

**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 26 April 2016 at 7:00pm.**

**MEMBERS PRESENT**

His Worship the Mayor, S Patterson  
Councillor R Aust  
Councillor A Bradshaw  
Councillor S Charlick  
Councillor R Clancy  
Councillor K Donaldson  
Councillor S Lonie – 7.02pm.  
Councillor R Patton  
Councillor J Smedley – 7.02pm.  
Councillor R Snewin  
Councillor L Yates – 7.02pm.

**STAFF IN ATTENDANCE**

Chief Executive Officer - JP Lynch  
General Manager Business Services - IS Walker  
General Manager City Assets & Services - SG Hodge  
General Manager Community Services - PE Aukett

**1. OPENING**

His Worship the Mayor declared the meeting open at 7.00pm.

**2. KAURNA ACKNOWLEDGEMENT**

With the opening of the meeting His 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. PRAYER**

His 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.

Councillor Yates joined the chamber at 7.02pm

**4. APOLOGIES**

- 4.1 Apologies Received - Councillor A Wilson and Deputy Mayor R Bouchée
- 4.2 Absent - Nil

**5. ITEMS PRESENTED TO COUNCIL**

Councillor Smedley joined the chamber at 7.02pm.

Councillor Lonie joined the chamber at 7.02pm.

**6. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**7. CONFIRMATION OF MINUTES****Motion****C260416/368**

**That the minutes of the Ordinary Meeting of Council held on 12 April 2016 be taken as read and confirmed.**

Moved by Councillor Yates, Seconded by Councillor Aust

**Carried****8. PUBLIC PRESENTATIONS**

- 8.1 **Petitions** - Nil

- 8.2 **Presentation**

- 8.2.1 **St Vincent de Paul Christmas Appeal 2015**

St Vincent de Paul Society has presented to Council staff a Certificate of Appreciation for the donation of toys for Christmas hampers and gifts.

- 8.3 **Deputations** - Nil

**9. QUESTIONS BY MEMBERS**

- 9.1 **Without Notice**

- 9.1.1 **Former Brighton Town Hall– Councillor Bradshaw**

Councillor Bradshaw asked a question regarding the grounds of the Original Town Hall.

The Chief Executive Officer, Mr J Lynch provided a response.

**9.1.2 Glenelg Foreshore Playspace – Councillor Clancy**

Councillor Clancy asked a question regarding the sight lines at the play space slide.

The Chief Executive Officer, Mr J Lynch provided a response.

**9.1.3 Former Brighton Town Hall – Councillor Smedley**

Councillor Smedley asked a question regarding the sale of the Former Brighton Town Hall.

The General Manager Business Services, Mr I Walker provided a response.

**9.1.4 Partridge House Driveway Lighting – Councillor Aust**

Councillor Aust asked a question regarding the lighting of the driveway at Partridge House.

The Chief Executive Officer, Mr J Lynch provided a response.

**9.2 With Notice - Nil****10. MEMBER'S ACTIVITY REPORTS****10.1 Councillor Aust**

Councillor Aust reported that she had attended:

- 14 April 2016 – First day of the Local Government Association SA Ordinary Meeting – first day of meeting
- 14 April 2016 – Represented the Mayor at St Jude's Players Opening Night of When the Rain Stops Falling
- 18 April 2016 – Alwyndor Open Day planning meeting
- 20 April 2016 - Friends of the Library – History of Crime Fiction as a Genre evening at Partridge House
- 22 April 2016 – Attended the Opening of the Favourite Things History exhibition

**10.2 Councillor Clancy**

Councillor Clancy reported on the activities of the Holdfast Bay Community Centre.

**10.3 Councillor Yates**

Councillor Yates reported that she attended:

- The Local Government Association SA Rate Capping workshop
- The opening of the GU Film House at Glenelg with Councillors Smedley, Bradshaw, Clancy and His Worship the Mayor.
- The Opening of the Favourite Things History exhibition
- The Dawn Service at Brighton with Councillors Lonie, Donaldson and Bouchee

**10.4 Councillor Bradshaw**

Councillor Bradshaw reported she attended the opening of the GU Film House at Glenelg and the Anzac Day Brighton Lacrosse Club game.

