgh Passing**

Councillor Miller asked if Council are going to post on social media condolences for the passing of the Duke of Edinburgh with photos of when he visited the City.

Chief Executive Officer provided a response.

**10.1.3 Suicide Prevention Network**

Councillor Miller asked for an update on the Suicide Prevention Network.

A/General Manager Community Services provided a response.

**10.1.4 Damaged Hand Rail at Pier Street**

Councillor Abley asked when the damaged handrail at the end of Pier Street would be fixed.

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

**10.1.5 Rendez-Vous Market**

Councillor Bradshaw asked whether the Rendez-Vous markets would be held at Bindarra or Wattle reserve.

A/General Manager Community Services provided a response.

**10.1.6 Slipway Lease, Holdfast Quays Marina**

Councillor Bouchee asked if a copy of the lease for the Patawalonga slipway could be sent to Elected Members.

Chief Executive Officer provided a response.

**10.1.7 Sand Carting, Glenelg Beach**

Councillor Bouchee asked if Administration would be supervising the sand carting on Glenelg Beach.

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

**10.1.8 Traffic Study Brighton Road and Edwards Street, Brighton**

Councillor Lindop asked if Administration had been asked by the Department for Infrastructure and Transport (DIT) to provide feedback to them on the Brighton Road and Edwards Street traffic study.

Chief Executive Officer took the question on notice.

10.2 **On Notice - Nil**

**11. MEMBER'S ACTIVITY REPORTS – Nil**

**12. MOTIONS ON NOTICE**

12.1 **Motion on Notice – Art Deco Heritage Review - Councillor Miller** (Report No: 109/21)

Councillor Miller proposed the following motion:

**Motion**

**C130421/2259**

**That Administration report to Council on the process and costs to undertake an Art Deco Heritage review to identify buildings of the architectural style within the City not currently locally heritage listed.**

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

**BACKGROUND**

Holdfast Bay still retains many fine examples of Art Deco built form. The broad use of this style is historically unique to Holdfast Bay, which reflects our progressive development history.

Examples currently without any protection include Retten (8 Giles Avenue, Glenelg), Shoreham (18A South Esplanade, Glenelg South), and Strathmerton (53 Whyte St, Somerton Park) among others.

As the architectural style nears its centenary, it has become apparent that the City lacks a comprehensive plan to protect this significant and well-loved style.

12.2 **Motion on Notice – Additional Heritage Benches (Partridge House) – Councillor Miller** (Report No: 110/21)

Councillor Miller proposed the following motion:

**Motion**

**C130421/2260**

**That Administration:**

1. **acquire and install two (2) additional standard benches into the courtyard area of Partridge House at a cost of \$3,000; and**
2. **relocate two (2) of the existing heritage benches from the courtyard area to be placed on the lawns directly west of Partridge House facing inward toward the grounds and reinstall the heritage bench being currently renovated adjacent to the sun dial at the Northwest of the grounds.**

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

### **BACKGROUND**

Partridge House is a wonderful community asset with well visited grounds. Unfortunately there are not enough park benches to satisfy demand. Somerton Ward Councillors identified locations where park benches were necessary and two benches were subsequently re-instated on the southwest lawns. The other locations identified in this motion were brought up, however it was represented that Council does not have the requisite number of heritage benches to accommodate this and therefore this motion sought to rectify this.

#### 12.3 **Motion on Notice – Dry Zone Signage – Councillor Miller** (Report No: 111/21)

Councillor Miller proposed the following motion:

#### **Motion**

**C130421/2261**

#### **That Administration:**

- 1. undertake an audit of dry zone signage throughout Holdfast Bay to ensure they are only located where legislated (in Glenelg, Brighton, and Seacliff Dry Zone areas as permitted); and**
- 2. determine whether any erroneous fines have been administered under misleading dry zone signage and rectify accordingly.**

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

### **BACKGROUND**

Elected Members have noticed beach entrances have been invalidly marked as alcohol prohibited dry zones over the past year and these have been rectified on an ad hoc basis. These include at the beach entrances off the Broadway (6th October 2020 email by Councillor Miller) and South Brighton (Question without Notice by Councillor Fleming, 13th October 2020), as well as temporary dry zone signs for New Year's Eve still being in place in at the east end of Jetty Road Glenelg in March 2021.

Council may only signpost such prohibitions where legislatively allowed and it is beyond our authority to place these prohibitions outside the 3 zones.

It has since been noticed in the past week that 'dry zone' signs have been included on new signs at the Minda Coast Park entrance, which showcases that this is clearly an ongoing issue. Therefore, I ask administration to review all signage that may have been mistakenly posted as an alcohol prohibited zone.

**13. ADJOURNED MATTER****13.1 Adjourned Report – Commercial Road, Brighton – Traffic Investigation (Report No: 85/21)**

Administration submitted Item 15.10 (Report No: 05/21) Commercial Road, Brighton – Traffic Investigation for consideration by Council at its meeting on 27 January 2021 (refer Attachment 1).

Council subsequently resolved to adjourn consideration of the matter until Administration obtained further information regarding the viability of a Zebra crossing.

Additional recommendation, that Council advise Tutti Arts of the outcomes and provide advice to Tutti Arts to support them to increase safety related to parking and access at pick up and drop off times to the facility.

Based on a detailed assessment, the road environment and pedestrian demand does not meet the warrant to install an On-Street Zebra Crossing or Wombat Crossing along Commercial Road. It is not considered a safe and appropriate location as there is not a high and frequent concentration of pedestrians throughout the week and weekends and during the day and night and the road environment and parking is not conducive to support this type of crossing.

**Motion****C130421/2262****That Council:**

- 1. approve the upgrade of Council owned “pram” ramps, and local line marking at and adjacent to the Brighton Railway Station and Tutti Arts building; and**
- 2. approve additional funding within the 2020/21 Capital Works Program of \$30,000 to undertake the work.**

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

**14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES****14.1 Draft Minutes – Alwyndor Management Committee – 25 March 2021 (Report No: 108/21)**

The draft minutes of the Alwyndor Management Committee meeting held on 25 March 2021 were provided for information.

**Motion****C130421/2263**

- 1. That the draft minutes of the Alwyndor Management Committee meeting held on 25 March 2021 be noted.**

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

2. That having considered Attachment 2 to Report No: 108/21 Draft Minutes – Alwyndor Management Committee – 25 March 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 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 Bouchee **Carried Unanimously**

**15. REPORTS BY OFFICERS****15.1 Items In Brief (Report No: 106/21)**

These items were presented for the information of Members.

**Motion****C130421/2264**

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

1. **Glenelg District Cricket Club – SACA Club Championship winners**
2. **Creative Holdfast Winter Program**
3. **E-sports Youth Partnership with the City of Marion**
4. **HoldUp Committee**
5. **Glenelg Sunset Markets**
6. **Local Government Infrastructure Partnership Program – Glenelg Oval Masterplan**
7. **RAA/Flexicar Car Share Trial in Glenelg**
8. **Council Meeting Action List**
9. **Ministerial Letter – Seawall Apartments, 21-25 South Esplanade, Glenelg**
10. **War Animal Memorial Update**

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

**15.2 Traffic Investigation – Egress from 42 Jetty Road Brighton (Report No: 51/21)**

At the Council meeting held on 27 January 2021 a Motion on Notice - Assessment of exit point from 42 Jetty Road, Brighton – Councillor Clancy, Report Number 30/21 and a Petition - 42 Jetty Road, Brighton, impaired vision when existing driveway, left onto Jetty Road, Brighton, Report Number 31/21 were presented and a request that Administration assess the exit point from 42 Jetty Road, Brighton and provide a report by 31 March 2021.

Council staff have met with the head petitioner and another resident on site to discuss the access.

**Motion****C130421/2265****That Council:**

- 1) **note the findings of the traffic investigation regarding concerns over egress from community title premises at 42 Jetty Road Brighton;**
- 2) **endorse the finding to apply to Department for Infrastructure and Transport (DIT) to move the Jetty Road 40km/h speed limit eastern extent to east of Elm Street intersection to improve visibility and compliance; and**
- 3) **advise the head petitioner of Council's decision.**

Moved Councillor Clancy, Seconded Councillor Fleming **Carried Unanimously**15.3 **Dogs By-Law 2019 – Dover Square Reserve (Report No: 98/21)**

In 2019 Council adopted its new By-laws, including a By-law for dogs. These By-laws allowed greater flexibility for Council to make changes regarding the way certain provisions apply (including defining dog on-leash and dog prohibited areas under the Dogs By-law 2019), by way of resolution rather than by having to amend the By-law. The resolution becomes enforceable once published in the Government Gazette and the local paper.

In response to actioning Motion C101120/2127 (Council Meeting 10 November 2020), 'Improving equity of use at Dover Square Reserve', Council's lawyers identified a deficiency in the wording of the initial resolution. They advised that Council re-endorse, by way of resolution set out in the recommendation below, to the existing dog on-leash arrangements for Dover Square Reserve. Adopting this resolution will enable effective enforcement of the changes to the Dogs By-law.

Specifically, this recommendation allows dogs to be off-leash on the western section of the reserve, (provided the dog is under effective control by voice command as required by the *Dog and Cat Management Act 1995*). In addition, it will prohibit dogs on the eastern section of the reserve.

In addition, Council's Animal Management Plan requires an amendment to include this change. A comprehensive review of dog on and off-leash arrangements is planned when the Animal Management Plan is reviewed.

**Motion****C130421/2266**

1. **That in accordance with Section 246 (3) (e) of the Local Government Act 1999 and paragraph 5.3 of Council's Dogs By-law 2019, Council hereby resolves that paragraph 9 of Council's Dogs By-law 2019 (Dog Prohibited Areas) shall apply to that part of the local government land comprised in Certificate of Title Register Book Volume 5494 Folio 542 outlined in red on the plan included as Attachment 1 (Dover Square**



**Reserve Stage 1) being the local government land known as Dover Square Reserve, South Brighton South Australia 5048.**

2. **That the Chief Executive Officer be authorised to:**
  - a. **publish notice of making this determination in the South Australian Gazette and the Advertiser; and**
  - b. **erect such notices as the Chief Executive Officer deems necessary setting out the effect of this resolution in a prominent position on the land to which paragraph 9 of Council’s Dogs By-law 2019 applies by virtue of this resolution.**
  
3. **Amend the City of Holdfast Bay’s Animal Management Plan, as per section 26A (5) of the Animal Management Act 1995, to include the prohibited area of Dover Square, and to submit this change to the Manager of the Dog and Cat Management Board for support.**

Moved Councillor Lindop, Seconded Councillor Lonie

**Carried**

#### **Division Called**

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

Those voting for: Councillors Bouchee, Miller, Patton, Fleming, Clancy, Snewin, Lindop, Lonie and Bradshaw (9)

Those voting against: Councillors Smedley and Abley (2)

Her Worship the Mayor declared the motion

**Carried**

#### **15.4 Glenelg Oval – New Change Room Facilities – Licence Agreements with Glenelg Football Club Incorporated and Glenelg District Cricket Club Incorporated (Report No: 103/21)**

As part of Stage 2 of the Glenelg Oval Master Plan, a new state level facility comprising two (2) unisex change rooms and associated amenities (New Facility) will be constructed within the south-western corner of Glenelg Oval.

As the main occupants of Glenelg Oval, Glenelg Football Club Incorporated (GFC) and Glenelg District Cricket Club Incorporated (GDCC) (collectively hereinafter referred to as “Clubs”) will have the primary use of the New Facility. It was proposed that the Clubs each have the use of the New Facility during their respective playing seasons as per their existing individual licence arrangements with Council in respect of Glenelg Oval and its surrounds. This has been discussed and agreed to by both Clubs.

To reflect the new build and to apply the provisions set out in the Sporting and Community Club Leasing Policy, it was recommended that Council grant each club non-exclusive seasonal use rights in respect of the New Facility concurrent with their existing individual licence arrangements with Council in respect of Glenelg

Oval and its surrounds. Full details of the proposal were outlined within this report.

