

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 13 June 2023 at 7:00pm.

MEMBERS PRESENT

Deputy Mayor C Lindop
Councillor R Abley
Councillor A Bradshaw
Councillor J Fleming
Councillor S Lonie
Councillor M O'Donohue
Councillor R Patton
Councillor J Smedley
Councillor R Snewin
Councillor A Venning

STAFF IN ATTENDANCE

Acting Chief Executive Officer – M Lock
Acting General Manager Assets and Delivery – J Mitchell
Acting General Manager Strategy and Corporate – S Wachtel
General Manager Alwyndor – B Davidson-Park

1. OPENING

The Deputy Mayor declared the meeting open at 7.00pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting the Deputy 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. 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

The Deputy 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 - Mayor A Wilson, Councillor A Kane

5.2 Absent - Councillor W Miller

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****C130623/7456**

That the minutes of the Ordinary Meeting of Council held on 23 May 2023 be taken as read and confirmed.

Moved Councillor Lonie, Seconded Councillor Patton

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 **SnapSendSolve App**

Councillor Snewin asked a question in relation to the SnapSendSolve App.

Acting General Manager, Assets and Delivery provided a response.

10.2 **On Notice**

10.2.1 **Dark Sky City – Councillor Lonie** (Report No: 183/23)

Councillor Lonie asked the following questions:

1. “What is Council’s policy in relation to lighting, especially outdoor lighting, including guidelines and approval of lighting?
2. What is Council’s current position on the replacement of lights in relation to LED lights, including any that may be the responsibility of SA Power Network. Of interest is Council’s current approach to lighting, including any move to LED’s. Such as voltage used, colour, style, and times of illumination. Lights that assist people?

3. Would Council consider striding towards being a Dark Sky City, beginning with considering the International Dark-Sky Association's 'Five Principles for Responsible Outdoor Lighting'?

BACKGROUND

Recently I and other Councillors attended a 'Toward a Dark Sky' event at Seacliff, where we were informed about the effect that lighting, especially outdoor lighting, has had on our night sky and outside environment.

ANSWER – ACTING GENERAL MANAGER, ASSETS AND DELIVERY

Local Government provides street and public place lighting to ensure safe movement of vehicles and pedestrians at night. Public lighting includes lighting across streets, public realm, open space, buildings and facilities, sport and recreation, and feature lighting.

Administration is currently developing a Public Lighting Policy (the Policy) to inform decision making around the installation of new public lighting, upgrades to existing public lighting and the management of public lighting with a focus on providing a safe and vibrant public realm. This policy will be supported by a Public Lighting Framework, which provides more prescriptive guidelines for the management of public lighting in the Council area.

Council has 3,540 street lights, which we have already replaced a majority on our local roads (2,786 lights) to energy efficient LEDs. The remaining Council owned public street lighting (754 lights) on collector roads, roundabouts, heritage fittings (along Esplanade) and select spot/feature lights are being replaced through renewal programs and capital projects. We have also changed over a large number of our reserve lighting around the Glenelg foreshore with LED; these lights aren't in the SAPN numbers. This changeover is a key part of our Carbon Neutral Plan 2030, with an endorsed target date of 2028 for all Council streetlights to be LEDs.

Lighting performance output is driven by lighting Australian Standards (AS/NZS 1158 Lighting for roads and public spaces), where we aim to meet these standards for all new public lighting. As a principal, safety is prioritised over amenity for public lighting.

Light pollution, which is the inappropriate or excessive use of artificial light, can have harmful effects on humans, wildlife and the climate. Council recommends that light sources on new metered and unmetered lighting schemes have a correlated colour temperature (CCT) at or around 4000K.

Light pollution is a design consideration when installing new lighting, looking at the following components as identified by the International Dark Sky Association (IDA):

- Glare: excessive brightness that causes visual discomfort.
- Skyglow: brightening of the night sky over inhabited areas.
- Light trespass: light falling where it is not intended or needed.
- Clutter: bright, confusing and excessive groups of light sources.

Smart technology can be used in areas for lighting to be dimmed or to apply timers/sensors to minimise light spill impacts. In areas where the lighting level cannot be reduced without compromising safety, Council will consider the installation of physical barriers such as shields and visors under certain conditions.

Council has previously looked into the process for the five types of International Dark Sky Place designations. The application process to meet these designations involves a set of comprehensive guidelines including eligibility criteria. The process can take one to three years from initial inquiry to formal designation. If successful, ongoing annual reports to the IDA are required. The process would require significant resourcing from Council as the land owner / management agency. At this stage we would be looking to meet lighting best practices rather than a formal designation.

The Public Lighting Policy will be going to Council within the next three months and Administration has used International Dark Sky Association as a reference point for developing our principles towards public lighting. We will review the policy and framework with consideration to the Dark Sky principals prior to providing it to Council.

10.2.2 Traffic Data Collection, Colton Avenue, Hove – Councillor Fleming (Report No: 197/23)

Councillor Fleming asked the following questions:

“I notice traffic counts are currently occurring on Colton Ave Hove to collect data for the investigation on the one-way option.

Why have Council decided to do this traffic study at the same time Murray Street Hove, one of only two streets that you can turn off or on to Colton Avenue, is closed for road works?”

ANSWER – ACTING GENERAL MANAGER, ASSETS AND DELIVERY

The traffic counts requested on Colton Avenue, Hove were to be undertaken during school term three, for a period of two weeks.

As part of the civil renewal program, kerb ramp improvement works were undertaken at the corner of Murray Street and Brighton Road.

Due to the proximity of the major arterial road (Brighton Road), a temporary road closure was required to ensure safety for pedestrians, contractors and road users during the civil works. Temporary road closures were undertaken outside of the drop-off and pick-up times (i.e., between 9am-2pm) to minimise disruption.

Scheduling civil contract works, particularly during winter, is dependent on optimised (dry) weather conditions as well as the market availability of contractors. Unexpected developments with the civil works at the corner of Murray Street and Brighton Road have extended these works into the week starting 12 June 2023. The road closure associated with this work has impacted the data collected from the traffic counts on both Colton Avenue and Murray Street.

The traffic counters have since been removed from these locations and will be placed back on each of these streets for a period of two weeks following the completion of the Murray Street civil works.

10.2.3 Mandatory Food Handling Training – Councillor Bradshaw
(Report No: 201/23)

Councillor Bradshaw asked the following question:

“We have a variety of groups in Holdfast Bay who hold numerous social and fundraising events throughout the year which involve food, such as Sausage Sizzles. Vets Shed, 5049 and various Service & Sporting Clubs. Is there a requirement for these groups to attend and pay for mandatory training to comply with the new Food Safety Standard, 3.2.2A Regulations?”

ANSWER – MANAGER, COMMUNITY AND SAFETY

With the new Food Safety Standard (Food Standard 3.2.2A) being introduced, charity groups that fit into Category One, for example those that run sausage sizzles, are required to have a qualified supervisor present during food preparation and service. The supervisor needs to undertake one of the prescribed courses, at a cost to the organisation.

It is important to note that not all staff/volunteers need this training, only the supervisor, provided that the organisation can ensure the supervisor is always present during food preparation.

The only exemption in the Standard is for food handling activities for and at a fundraising event, which is a once-off event that raises funds solely for a community or a charitable cause and not for personal financial gain.

Some charity groups may fit into Category Two and will not require a trained supervisor. For category definitions, information can be found directly from the SA Health website.

For organisations that prepare Category One food, they have until December 2023 to train a supervisor(s). This has understandably raised concerns with other charity groups across South Australia and SA Health are considering the provision of support that can be offered.

This Standard has already been introduced in other States across Australia and South Australia is playing catch-up in introducing this into the Regulations.

10.2.4 Wheatland Street Car Park; West of Train Line - Councillor Lindop
(Report No: 202/23)

Councillor Lindop asked the following questions:

1. "Could Council Administration please advise the current health of the Morton Bay Fig trees in this car park, and the steps taken to help with the care and condition to improve the life expectancy of these trees?
2. Could Council Administration please advise the current plans and timeline to address the car park line marking and any other measures to improve the current parking area?"

ANSWER – ACTING GENERAL MANAGER ASSETS AND DELIVERY

1. After a notable decline in the health of the western Morton Bay Fig Tree in the Wheatland Street car park, the Depot team excavated and mulched a significant area of the car park beneath the two trees in September 2022 to promote tree health and restrict vehicle parking within the root zone of the trees. To further ensure compaction is avoided, large logs have been positioned within the mulched area as a physical barrier to stop vehicles parking within this zone.

The Depot included this area on their tree watering program to further support tree health. Watering has been issued periodically through Spring/Summer/Autumn with attendance occurring every 3-4 weeks as well as three rounds of diluted sea-sol liquid fertiliser drench, which has been issued along with slow-release granulised microbes and trace elements to encourage optimal soil health.