**10.5 Councillor Patton**

Councillor Patton reported that he, Councillor Smedley and His Worship the Mayor attended the Glenelg Dawn Service.

**10.6 Councillor Charlick**

Councillor Charlick reported that his wife and daughter had attended some of the Play at the Bay activities.

**11. MOTIONS ON NOTICE****11.1 Motion on Notice – Banning Bikes Riding on Jetty Road, Glenelg Footpaths – Councillor Wilson (Report No: 102/16)**

Due to Councillor Wilson's apology this Motion on Notice will be considered at the next meeting of Council.

**11.2 Motion on Notice – Renaming of Last Tram Stop – Councillor Wilson (Report No: 103/16)**

Due to Councillor Wilson's apology this Motion on Notice will be considered at the next meeting of Council.

**11.3 Motion on Notice – Bronze Bust of Susan Grace Benny – Councillor Yates (Report No: 87/16)**

Just to give an idea of Susan Grace Benny and her achievements: her husband Benjamin was Mayor of Brighton City Council from 1903-05 and elected Commodore of the Yacht Club in October 1919. Grace, as she was known, was also interested in local politics and became president of the women's branch of the South Australian Liberal Union from 1918-19. She ensured that equality of divorce for women was put on the party's platform and it later became law. On 22nd

December 1919 Grace became the first female member of a local government council in Australia, representing the newly formed Seacliff Ward. At 47 and mother of five children she believed that there was work in this area which only a woman was likely to initiate. While serving on the council, Grace achieved several improvements. Among them were the opening of a cliff to enable free access to the beach, a pedestrian crossing (closed two years ago) and an underpass at the railway line in Seacliff to provide safe transit to the beach, installation of electric lights and the allotment of reserves as a children's playground and a public garden. She successfully supported the abolition of segregated sea-bathing, making it possible for families to swim together for the first time. Whereas legislators commonly believed that women were incapable of attending night meetings, Benny regularly did so. Grace retained her seat through two elections but left local government after failing to win a mayoral election in December 1922 although she continued her public service as a Justice of the Peace from January 1921.

There has recently been interest in forming a Susan Grace Benny Society. During the discussions about whether the old Brighton Town Hall should be sold or not, Cr Clancy suggested a plaque to Susan Grace Benny be put outside the Town Hall. There is a plaque to her in Adelaide on North Terrace near the corner of King William St. A portrait head and shoulders bust would give an idea of the personality of SGB but whereas a complete life size sculpture would cost over \$120,000, a bust would give a good representation at a more reasonable cost. It may be that local historical societies and certain individuals would also wish to contribute to this purchase.

**Motion**

**C260416/369**

**That Council agrees to fund a life-size portrait head and shoulders bust in bronze of Susan Grace Benny to be set on a plinth and placed on Council land near the old Brighton Town Hall or outside the hall if the owners are agreeable to this and it is considered appropriate. That this statue, plinth and plaque be funded up to \$30,000 and included in this year's budget.**

Moved Councillor Yates, Seconded Councillor Donaldson

**Carried**

**Amendment**

**That Council agrees to fund a life-size portrait head and shoulders bust in bronze of Susan Grace Benny to be set on a plinth and placed on Council land near the old Brighton Town Hall or outside the hall if the owners are agreeable to this and it is considered appropriate. That this statue, plinth and plaque be funded up to \$30,000 and included in this year's budget.**

Moved Councillor Clancy

Councillors Yates and Donaldson agreed that the Amendment be incorporated into the original motion.

**Formal Motion**

That this item be adjourned until clarification of the costs of the statue, plinth and plaque are confirmed and legal advice on the placement of the life sized portrait head and shoulders on land adjacent to the Former Brighton Town Hall.

Moved Councillor Smedley, Seconded Councillor Lonie

**Tied Vote**

His Worship the Mayor used his casting vote against the motion and declared the motion

**Lost**

**Division called**

A division was called:

Those voting for: Councillors Smedley, Yates, Bradshaw, Clancy, Snewin and Donaldson (6)

Those voting against: Councillors Charlick, Patton, Aust and Lonie (4).

