

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 26 September 2023 at 7:00pm.

MEMBERS PRESENT

Mayor A Wilson
Councillor A Bradshaw
Councillor J Fleming
Councillor A Kane (from 7.06pm)
Councillor C Lindop
Councillor S Lonie
Councillor W Miller
Councillor M O'Donohue
Councillor R Patton
Councillor J Smedley
Councillor R Snewin
Councillor A Venning

STAFF IN ATTENDANCE

Chief Executive Officer – R Bria
General Manager Assets and Delivery – P Jackson
General Manager Community and Business – M Lock
General Manager Strategy and Corporate – S Wachtel
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 - Nil

5.2 Absent – Councillor R Abley (approved Leave of Absence)

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****C260923/7553**

That the minutes of the Ordinary Meeting of Council held on 12 September 2023 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 **Illegal Driving on Beaches**

Councillor Fleming asked a question in relation to 4WDs illegally driving on Seacliff/Brighton Beach.

General Manager, Community and Business provided a response.

10.1.2 **Moseley Square Rubbish Bins**

Councillor Patton asked a question in relation to rubbish bins in Moseley Square.

Chief Executive Officer provided a response.

10.1.3 **Promotion of Sea Change**

Councillor Lindop asked a question in relation to the promotion of Sea Change: A pictorial history of the City of Holdfast Bay.

General Manager, Community and Business took the question on notice.

10.2 **On Notice – Nil**

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

Councillor Kane joined the chamber at 7.06pm

12. **MOTIONS ON NOTICE**

12.1 **Motion on Notice – Recognition of Service – Glenelg Historical Society - Councillor Miller (Report No: 315/23)**

Motion

C260923/7554

That Council formally recognises the service of the Glenelg Historical Society and commends their efforts to safeguard heritage and promote conservation efforts in our community.

Moved Councillor Miller, Seconded Councillor Fleming

Carried Unanimously

13. **ADJOURNED MATTER - Nil**

14. **REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES**

14.1 **Minutes – Jetty Road Mainstreet Committee – 6 September 2023 (Report No: 307/23)**

The Minutes of the Jetty Road Mainstreet Committee meeting held 6 September 2023 were attached and presented for Council's information. Jetty Road Mainstreet Committee Agenda, Reports and Minutes are all available on Council's website and the meetings are open to the public.

Motion

C260923/7555

That Council notes the minutes of the Jetty Road Mainstreet Committee of 6 September 2023.

Moved Councillor Kane, Seconded Councillor Miller

Carried Unanimously

15. **REPORTS BY OFFICERS**

15.1 **Items in Brief (Report No: 312/23)**

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

C260923/7556

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

1. **SANFL Hall of Fame Appointment – Mr Nick Chigwidden**
2. **GAROC Motion Update – Nationwide House Energy Rating Scheme**

Moved Councillor Lindop, Seconded Councillor Lonie

Carried Unanimously

15.2 **Monthly Financial Report – 31 August 2023** (Report No: 313/23)

Attached were financial reports as at 31 August 2023. They comprised a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor. The adjusted forecast budget included the carried forward amount as approved by Council 22 August 2023.

No changes to Municipal budgets were recommended at this time, but the report highlighted items that show a material variance from the year-to-date budget. The report also detailed decisions made by Council that will affect the budget and will be included in the first quarterly budget review due in October 2023.

Motion

C260923/7557

That Council receives the financial reports and budget update for the two months to 31 August 2023 and notes:

- **no change to the Municipal activities 2023/24 revised budget forecast; and**
- **no change to the Alwyndor 2023/24 revised budget forecast.**

Moved Councillor Smedley, Seconded Councillor Snewin

Carried Unanimously

15.3 **Pine Gully Restoration Project** (Report No: 317/23)

The Pine Gully restoration project provides significant stormwater, revegetation and amenity improvements to create an enhanced natural space for the community to enjoy.

The project was comprised of civil and landscaping works including invasive tree removals, slope stabilisation, installation of stormwater pipes and pits, rock-lined channel, retaining walls, landscaping, and a new trail and stairs for community access and over 2,500 additional plantings.

On 8 September 2023 at the Institute of Public Works Engineering Australasia South Australia Excellence Awards, the Pine Gully project won the Excellence in Water Award, recognising the transformation and restoration of this hidden natural space for the community to enjoy through significant stormwater, revegetation, access and amenity improvements.

Motion

C260923/7558

That Council notes the report.

Moved Councillor Lindop, Seconded Councillor Lonie

Carried Unanimously

15.4 Kingston Park Kiosk Project Update (Report No: 289/23)

The report provided an update on the construction of the new Kingston Park Kiosk including construction undertaken to date, the estimated completion date and current budget position.

Motion**C260923/7559**

That Council notes this report.

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

15.5 Proposed Changes to Weekly FOGO Model (Report No: 290/23)

Since September 2022 all single-unit dwellings and small multiple unit dwellings moved to default weekly Food Organics Garden Organics (FOGO) and fortnightly landfill kerbside waste collections.

Kerbside waste audits undertaken in May to June 2023 demonstrated that council is achieving a state-leading landfill diversion rate of 69 percent, 9 percentage points higher than 2021.

While households on the default service are extremely high performing, achieving a landfill diversion rate of 83 percent, households on the old service are only achieving a 50 percent landfill diversion rate with a significant amount of FOGO and recycling found in the weekly collected landfill bins.

The most effective method to maintain and/or increase council's kerbside landfill diversion rate is to reduce the number of households on the old service. Administration has implemented several measures to decrease the number of households opting back to the old service with minimal success.

Administration proposes to investigate cost recovery models, which have been successfully implemented overseas and interstate to further improve our waste diversion. Consideration will be given for households with a genuine need for weekly landfill collections.

Motion**C260923/7560**

That Council approves an investigation of alternate cost models for kerbside waste collections.

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

15.6 Glenelg Dry Zone Extension (Report No: 305/23)

The City of Holdfast Bay currently has three long-term regulated Dry Areas in operation which were established pursuant to section 131 of the *Liquor Licensing Act 1997*.

Council at its meeting on 28 February 2023, (resolution C280223/7349) carried unanimously 'That Council Administration bring back a report to Council on the considerations of extending the current Glenelg Dry Area to align with the boundaries of the New Year's Eve Extended Dry Areas'.

The report provided an overview of considerations and the application process to extend permanently the Glenelg Dry Zone area to include the area temporarily included for New Year's Eve.

Motion

C260923/7561

That Council:

- 1. notes the report;**
- 2. endorses Administration to commence consultation with relevant stakeholders on the proposal for the New Year's Eve Extended Dry Zone to be permanently included in the Glenelg Dry Zone area; and**
- 3. notes that a report is to come back to Council with the results from the consultation for Council's further consideration on the proposed extended Glenelg Dry Zone area.**

Moved Councillor Patton, Seconded Councillor Bradshaw

Carried

Division Called

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

Those voting for: Councillors Patton, Kane, Snewin, Venning, Lonie, Lindop, Bradshaw, O'Donohue, Smedley (9)

Those voting against: Councillors Fleming, Miller (2)

The Mayor declared the motion

Carried

15.7 Events Season 2022/23 Summary (Report No: 308/23)

Events form a significant part of the City of Holdfast Bay's community and economy. In 2022/23, a total of 355 events were held attracting more than 670,000 visitors and contributing nearly \$65 million to the local economy.

The report provided a summary of the 2022/23 Events Season including economic value and event satisfaction.

Motion

C260923/7562

That Council notes this report.

Moved Councillor Lonie, Seconded Councillor Lindop

Carried Unanimously

15.8 Brighton Street Parties 2023 (Report No: 306/23)

Biannual street parties in Jetty Road, Brighton were first approved by Council on 24 August 2021 (C240821/2396).

The report summarised the economic and community outcomes of the two events held in April and June 2023.

Motion**C260923/7563****That Council:**

- 1. notes this report; and**
- 2. endorses the rescheduling of the April 2024 street party to October 2024, with the timing to be reviewed each year thereafter.**

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

15.9 Proclamation Day 2023 (Report No: 309/23)

Each year the City of Holdfast Bay holds a Proclamation Day Ceremony on 28 December, a civic function with historical significance for the entire state of South Australia.

The report summarised the plans for the 2023 event, including a new event led by Kaurna to occur in the lead up to the 28 December.

Motion**C260923/7564****That Council notes this report.**

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

15.10 Elected Member Behavioural Management Policy (Report No: 310/23)

Following the 2022 Local Government Elections, the Behavioural Standards for Council Members commenced, which replaced the former Code of Conduct for Council Members.

In accordance with section 262B of the *Local Government Act 1999* which states 'a council must prepare and adopt a policy relating to the management of behaviour of members of the council (a behavioural management policy)' it is now mandatory for all councils to prepare and adopt a Behavioural Management Policy.

Council must, prior to 10 November 2023, adopt its own Behavioural Management Policy.

This report provides Council with a draft Behavioural Management Policy that has been prepared based on the Local Government Association Model Policy and sets the framework which is consistent with legislative requirements.

Motion**C260923/7565****That Council:**

1. receives and notes the report; and
2. adopts the Elected Member Behavioural Management Policy subject to any minor typographical corrections required, for publishing purposes.

Moved Councillor Bradshaw, Seconded Councillor Lonie **Carried Unanimously****15.11 Call for Nominations – Dog and Cat Management Board** (Report No: 311/23)

The Dog and Cat Management Board is established under the *Dog and Cat Management Act 1995*. It is the public face for the management of companion dogs and cats in South Australia.

The Local Government Association is seeking nominations from a suitably qualified council member or employee of the council to fill a position on the Board for a term of up to three years, commencing immediately upon appointment by the Minister.

Any members who wish to be nominated need to have their nomination endorsed by Council prior to submission to the Local Government Association. If Council does not have a nominee, it may just note the report.

Nominations

Her Worship the Mayor called for nominations. Councillor Snewin nominated Councillor Fleming and provided reasons for nomination.

Her Worship the Mayor announced that Councillor Fleming had been selected for the nomination which was included in the Council's motion.

Conflict of Interest

Councillor Fleming declared a material conflict of interest for Item 15.11 **Call for Nominations – Dog and Cat Management Board** (Report No: 311/23). The nature of the material conflict of interest was that she nominated for the position and would have a direct financial advantage.

Councillor Fleming dealt with the material conflict of interest by making it known to the meeting and leaving the chamber at 7.51pm.

Motion**C260923/7566**

That Council nominates Councillor Fleming for consideration by the Local Government Association of South Australia to be nominated for the Dog and Cat Management Board.

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

Councillor Fleming re-joined the chamber at 7.53pm.

15.12 Glenelg Football Club – Financial Support (Report No: 316/23)

In April 2023, Council endorsed the re-forming of the Glenelg Football Club Working Group to November 2023 to work with the Club to assess its long-term financial viability ahead of the lease and licence agreement expiring on 31 October 2023.

This work is underway, however additional time is required to complete the review in full.

The report sought an extension of both the appointment of the Elected Members to the Working Group and the current lease and licence agreement.

Motion

C260923/7567

That Council:

- 1. notes the report;**
- 2. approves the extension of the current financial assistance to the Glenelg Football Club to 29 February 2024 being:**
 - a) that the Glenelg Football Club continue to not be charged interest on existing borrowings;**
 - b) that the current lease and licence be held over at an annual rental of \$40,000 pa (including GST); and**
- 3. approves the extension of the Glenelg Football Club Working Group to February 2024, including the continued appointment of Councillors Abley, Smedley and Snewin to the Working Group.**

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

16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

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

- 17.1 Councillor Smedley sought to bring forward a motion without notice. The Mayor deemed the matter was one of urgency and accepted the motion.

Motion

C260923/7568

That the Chief Executive Officer write a letter of congratulations to the Glenelg Football Club on winning its sixth SANFL League Premiership by 24 points against Sturt.

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

18. ITEMS IN CONFIDENCE**18.1 Kingston Park Kiosk Lease (Report No: 314/23)**

Motion - Exclusion of the Public – Section 90(3)(b & d) Order C260923/7569

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: 314/23 Kingston Park 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: 314/23 Kingston Park 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 Miller, Seconded Councillor Bradshaw **Carried Unanimously**

RETAIN IN CONFIDENCE - Section 91(7) Order C260923/7570

That having considered Agenda Item 18.1 Kingston Park Kiosk Lease (Report No: 314/23) 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, attachment and minutes be retained for the duration of the approved lease period (provided always that the release of the Report and Minutes is subject to the redaction of any financial information contained therein).

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

CLOSURE

The Meeting closed at 8.00 pm.

CONFIRMED 10 October 2023

MAYOR