There are positive signs noted with some branch extensions displaying new growth, however we also see areas of die-back occurring. As we see mostly little change noted since the previous inspection eight months ago, the tree is appearing to display a typical state of senescence (deterioration with age). Due to the work undertaken, we are likely to see this condition sustained without decline, however there may also not be visible recovery evident for an extended period. In the meantime, we will continue to nurture and persist with recovering the health of this tree.

2. Council has engaged an engineering consultant to progress a design of a line marking scheme within the car park following correspondence from the adjacent residents. It is anticipated that the design will be completed by the end of the financial year. Once the design is finalised the traffic Team will engage with all adjacent residents and deliver a line marking scheme based on the engagement feedback.

11. MEMBER'S ACTIVITY REPORTS - Nil**12. MOTIONS ON NOTICE**

- 12.1 **Motion on Notice – Leave of Absence - Councillor O'Donohue**
(Report No: 199/23)

Motion**C130623/7457**

That Council grant Councillor O'Donohue a Leave of Absence from Council for the periods 26-28 June 2023 and 11-20 July 2023.

Moved Councillor O'Donohue, Seconded Councillor Smedley **Carried Unanimously**

Leave of the Meeting

Deputy Mayor Lindop sought leave of the meeting to move **Item 13.1 Adjourned Report – Tramside Kiosk Lease** (Report No: 194/23) to be considered in confidence at Item 18, Items in Confidence.

Leave of the meeting was granted.

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES

- 14.1 **Minutes – Alwyndor Management Committee – 30 March 2023**
(Report No: 182/23)

The minutes of the Alwyndor Management Committee meeting held on 30 March 2023 were provided for information.

Motion**C130623/7458**

1. **That Council notes the minutes of the Alwyndor Management Committee meeting held on 30 March 2023.**

RETAIN IN CONFIDENCE - Section 91(7) Order

2. **That having considered Attachment 2 to Report No: 182/23 Minutes – Alwyndor Management Committee – 30 March 2023 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 Snewin **Carried Unanimously**

- 14.2 **Information Report – Southern Region Waste Resource Authority Board Meeting** (Report No: 184/23)

The Information Report of the Southern Region Waste Resource Authority (SRWRA) Board meeting held on 15 May 2023 was provided for information.

Motion**C130623/7459**

That Council notes the Information Report of the Southern Region Waste Resource Authority Board meeting held on 15 May 2023.

Moved Councillor Smedley, Seconded Councillor O'Donohue **Carried Unanimously**

14.3 Minutes – Audit and Risk Committee – 7 June 2023 (Report No: 196/23)

The minutes of the meeting of the Audit and Risk Committee held 7 June 2023 were presented to Council for information.

Motion**C130623/7460**

That Council notes the minutes of the meeting of the Audit and Risk Committee of 7 June 2023, namely that the Audit and Risk Committee:

- 1. advises Council it has received and considered a Standing Items Report addressing:**
 - **Monthly Financial Statements**
 - **Risk Management and Internal Control**
 - **External Audit**
 - **Public Interest Disclosures**
 - **Economy and Efficiency Audits**
 - **Audit and Risk Committee Meeting Schedule 2023;**
- 2. notes that the draft 2023-24 Annual Business Plan and Budget satisfies Council's financial sustainability and performance measures and supports its presentation to Council for adoption.**
- 3. advises Council it has received and noted Alwyndor's draft Budget 2023/24.**

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

14.4 Minutes – Executive Committee Meeting – 6 June 2023 (Report No: 195/23)

The minutes of the meeting of the Executive Committee held 6 June 2023 were presented to Council for information.

Motion**C130623/7461**

- 1. That Council notes the minutes of the meeting of the Executive Committee of 6 June 2023.**

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Attachment 2 to Report No: 195/23 Minutes – Executive Committee Meeting – 6 June 2023 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 Patton, Seconded Councillor Lonie

Carried Unanimously

15. REPORTS BY OFFICERS**15.1 Items in Brief (Report No: 187/23)**

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

C130623/7462

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

1. **Food Organics Green Organics (FOGO) Update**
2. **Support Your Local Libraries**
3. **Parliamentary Inquiry on Trees**

Moved Councillor Abley, Seconded Councillor O'Donohue **Carried Unanimously**

15.2 Suburb Boundary Change (Report No: 186/23)

Throughout 2022 correspondence from the Surveyor-General resulted in Council resolving to support the extension of the boundary of the suburb of Seacliff to include the new 'Cement Hill' development and adjacent areas.

Statutory consultation was undertaken and the Surveyor-General has now advised that local residents preferred the name Seacliff Heights.

As the principles behind the Surveyor-General's original proposal remain relevant and consistent with Council's resolution of 28 June 2022, it was recommended that Council maintain their original position. It should be noted that the Minister may choose to decide in line with resident preferences, given the results of the consultation.

Motion

C130623/7463

That Council:

1. **endorses the proposed area of a suburb realignment, as indicated by the label '(A) Seacliff Heights' in Attachment 1; and**
2. **per the Surveyor-General's original proposal, endorses the name Seacliff be applied to the area, rather than Seacliff Heights.**

Moved Councillor Lonie, Seconded Councillor Fleming

Carried Unanimously

Leave of the Meeting

Councillor Bradshaw sought Leave of the Meeting to speak to the motion for a second time.

Leave of the Meeting was granted by two-thirds of the members present at the meeting.

16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

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

Item **13.1 Adjourned Report – Tramside Kiosk Lease (Report No: 193/23)** was considered in Item 18, Items in Confidence, as per leave of the meeting granted.

Conflict of Interest

Councillor Fleming declared a general conflict of interest for Item **13.1 Adjourned Report – Tramside Kiosk Lease** (Report No: 194/23). The nature of the general conflict of interest (pursuant to Section 74 and 75A of the *Local Government Act 1999*) was that the project may need to be considered by the Council Assessment Panel in the future.

Councillor Fleming dealt with the general conflict of interest by making it known and leaving the meeting at 7.32 pm.

Conflict of Interest

Councillor Snewin declared a general conflict of interest for Item **13.1 Adjourned Report – Tramside Kiosk Lease** (Report No: 194/23). The nature of the general conflict of interest (pursuant to Section 74 and 75A of the *Local Government Act 1999*) was that the project may need to be considered by the Council Assessment Panel in the future.

Councillor Snewin dealt with the general conflict of interest by making it known and leaving the meeting at 7.32 pm.

18. ITEMS IN CONFIDENCE

13.1 Adjourned Report – Tramside Kiosk Lease (Report No: 194/23)

Motion - Exclusion of the Public – Section 90(3) (b&d) Order C130623/7464

- 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: 194/23 Tramside Kiosk Lease 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: 194/23 Tramside Kiosk Lease 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 would prejudice the commercial position of the Council; and
- 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.

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 Smedley **Carried Unanimously**

RETAIN IN CONFIDENCE – Section 91(7) Order

C130623/7465

That having considered Agenda Item 13.1 Report No: 197/23 Adjourned Report – Tramside Kiosk Lease 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 for the duration of the approved lease period (provided always that the release of the Report, Attachments and Minutes are subject to the redaction of any financial information contained therein).

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

Leave of the Meeting

Councillor Bradshaw sought Leave of the Meeting to speak to the motion for a second time.

Leave of the Meeting was granted by two-thirds of the members present at the meeting.

Leave of the Meeting

Councillor Abley sought Leave of the Meeting to speak to the motion for a second time.

Leave of the Meeting was granted by two-thirds of the members present at the meeting.

Councillor Fleming re-joined the chamber at 7.40pm

Councillor Snewin re-joined the chamber at 7.40pm.

18.1 Electric Vehicle Charging (Report No: 198/23)**Motion - Exclusion of the Public – Section 90(3)(d) Order C130623/7466**

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: 198/23 Electric Vehicle Charging 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: 198/23 Electric Vehicle Charging on the following grounds:
 - 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, in that it would reveal commercial information belonging to the supplier.

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 Fleming **Carried Unanimously**

RETAIN IN CONFIDENCE – Section 91(7) Order C130623/7467

That having considered Agenda Item 18.1 Report No: 198/23 Electric Vehicle Charging in confidence under Section 90(2) and (3)(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 three years after the licence period (including any second term) expires, and that this order be reviewed every 12 months.

Moved Councillor Abley, Seconded Councillor O'Donohue **Carried Unanimously**

18.2 Reappointment to the Alwyndor Management Committee (Report No: 200/23)**Motion - Exclusion of the Public – Section 90(3)(a) Order C130623/7468**

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: 200/23 Reappointment to the Alwyndor Management Committee 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: 200/23 Reappointment to the Alwyndor Management Committee on the following grounds:
 - a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 200/23 Reappointment to the Alwyndor Management Committee is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being prospective members of the Alwyndor Management Committee.
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 Bradshaw, Seconded Councillor Lonie **Carried Unanimously**

RETAIN IN CONFIDENCE – Section 91(7) Order C130623/7469

That having considered Agenda Item 18.2 Report No: 200/23 Reappointment to the Alwyndor Management Committee in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.

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

CLOSURE

The Meeting closed at 7.44 pm.

CONFIRMED 27 June 2023

MAYOR