His Worship the Mayor declared the motion

**Lost**

**12. ADJOURNED MATTER - Nil**

**13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL**

**13.1 Minutes – Audit Committee – 13 April 2016 (Report No: 105/16)**

The minutes of the Audit Committee meeting for 13 April 2016 are presented to Council for information and endorsement.

**Motion**

**C260416/370**

**That Council receives and notes the minutes, including advice, of the Audit Committee meeting of 13 April 2016.**

Moved Councillor Smedley, Seconded Councillor Snewin

**Carried**

**14. REPORTS BY OFFICERS**

**14.1 Items in Brief (Report No: 101/16)**

These items are presented for the information of Members.

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

**Motion****C260416/371**

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

- **2015 /2016 Event Season Overview**
- **South Australia's History Festival**
- **Planning, Development and Infrastructure Bill passed by Parliament**

Moved Councillor Clancy, Seconded Councillor Lonie

**Carried**

Councillor Charlick left the chamber at 7.50pm.

14.2 **Jetty Road Mainstreet Management Committee – Amended Terms of Reference**  
(Report No: 99/16)

Changes to the Local Government Act (1999) Conflict of Interest provisions affect all members of S41 Committees. These changes come into effect as of 31 March 2016. Advice received indicated that the independent members of the Jetty Road Mainstreet Management Committee, being made up of traders and landlords of the precinct, would be at risk of having a material conflict of interest if they were to continue as a Section 41 Committee of Council with delegated decision making powers. At its meeting of 22 March 2016 Council disbanded the Committee and revoked its delegations. Subsequent advice has indicated that the Committee can continue as a s41 committee, if it is an advisory committee only, without delegated powers. This report presents amended terms of reference for the Jetty Road Mainstreet Management Committee, reflecting this latest advice.

By adopting the amended Terms of Reference, Council is amending its previous decision to disband the Committee, as per Regulation 12(3) Local Government (Procedures at Meetings) Regulations 2013.

**Motion****C260416/372**

1. **That the Jetty Road Mainstreet Committee continue to operate as an advisory committee of Council with amended Terms of Reference.**
2. **That Council endorses the revised Terms of Reference for the Jetty Road Mainstreet Committee attached to this report.**

Councillor Charlick rejoined the chamber at 7.52pm.

Moved Councillor Clancy, Seconded Councillor Patton

**Carried**

14.3 **'Love Locks' on Glenelg Jetty** (Report No: 100/16)

The purpose of this report is to outline the findings of an investigation into establishing a designated area on the Glenelg Jetty for the placement of engraved "love locks" in line with Council Resolution C230216/316. It proposes that the gates at the entry to the Jetty present a suitable location

**Motion****C260416/373**

**That Report No: 100/16 be noted and the the placement of Love Locks on the Glenelg Jetty does not proceed.**

Moved Councillor Clancy, Seconded Councillor Snewin

**Carried**

14.4 **Draft 2016-17 Annual Business Plan** (Report No: 104/16))

The Draft 2016–17 Annual Business Plan is presented for endorsement and release for community engagement.

It has been developed having regard to the “Our Place” Community Plan 2012-15 (Our Place Plan) Asset Management Plans, Long Term Financial Plan and directions provided by Council.

**Motion****C260416/374**

- 1. That, subject to minor alterations and design, the Draft 2016–17 Annual Business Plan contained in Attachment 1 be released for community consultation.**
- 2. That the process for community consultation on the Draft 2016–17 Annual Business Plan, as described in this Report, be endorsed.**

Moved Councillor Lonie, Seconded Councillor Aust

**Carried**

14.5 **Kauri Parade Community and Sports Centre** (Report No: 107/16)

This reports seeks the Council to note the progress of the Kauri Parade Community and Sports Complex project and formalise the budget (\$14,616,930) agreed at the Council workshop held on 20 January 2015.

**Motion****C260416/375**

- 1. Council notes the progress of the Kauri Parade Community and Sports Complex project.**
- 2. Council adopts the revised project budget totalling \$14,616,930 as originally presented at a Council workshop on 20 January 2015.**
- 3. That as a result of the sale of the property on Portland Street, