

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 12 July 2022 at 7:00pm.

MEMBERS PRESENT

Deputy Mayor J Smedley
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 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

Deputy Mayor Smedley declared the meeting open at 7.00pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting Deputy Mayor Smedley 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

Deputy Mayor Smedley 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 – Mayor Wilson

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****C120722/2658**

That the minutes of the Ordinary Meeting of Council held on 28 June 2022 be taken as read and confirmed.

Moved Councillor Lonie, Seconded Councillor Abley

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 **Sutherland Reserve**

Councillor Miller asked a question in regards to damage to a fence at Sutherland Reserve.

General Manager, Assets and Delivery took the question on notice

10.1.2 **Carbon Neutral Plan**

Councillor Chabrel asked for an update on Council's Carbon Neutral Plan.

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

10.1.3 **Angus Neil Reserve**

Councillor Lindop asked a question in relation to Angus Neil Reserve.

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

10.2 **With Notice - Nil**

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

Leave of meeting

Deputy Mayor Smedley sought leave of the meeting to propose that Agenda Item 15.2 **Anti-Racism and Inclusion Policies** (Report No: 241/22) be considered after Item 11.

Leave of the meeting was granted.

15.2 **Anti-Racism and Inclusion Policies** (Report No: 241/22)

At the Council meeting of 25 August 2020, Councillor Abley moved a Motion on Notice for Administration to draft an Anti-Discrimination and Social Inclusion Policy, and to develop a framework for measuring diversity outcomes. This motion was carried unanimously (C250820/2013). Upon support for this motion, additional conversations occurred regarding initiatives combatting racism. In consultation with Councillor Abley, Administration drafted an Inclusion Policy and an Anti-Racism Policy for Council's consideration.

Council's strategic plan, Our Holdfast 2050+, and the Disability Action and Inclusion Plan set out Council's intent for, and commitments to, inclusion. These policies articulate Council's ethical position, demonstrate Council's leadership and give practical effect to the strategic intentions and commitments set out in its plans.

Motion

C120722/2659

That Council:

1. endorse the Anti-Racism Policy, including tabled amendments;
2. endorse the Inclusion Policy, including tabled amendments; and
3. requests Administration bring back to Council a draft Anti-Discrimination Policy.

Moved Councillor Abley, Seconded Councillor Miller

Carried Unanimously

12. **MOTIONS ON NOTICE**

12.1 **Motion on Notice – Speed Trailers - Councillor Clancy** (Report No: 225/22)

Motion

C120722/2660

That Council purchase two additional trailers and/or solar powered poles mounted with speed indicators to alert drivers to the speed at which they are travelling.

Moved Councillor Clancy, Seconded Councillor Lonie

Formal Motion

That the motion be put.

Moved Councillor Chabrel, Seconded Councillor Snewin
The substantive motion on being put was **Carried**
Lost

Division Called

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

Those voting for: Nil (0)

Those voting against: Councillors Fletcher, Snewin, Patton, Lindop, Miller, Fleming, Abley, Lonie, Clancy, Bradshaw, Chabrel (11)

Deputy Mayor Smedley declared the motion **Lost**

12.2 **Motion on Notice - 25km/h Speed Limit near Schools and Childcare Centres - Councillor Clancy** (Report No: 228/22)

Motion **C120722/2661**

That Council investigate having 25km/h on local roads which abut schools, kindergartens and child care centres. It is envisaged that it would be 25km/h at all times for the whole of each road abutting the education facility.

Moved Councillor Clancy, Seconded Councillor Bradshaw **Lost**

Division Called

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

Those voting for: Councillor Clancy (1)

Those voting against: Councillors Fletcher, Snewin, Patton, Lindop, Miller, Fleming, Abley, Lonie, Bradshaw, Chabrel (10)

Deputy Mayor Smedley declared the motion **Lost**

Item Withdrawn

At the request of Councillor Clancy Item 12.3 **Motion on Notice – Alwyndor as Community Land - Councillor Clancy** (Report No: 226/22) was withdrawn from the Council Agenda.

12.4 **Motion on Notice – Holdfast Bay Community Centre as Community Land - Councillor Clancy** (Report No: 227/22)

Motion

That Council include Holdfast Bay Community Centre as community land.

Moved Councillor Clancy, Seconded Councillor Bradshaw

Adjournment**C120722/2662**

That the matter be adjourned until further information on the history and options for the protection of the land can be brought back to Council.

Moved Councillor Patton, Seconded Councillor Lindop

Carried

Councillor's Clancy, Bradshaw and Miller have spoken to the motion, but Councillor Clancy has the right of reply.

13. ADJOURNED MATTERS - Nil

Councillor Lonie left the meeting at 8.20 pm.

Councillor Lindop left the meeting at 8.20pm.

Councillor Lindop re-joined the meeting at 8.21pm.

Councillor Lonie re-joined the meeting at 8.22pm

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES**14.1 Information Report – Southern Region Waste Resource Authority Board Meeting – 6 June 2022 (Report No: 237/22)**

The information report of the Southern Region Waste Resource Authority (SRWRA) Board meeting held on 6 June 2022 was attached and provided for information.

Motion**C120722/2663**

That Council notes the Information Report of the Southern Region Waste Resource Authority Board meeting held on 6 June 2022.

Moved Councillor Clancy, Seconded Councillor Lindop

Carried Unanimously

14.2 Draft Minutes – Alwyndor Management Committee – 26 May 2022 (Report No: 240/22)

The draft minutes of the Alwyndor Management Committee meeting held on 26 May 2022 was provided for information.

Motion**C120722/2664**

- 1. That the draft minutes of the Alwyndor Management Committee meeting held on 26 May 2022 be noted.**

RETAIN IN CONFIDENCE - Section 91(7) Order

- 2. That having considered Attachment 2 to Report No: 240/22 Draft Minutes - Alwyndor Management Committee – 26 May 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

14.3 **Southern Region Waste Resource Authority Charter Review 2022** (Report No: 244/22)

The Southern Region Waste Resource Authority (SRWRA) Charter is overdue for review. The SRWRA Charter 2015 (Clause 5.7) required Constituent Councils to review the Charter every four years. The timing of the Charter review was significantly disrupted with the onset of COVID-19 and impact to the business and operations of the Constituent Councils.

The SRWRA Board reviewed the SRWRA Charter 2015 and was recommending approval of the revised Draft SRWRA Charter 2022 by the Constituent Councils.

Key changes proposed to the Charter included a new contemporary format, updates to financial thresholds and procedural matters, removal of the requirement to hold an Annual General Meeting, and a change to allow the Board to set its own meeting procedures.

The Board is conscious that the operations of SRWRA have changed in recent years and is conducting a strategic workshop on 22 July 2022 that may inform a further review of the Charter in 2023.

Motion

C120722/2665

That Council approves the SRWRA Draft Charter 2022 (Attachment 1).

Moved Councillor Lindop, Seconded Councillor Abley

Carried Unanimously

15. REPORTS BY OFFICERS

15.1 **Items in Brief** (Report No: 224/22)

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

C120722/2666

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

1. **History SA Grant**
2. **What's On Update**
3. **Libraries Board of SA and the Local Government Association 2022-2026 Collaboration Agreement**
4. **Sister Cities Agreement**
5. **Local Government Association - Dog and Cat Management Board Nomination Update**
6. **State Government Review of the *Planning, Development and Infrastructure Act 2016***

Moved Councillor Lonie, Seconded Councillor Patton

Carried Unanimously

Agenda Item 15.2 **Anti-Racism and Inclusion Policies** (Report No: 241/22) was considered after Item 11, as per leave of the meeting granted.

Item Withdrawn

At the request of the Chief Executive Officer, Item 15.3 **New Policy – Coastal Vegetation Management** (Report No: 239/22) was withdrawn from the Council Agenda.

- 15.4 **Significant/Regulated Tree Removal - Aboyne Avenue, Seacliff Park** (Report No: 242/22)

A tree classified as regulated under the *Planning, Development and Infrastructure Act 2016* required removal. The tree was a coral gum (*Eucalyptus torquata*) located on Aboyne Avenue near the corner with Lamington Avenue, Seacliff Park. The tree required removal because it was diseased and structurally unsound. The *Planning, Development and Infrastructure Act 2016* requires a development application for the removal and Council's Tree Management Policy requires Council to provide landowner's consent for the application.

Motion

C120722/2667

That Council provide landowner's consent for a development application for the removal of a coral gum (*Eucalyptus torquata*) located on Aboyne Avenue near the corner with Lamington Avenue, Seacliff Park.

Moved Councillor Lindop, Seconded Councillor Lonie

Carried Unanimously

- 15.5 **Call for Nominations - Greater Adelaide Regional Organisation of Councils Members** (Report No: 243/22)

The Local Government Association (LGA) were calling for nominations to fill eight (8) positions on the Greater Adelaide Regional Organisation of Councils (GAROC) to commence office from the conclusion of the 2022 LGA Annual General Meeting (AGM) and to remain in office until the conclusion of the 2024 AGM.

Nominations

Deputy Mayor Smedley called for nominations.

Only one nomination was received for Mayor Wilson.

Mayor Wilson's nomination was included in the Council's motion.

Motion

C120722/2668

That Council:

Nominates Mayor Wilson for consideration by the Local Government Association of South Australia for the Greater Adelaide Regional Organisation of Councils.

Moved Councillor Abley, Seconded Councillor Miller

Carried Unanimously

15.6 **Dissolution of Council Committee** (Report No: 245/22)

The Strategic Planning and Development Policy Committee (the Committee) was established under section 41 of the *Local Government Act 1999* for the purpose of providing advice to Council in relation to Council's strategic planning and development policies.

Under the *Planning, Development and Infrastructure Act 2016*, councils are no longer required to establish a policy advisory committee.

Motion

C120722/2669

That Council dissolve the Strategic Planning and Development Policy Committee pursuant to section 41(5) of the *Local Government Act 1999*.

Moved Councillor Miller, Seconded Councillor Lonie

Carried Unanimously

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

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

Councillor Lindop left the meeting at 8.29

Councillor Lindop re-joined the meeting at 8.31pm

Councillor Patton left the meeting at 8.32pm.

Councillor Patton re-joined the meeting at 8.35pm

18. **ITEMS IN CONFIDENCE**

18.1 **Proposed Sale of Land** (Report No: 238/22)

Motion – Exclusion of the Public – Section 90(3) (b & d) Order C120722/2670

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: 238/22 Proposed Sale of Land 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: 238/22 Proposed Sale of Land 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 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.

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 Patton **Carried Unanimously**

RETAIN IN CONFIDENCE - Section 91(7) Order **C120722/2671**

That having considered Agenda Item 18.1 Report No: 238/22 Proposed Sale of Land 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, attachments and minutes be retained in confidence for a period of 12 months and/or with the Chief Executive Officer authorised to release the documents when the land purchase is completed and that this order be reviewed every 12 months.

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

CLOSURE

The Meeting closed at 8.37 pm.

CONFIRMED 26 July 2022

MAYOR