**Motion**

**C130421/2267**

**That Council:**

1. enters into a non-exclusive seasonal licence agreement with Glenelg Football Club Incorporated over that portion of Glenelg Oval comprising the New Facility to be constructed as part of Stage 2 of the Glenelg Oval Master Plan from 1 April to 30 September each year during the term commencing on the date of occupation and expiring on 30 September 2022 and otherwise on terms and conditions generally contained in the Sporting and Community Leasing Policy;
2. approves an annual licence fee of \$787.50 (plus GST) payable from the commencement date of the said licence which licence fee will be increased annually thereafter in accordance with the Consumer Price Index (Adelaide – All Groups);
3. enters into a non-exclusive seasonal licence agreement with Glenelg District Cricket Club Incorporated over that portion of Glenelg Oval comprising the New Facility to be constructed as part of Stage 2 of the Glenelg Oval Master Plan from 1 October to 31 March each year during the term commencing on the date of occupation and expiring on 30 September 2022 and otherwise on terms and conditions generally contained in the Sporting and Community Leasing Policy;
4. approves an annual licence fee of \$1,125 (plus GST) payable from the commencement date of the said licence which licence fee will be increased annually thereafter in accordance with the Consumer Price Index (Adelaide – All Groups); and
5. approves the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to the said licence agreements.

Moved Councillor Clancy, Seconded Councillor Abley

**Carried Unanimously**

15.5 **Resilient South – Incorporating Climate Resilience into Asset Management Project (ICRAM) (Report No: 104/21)**

This report outlined the Resilient South's 'Incorporating Climate Resilience into Asset Management' (ICRAM) project and requested Council endorse Holdfast's participation in the project.

By participating in the project Council would demonstrate it is addressing the climate risk to our infrastructure portfolio, and safeguard our assets into the future.

It is anticipated the project will generate long-term savings as asset life cycles are extended, functions are improved, and maintenance reduced.

**Motion**

**C130421/2268**

**That Council:**

- 1. endorses Holdfast's participation in the Resilient South ICRAM project; and**
- 2. commit funding totalling \$59,000 spread across the 2022/23 and 2023/24 Financial Years.**

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

15.6 **Approval of the Draft Gully Masterplans Prior to Public Consultation** (Report No: 105/21)

The three gullies draft masterplans (Pine Gully, Gilbertson Gully and Barton Gully) were submitted to Council for approval to undertake public consultation. In broad terms, the key issues for the three gullies are similar (stormwater erosion, woody weed infestation, degraded infrastructure and poor community access). These masterplans were originally prepared in 2014 and updated during 2018-2020, therefore, some parts of the plans have already been implemented under ongoing management activities. It was proposed that the remaining works are implemented over the next five (5) to ten (10) years depending on the availability of council and grant funds.

The three gullies are immediately downstream of City of Marion stormwater catchments and Administration has been liaising with their Administration during development of the plans.

**Motion**

**C130421/2269**

**That Council:**

- 1. endorse the draft masterplans for Barton Gully, Gilbertson Gully and Pine Gully for public consultation; and**
- 2. endorse the Chief Executive Officer to approve minor changes prior to consultation.**

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

15.7 **Council Policy Review** (Report No: 107/21)

A selection of Council policies have been reviewed and were now presented to Council for adoption:

- Encroachments - Section 202 and 221 *Local Government Act 1999*;
- Election Signs Policy; and

- Hoarding Scaffolding or Other Equipment and Damage Policy.

A tracked changes copy marked with proposed changes and a final version was attached for each policy.

As these policies do not require substantive changes or public consultation, they were presented as a collective for administrative efficiency.

**Motion**

**C130421/2270**

**That Council:**

1. **endorse the Election Signs Policy (Attachment 4) as amended, and approve it to be published; and**
2. **endorse the Hoarding, Scaffolding or Other Equipment and Damage Policy (Attachment 6) as amended, and approve it to be published.**

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

**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 8.29pm.

**CONFIRMED 27 April 2021**

**MAYOR**