



Minutes of the Ordinary Meeting of Council Held in the Council Chamber, Glenelg Town Hall on 13 February 2024 at 7.00pm

MEMBERS PRESENT

Mayor A Wilson
Councillor R Abley
Councillor A Bradshaw
Councillor J Fleming
Councillor A Kane
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
Acting General Manager, Strategy and Corporate – A Karzek
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 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

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 – 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

C130224/7664

That the minutes of the Ordinary Meeting of Council held on 23 January 2024 be taken as read and confirmed.

Moved Councillor Lonie, Seconded Councillor Kane

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 **Wayfinding for Kingston Park**

Councillor Lindop asked a question in relation to the wayfinding signage for Kingston Park.

General Manager, Assets and Delivery provided a response.

10.2 **On Notice**

10.2.1 **Arch of Remembrance – Councillor Fleming** (Report No: 15/24)

Councillor Fleming asked the following questions:

1. How often is the Arch of Remembrance at Brighton cleaned?
2. Will it be cleaned prior to ANZAC Day?

ANSWER – GENERAL MANAGER, ASSETS AND DELIVERY

1. The monument is cleaned on an as needs basis. Administration will look to implement a regular maintenance schedule in the future.
2. The cleaning will be undertaken prior to ANZAC Day, with the work scheduled for completion by the end of March.

10.2.2 **Wheatland Street Update – Councillor Lindop** (Report No: 36/24)

Councillor Lindop asked the following questions:

1. Can Administration please advise when the line marking in the car park on the south side of Wheatland Street and west side of the train line will be completed?
2. Have residents been notified of the outcome of the community consultation on the line marking plan? Have residents been notified of when the works will be completed?

3. Could Administration please provide an update on the health of the Morton Bay Fig Trees in this car park, and what has been done, and what will be done going forward to help them thrive and increase their longevity?

ANSWER – MANAGER ENGINEERING

1. The contract has been awarded for the Wheatland Street car park improvement delivery, inclusive of line marking. It is anticipated the works will be completed in April 2024.
2. The final round of consultation for the project was closed in September 2023. All residents that provided feedback were followed up and responded to as part of the consultation process. No major concerns were raised with the proposal.

Administration will send out early notification to residents once the timing is confirmed. A subsequent letter will be sent by the contractor immediately prior to the works to advise on any restrictions during the construction.

3. After a notable decline in the health of the western Morton Bay Fig Tree in the Wheatland Street car park, the Field Services 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.

We have included this area on the 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 was issued along with slow-release granulated microbes and trace elements to encourage optimal soil health.

In terms of tree recovery, little response has been detected, reaffirming a state of senescence (deterioration with age) with the tree. 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.

Since the previous update to Council in June 2023, we have taken further actions issuing soil amelioration works.

This approach involved creating a number of vertical trenches within the active root zone using a low pressure hydo-vac. Voids were then backfilled with biochar and beneficial microbes. As these voids are regularly watered in, the soil health will be increased, ensuring we have taken all the steps we can to nurture this tree. We will continue to provide watering throughout summer as we proceed to monitor tree health.

10.2.3 Development Queries – Councillor Bradshaw (Report No: 38/24)

Councillor Bradshaw asked the following questions:

1. It has come to my attention that some councils in South Australia have introduced a policy which restricts the use of dark colour-bond roofs in favour of lighter colours with new builds. Recent studies have determined a dark roof can reach temperatures up to 90C, while a lighter roof on the same day may only reach 50C. Does Holdfast Bay Council have a policy on roof colours for new builds?
2. When a Building Application is lodged with Council's Planning Department to build a new home, is there a minimum open space requirement? If there is a percentage requirement for open space is it stipulated that area must not be covered entirely in cement? I've noticed a new build in the Seacliff Ward where the entire front area of the block is covered in concrete.

ANSWER – MANAGER, DEVELOPMENT SERVICES

1. Local Government is restricted from introducing policies that override the allowances in the Planning and Design Code, so there is no current opportunity to prescribe roof colours for conventional housing in general residential areas via a separate policy. The Playford Alive housing development located north of Adelaide is the only known location where dark coloured roofs are prohibited on sustainability grounds. The policies alluded to in other council areas may apply to council buildings only, where roof colour can be selected at the design stage. Notwithstanding, imminent National Construction Code (NCC) changes including new sustainability measures will be implemented across South Australia from October 1 this year. Changes to the NCC include the introduction of mandated 7-Star Nationwide House Energy

Rating Scheme (NatHERS) ratings on residential homes, which are likely to include eliminating dark roof and wall colours to reduce solar absorption and heat retention.

2. All new housing developments require a minimum amount of open space, with the amount of open space dependent on the allotment size. For instance, in circumstances where an allotment is greater than 300m², the minimum amount of open space is 60m². For all other allotments, the minimum amount of open space is 24m². Open space is typically confined to the land located behind the main façade of the dwelling, which can be hard surfaced, incorporate a swimming pool, or be located under a verandah (i.e. does not need to be open to the elements or permeable). The Planning and Design Code also prescribes a minimum amount of 'soft landscaping' or permeable surface area for each new dwelling. Again, the amount of soft landscaping is dependent on the size of the allotment, with 20% required for allotments ranging in size between 200m² and 450m². Soft landscaping can be provided in the front, side, or rear yard of a new dwelling. If the minimum amount of soft landscaping is achieved behind the dwelling façade, then the front yard can be hard surfaced. It should also be noted that restrictions on hard surface areas do not apply to existing dwellings.

11. MEMBER'S ACTIVITY REPORTS

11.1 Mayor's Activity Report – 1 October to 31 December 2023 (Report No: 22/24)

Presented for the information of Members was the Activity Report for the Mayor for 1 October to 31 December 2023.

After noting the report any items of interest were discussed, if required with the leave of the meeting.

Motion

C130224/7665

That the Mayor's Activity Report for 1 October to 31 December 2023 be received and noted.

Moved Councillor Miller, Seconded Councillor Abley

Carried Unanimously

12. MOTIONS ON NOTICE - Nil

13. ADJOURNED MATTERS

13.1 Adjourned Report – Naming of New Roads (Report No: 41/24)

The original report sought Council's authorisation to nominate names a series of names for two new roads currently under construction as part of a new residential estate located on Sturt Road, Brighton. The community will then be consulted on the suggested road names in accordance with Council's Naming of Public Places Policy, with a subsequent report brought back to Council to consider the outcomes of the consultation process prior to ratification of the road names.

Council at its meeting held 23 January 2024 resolved to adjourn Report No: 20/24 Naming of New Roads to a future workshop of Council, to discuss the proposed street names and canvas any other potential street names prior to the report being considered again by Council. The workshop was held 6 February 2024.

Council needed to determine the outcome of the adjourned motion from the meeting of 23 January 2024 before any new motion can be considered, with the debate to commence at the point of interruption. *As an adjournment was moved following the moving of the motion, Councillors Lonie, Abley, Bradshaw, Fleming, Snewin, Venning, Patton, Miller, O'Donohue spoke to the motion. Councillor Lonie had the right of reply as the mover.*

Motion

That Council:

1. **authorises the undertaking of community consultation in accordance with the City of Holdfast Bay's Naming of Public Spaces Policy, on the suggested names of Corymbia Drive, Citronella Lane, Minear Avenue and Pearson Place for new public roads currently under construction on land located at 28 Sturt Road, Brighton.**
2. **is provided with the results of the community consultation process for consideration prior to the ratification of the new road names.**

Moved Councillor Lonie, Seconded Councillor Abley

Lost

Motion

That Council:

1. **authorises the undertaking of community consultation in accordance with the City of Holdfast Bay's Naming of Public Spaces Policy, on the suggested names of Minear, Pearson, Hackett, Wauchope, Somerville, Corymbia and Citronella for two new public roads currently under construction on land located at 28 Sturt Road, Brighton; and**
2. **is provided with the results of the community consultation process for consideration prior to the ratification of the new road names.**

Moved Councillor Fleming, Seconded Councillor Snewin

Carried Unanimously

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES

14.1 Minutes – Executive Committee – 23 January 2024 (Report No: 39/24)

The minutes of the meeting of the Executive Committee held 23 January 2024 were presented to Council for information.

