

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 22 February 2022 at 7:00pm.

MEMBERS PRESENT

Mayor A Wilson
Councillor R Abley
Councillor A Bradshaw
Councillor P Chabrel
Councillor R Clancy
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
- 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****C220222/2544**

That the minutes of the Ordinary Meeting of Council held on 8 February 2022 be taken as read and confirmed.

Moved Councillor Lonie, Seconded Councillor Miller

Carried Unanimously

9. PUBLIC PRESENTATIONS

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

10. QUESTIONS BY MEMBERS**10.1 Without Notice****10.1.1 Seacliff Boat Ramp**

Councillor Fleming asked some questions on the frequency of the regulatory services team and fines issued at the Seacliff Boat Ramp during the summer season.

General Manager Community and Business provided a response.

10.1.2 Decals on High and Partridge Streets

Councillor Miller asked a question regarding the decals on the corner of High and Partridge Streets.

General Manager, Community and Business provided a response.

10.1.3 Castaway Festival

Councillor Miller asked some questions in relation to the cancellation of the Castaway Festival.

General Manager, Community and Business provided a response.

10.1.4 Equinox Festival

Councillor Miller asked a question in relation to the Equinox Festival.

General Manager, Community and Business provided a response.

10.1.5 20 Metre Trees 'South Australian Tree of the Year' Competition 2022

Councillor Lindop asked a question regarding the South Australian Tree of the Year Competition.

General Manager, Assets and Services provided a response.

10.1.6 Graffiti Removal

Councillor Clancy asked a question in relation to the removal of graffiti.

General Manager, Assets and Services provided a response.

10.1.7 Vandalism at Somerton and Wattle Reserves

Councillor Fleming asked a question regarding the recent vandalism at Somerton and Wattle Reserves.

Chief Executive Officer provided a response.

10.2 With Notice – Nil**11. MEMBER'S ACTIVITY REPORTS - Nil****12. MOTIONS ON NOTICE - Nil****13. ADJOURNED MATTER - Nil****14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES****14.1 Minutes - Jetty Road Mainstreet Committee – 2 February 2022 (Report No: 43/22)**

The Minutes of the Jetty Road Mainstreet Committee meeting held on 2 February 2022 were attached and presented for Council's information.

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

Motion**C220222/2545**

That Council notes the minutes of the Jetty Road Mainstreet Committee of 2 February 2022.

Moved Councillor Miller, Seconded Councillor Abley

Carried Unanimously

14.2 Alwyndor Management Committee Minutes – 27 January 2022 (Report No: 45/22)

The draft minutes of the Alwyndor Management Committee meeting held on 27 January 2022 were provided for information.

Motion**C220222/2546**

1. That the draft minutes of the Alwyndor Management Committee meeting held on 27 January 2022 be noted.
2. That the General Manager and staff be acknowledged for their outstanding work of keeping Alwyndor operational during this difficult Covid period.

RETAIN IN CONFIDENCE - Section 91(7) Order

3. That having considered Attachment 2 to Report No: 45/22 Alwyndor Management Committee Minutes – 27 January 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 Snewin, Seconded Councillor Lonie

Carried Unanimously**15. REPORTS BY OFFICERS****15.1 Items in Brief** (Report No: 39/22)

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**C220222/2547**

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

1. Dog and Cat Management Board
2. Response to Motion – Partridge House Maps Classification (Report No: 34/22)
3. Proclamation Day Event
4. Australia Day Awards
5. Review of Local Government Elected Member Allowances
6. Election Signs: State and Federal Government Elections

Moved Councillor Lindop, Seconded Councillor Lonie

Carried Unanimously**15.2 Dog Registration Fees for 2022-23** (Report No: 41/22)

Dog registration fees for the City of Holdfast Bay provide the funding for administration of the *Dog and Cat Management Act 1995* ("Act"). The cost associated with administering this Act typically increase annually; therefore, in

order for Council to work towards cost neutral, this report sought endorsement for a price increase to meet the increasing costs and demands for extra animal management activities.

Motion

C220222/2548

That Council endorse the proposed annual dog registration fees as detailed in Table 1 of this report.

Moved Councillor Abley, Seconded Councillor Smedley

Carried Unanimously

15.3 **Monthly Financial Report – 31 January 2022** (Report No: 42/22)

Attached were the financial reports as at 31 January 2022. They comprised 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 24 August 2021 and the two quarterly budget updates approved by Council 26 October 2021 and 8 February 2022.

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

C220222/2549

That Council receives the financial reports and budget update for the 7 months to 31 January 2022 and notes:

- **no change to the Municipal activities 2021/22 revised budget forecast; and**
- **no change to the Alwyndor Aged Care 2021/22 revised budget forecast.**

Moved Councillor Smedley, Seconded Councillor Snewin

Carried Unanimously

15.4 **Update to Code of Practice – Access to Meetings and Documents** (Report No: 44/22)

The *Statutes Amendment (Local Government Review) Act 2021* (the Review Act) was assented to by the Governor on 17 June 2021, and the first round of changes commenced on 20 September 2021. The Review Act updates the *Local Government Act 1999*.

As the legislation relating to Informal Gatherings had changed (Council Policy revoked on 12 October 2021 – C121021/2440) it was necessary to update Council's Code of Practice – Access to Meetings and Documents (the Code). Proposed draft changes to the Code were provided to the Council meeting on 9 November 2021 and it was resolved that the draft Code undertake public consultation in accordance with section 92(5) of the Act (resolution number C091121/2469).

The results of this engagement were provided in this report.

Motion**C220222/2550****That Council endorses the Code of Practice – Access to Meetings and Document.**

Moved Councillor Lonie, Seconded Councillor Fletcher

Carried Unanimously15.5 **Glenelg as an Accessible Beach** (Report No: 46/22)

This report responded to Council Motion on Notice, Beach Access at Glenelg (C080222/2534).

The successful Glenelg Accessible Beach Event in January 2022 demonstrated that it was feasible to make Glenelg beach accessible on a permanent basis.

This report provided the initial scoping and estimated costings to reconstruct the existing ramp north of the Glenelg Jetty DDA compliant and invest into the equipment to ensure that the beach as well as the ocean was accessible.

Motion**C220222/2551**

1. **Endorses Administration to develop a detail design for a DDA compliant ramp at Glenelg that considers the needs of all beach users inclusive of people with a disability; and**
2. **Administration continues to investigate funding opportunities for detailed design and construction of a DDA compliant ramp, beach matting and beach wheelchairs at Glenelg Beach.**

Moved Councillor Patton, Seconded Councillor Abley

Carried Unanimously**16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil****17. URGENT BUSINESS**

Councillor Fleming sought to bring forward a motion without notice. Her Worship the Mayor deemed the matter was one of urgency and accepted the motion.

Motion**C220222/2552**

Councillor Fleming moved that Administration formally send Council's condolences to Jason Edward's family and friends.

Moved Councillor Fleming, Seconded Councillor Lindop

Carried Unanimously**18. ITEMS IN CONFIDENCE**18.1 **Hoarding Fee Relief** (Report No: 40/22)**Motion Exclusion of the Public – Section 90(3)(b & d) Order****C220222/2553**

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: 40/22 Hoarding Fee Relief 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: 40/22 Hoarding Fee Relief 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; or would prejudice the commercial position of 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.

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 Lonie

Carried Unanimously

Motion

C220222/2554

That Council:

1. Accede to the request made by Andrew Taplin in the email dated 8 February 2022 for an extension to the construction commencement deadline provided through Council Resolution C141221/2517 for a multi-storey hotel and retail building located at 13-23 Jetty Road and 1-3 Colley Terrace, Glenelg and approved by the State Commission Assessment Panel in Development Application Number 110/M104/20, on the basis that:
 - a) Construction is commenced by 30 April 2022, after which time the entitlement to dispensation from the hoarding fee granted in Council Resolution C141221/2517 ceases; and

- b) All conditions pertaining to Council Resolution C141221/2517 remain ongoing, unless otherwise amended by Part 1(a) of this recommendation.

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Agenda Item 18.1 Report No: 40/22 Hoarding Fee Relief in confidence under section 90(2) and (3)(b) and (d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and attachments be retained in confidence until further notice and the Chief Executive Officer is authorised to release the documents when the matter is concluded, giving due consideration to any relevant legal considerations, and that this order be reviewed every 12 months.

Moved Councillor Clancy, Seconded Councillor Abley

Carried Unanimously

CLOSURE

The Meeting closed at 7.37 pm.

CONFIRMED 8 March 2022

MAYOR