Motion

C130224/7666

That Council:

1. notes the minutes of the meeting of the Executive Committee of 23 January 2024;
2. endorses the Executive Committee Terms of Reference; and
3. notes the Executive Committee has confirmed the process and criteria to be undertaken for the 2023-24 performance review of the Chief Executive Officer.

Moved Councillor Patton, Seconded Councillor Lonie

Carried Unanimously

15. REPORTS BY OFFICERS

15.1 Items in Brief (Report No: 34/24)

These items were presented for the information of Members.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

Motion

C130224/7667

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

1. Local Government Association – Nominations to the Environment Protection Authority Board Update
2. Local Government Association – Nominations to the SA Heritage Council Update
3. Australia Day Awards and Citizenship Ceremony 2024

Moved Councillor Lindop, Seconded Councillor Lonie

Carried Unanimously

15.2 Budget and Annual Business Plan Update – As At 31 December 2023
(Report No: 33/24)

The report covered the second update of Council's 2023-24 budget conducted as at 31 December 2023.

A comprehensive review of Municipal budgets has increased the forecast operating surplus by \$161,048 to a forecast surplus of \$617,520. Major favourable variances accounted for include savings on the cost of borrowings and additional revenue from car parking and hoarding fees.

Capital expenditure has increased by \$1,170,974 as a result of additional project funding already approved by Council and funding required to complete existing projects. This has been offset by an increase in capital revenue of \$62,186 from the sale of cabins at the Brighton Holiday Park.

Alwyndor forecast a decrease in their operating surplus of \$97,097 to \$412,020 mainly due to continuous growth of Home Care Packages offset by higher employment, materials, and contractor costs. Forecast capital expenditure remains unchanged.

Attached were financial reports for Municipal and Alwyndor operations, commercial activities, and progress summaries and analysis of Annual Business Plan projects.

Motion

C130224/7668

That Council:

- 1. notes the second 2023-24 budget update for Council's municipal operations including:**
 - (a) an increase in the forecast operating result for 2023-24 of \$161,048 from a surplus of \$456,473 to a surplus of \$617,520;**
 - (b) an increase in forecast capital expenditure of \$1,170,974 from \$33.149 million to \$34.320 million;**
 - (c) an increase in forecast capital revenue of \$62,186 from \$5.584 million to \$5.647 million;**
 - (d) an increase in forecast net financial liabilities of \$947,740 at 30 June 2023 from \$38.321 million to \$39.268 million.**
- 2. notes the first 2023-24 budget update for Alwyndor operations including:**

- (a) a decrease in the forecast operating surplus for 2023-24 of \$97,097 from \$509,117 to \$412,020;
- (b) no change in forecast capital expenditure of \$1.902 million;
- (c) a decrease in the forecast funding required for 2023-24 of \$118,098 from a funding surplus of \$806,098 to a funding requirement of \$688,000.

3. notes the Annual Business Plan quarterly update for December 2023.

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

15.3 Glenelg Dry Area Extension (Report No: 26/24)

Council, at its meeting on 26 September 2023, resolved to commence consultation with relevant stakeholders regarding the proposal for the New Year's Eve extended dry area to be permanently included in the Glenelg Dry Area.

Community consultation has now concluded with the results outlined for Council's consideration.

Motion

C130224/7669

That Council approves Administration to proceed to make an application to Consumer Business Services to include the New Year's Eve temporary dry area to form part of the permanent Glenelg Dry Area.

Moved Councillor Patton, Seconded Councillor Abley

Carried

Division Called

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

Those voting for: Councillors Patton, Kane, Abley, Snewin, Venning, Lonie, Lindop, Bradshaw, O'Donohue and Smedley (10)

Those voting against: Councillors Fleming and Miller (2)

The Mayor declared the motion

Carried

15.4 Purchase of Artwork – Brighton Jetty Sculptures Competition (Report No: 25/24)

The Brighton Jetty Sculptures Festival occurs annually in January, and each year Council allocates a budget to purchase a sculpture from the festival. This year, the Public Art Acquisition Advisory Group selected an artwork called 'Return' by artist Christian Hall.

Motion

C130224/7670

That Council:

1. endorses the purchase of the Brighton Jetty Sculpture entry '*Return*' by Christian Hall for the sum of \$14,286;
2. approves the sculpture to be installed in front of the Brighton Beachfront Holiday Park/Seacliff Surf Life Saving Club; and
3. in 2025 commission a public artwork through the Brighton Jetty Sculptures for a location along Glenelg North esplanade.

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

15.5 Glenelg Football Club – Financial Support (Report No: 35/24)

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. In September 2023, a further extension of the Working Group was granted to 29 February 2024.

An independent consultant (BRI Ferrier) was engaged in August 2023 to undertake an independent review of the Club's financial position and forecasted assumptions.

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

C130224/7671

That Council:

1. notes the report;
2. approves the extension of the current financial assistance to the Glenelg Football Club to 30 April 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 30 April 2024, including the continued appointment of Councillors Abley, Smedley and Snewin to the Working Group.

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

15.6 **Resilient South Regional Climate Action Plan** (Report No: 40/24)

Resilient South is a regional climate partnership between the Cities of Holdfast Bay, Marion, Mitcham and Onkaparinga and the Government of South Australia. A draft Resilient South Regional Climate Action Plan 2024-29 (ReCAP) has been prepared with extensive input from more than 900 people including community, Elected Members, businesses, youth, Kaurana, council staff, state government agencies and other regional climate partnerships.

Approximately 70% of community members across the four partner councils indicated that they are supportive of what the plan is set out to achieve. Given the overall positive results from the consultation, the ReCAP is recommended for adoption.

Motion

C130224/7672

That Council:

1. **adopts the Resilient South Regional Climate Action Plan 2024-29; and**
2. **notes the ReCAP Monitoring and Engagement Plan.**

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

15.7 **International Women's Day Breakfast** (Report No: 24/24)

Council resolved at its meeting on 28 March 2023 that Administration purchase 10 tickets to the Adelaide International Women's Breakfast annually. In 2024, the event is to be held Friday 8 March 2024.

It was resolved that the tickets purchased provide an opportunity for high school students from two local High Schools (Brighton Secondary and Sacred Heart College) to attend the event, in addition with the Youth Coordinator and a nominated Elected Member.

Motion

C130224/7673

That Council:

1. **notes the report; and**
2. **nominates Councillor Abley to attend the event on 8 March 2024, in addition with the Youth Coordinator and eight local young people as nominated by their school.**

Moved Councillor Lindop, Seconded Councillor Lonie

Carried

15.8 Holdfast Bay Community Centre Leases (Report No: 32/24)

The Holdfast Bay Community Centre transitioned from being managed by the YMCA to being managed by Council on 1 July 2023. As a result, separate lease agreements are required between Council and each of the substantive tenants to formally acknowledge continuity of occupation. Lease agreements have been drafted in consultation with the tenants to meet their specific needs, and to delineate the times and areas of use. The report sought Council's endorsement for the execution of the leases between Council and the tenants of the Holdfast Bay Community Centre.

Motion

C130224/7674

That Council:

- 1. enters into a new Lease Agreement with the Young Men's Christian Association of South Australia Incorporated over a portion of land contained within Certificate of Title Volume 5933 Folio 501 for a period of one (1) year commencing 1 July 2023, with an Option to Renew for one (1) year, and endorse the Mayor and Chief Executive Officer to be authorised to execute and seal the lease and any documents required to give effect to the lease;**
- 2. enters into a new Lease Agreement with Trinity Bay Incorporated over a portion of land contained within Certificate of Title Volume 5933 Folio 501 for a period of one (1) year commencing 1 July 2023, and endorse the Mayor and Chief Executive Officer to be authorised to execute and seal the lease and any documents required to give effect to the lease; and**
- 3. enters into a new Lease Agreement with Spinal Cord Injuries Australia over a portion of land contained within Certificate of Title Volume 5933 Folio 501 for a period of one (1) year commencing 1 July 2023, with an Option to Renew for one (1) year, and endorse the Mayor and Chief Executive Officer to be authorised to execute and seal the lease and any documents required to give effect to the lease.**

Moved Councillor Bradshaw, Seconded Councillor Snewin

Carried Unanimously

15.9 Australian Local Government Association – National General Assembly – Call for Nominations (Report No: 09/24)

Each year the Australian Local Government Association (ALGA) holds a National General Assembly (NGA) in Canberra where councils from around Australia discuss current and emerging challenges and opportunities and can advocate to the Federal Government on critical issues facing the sector.

The next Assembly will be held 2-4 July 2024 at the National Convention Centre in Canberra. The theme for this year's NGA is "Building Community Trust".

The Mayor and one Elected Member (or two Elected Members in the absence of the Mayor) may attend the ALGA each year, with the understanding that different members attend in different years, pursuant to Council's Elected Member Training and Development Policy.

Following attendance at the ALGA NGA, Elected Members must prepare and submit to Council a written report to the Chief Executive Officer, who will arrange for it to be tabled at a future meeting of Council.

Motion

C130224/7675

1. **That Council approves the attendance of Mayor Wilson and Councillor Abley at the National General Assembly from 2 – 4 July 2024, in accordance with Council's 'Elected Member Training and Development Policy'.**
2. **That both Elected Members attending the National General Assembly present a written report back to Council.**
3. **That Mayor Wilson be Council's voting delegate at the National General Assembly 2024.**

Moved Councillor Miller, Seconded Councillor Kane

Carried

16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

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

Conflict of Interest

Mayor Wilson declared a general conflict of interest for Item 17.1 **Urgent Business**. The nature of the conflict of interest (pursuant to sections 74 and 75A of the *Local Government Act 1999*) was that a parent is a volunteer at St Vincent de Pauls.

Mayor Wilson dealt with the conflict of interest by making it known to the meeting and remained in the chamber.

- 17.1 Councillor Miller sought leave of the meeting to raise an item of Urgent Business. Her Worship the Mayor deemed the matter urgent business and granted the leave of the meeting.

Motion

C130224/7676

That Council offers its support to the Glenelg Catholic Parish after the recent arson attack at Murphy House and helps where it can to assist, including supporting fundraising efforts.

Background

An arson attack at Murphy House, Glenelg has left a vicious mark on our community. We must help where we can to raise funds for St Vincent de Paul organisation as they lost charity food supplies in the blaze.

Moved Councillor Miller, Seconded Councillor Fleming

Carried Unanimously

- 17.2 Councillor Smedley sought leave of the meeting to raise an item of Urgent Business. Her Worship the Mayor deemed the matter urgent business and granted the leave of the meeting.

Motion

C130224/7677

That Council acknowledge the passing of Mrs Catherina van der Linden, Australia's oldest person, who died on 26 January 2024. Prior to moving into West Beach Residential Care in 2019, Mrs van der Linden resided for many years in Glenelg and attributed her longevity with her "love of walking and regular gym sessions".

Moved Councillor Smedley, Seconded Councillor Patton

Carried Unanimously

18. ITEMS IN CONFIDENCE

- 18.1 **Event Activation** (Report No: 21/24)

Motion - Exclusion of the Public – Section 90(3)(g) Order

C130224/7678

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: 21/24, Event Activation 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: 21/24, Event Activation on the following grounds:

- g. pursuant to section 90(3)(g) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information concerning matters that must be considered in confidence in order to ensure that the Council does not breach any duty of confidence with the South Australian Tourism Commission.

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 Lonie

Carried Unanimously

RETAIN IN CONFIDENCE – Section 91(7) Order

C130224/7679

That having considered Agenda Item 18.1 Report No: 21/24 Event Activation in confidence under section 90(2) and (3)(g) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and minutes relevant to this item be retained in confidence until the event organisers make their public announcement and/or the Chief Executive Officer is authorised to release the documents when the official announcement is made and that this order be reviewed every 12 months.

Moved Councillor Smedley, Seconded Councillor Snewin

Carried Unanimously

CLOSURE

The Meeting closed at 8.14 pm.

CONFIRMED

27 February 2024

MAYOR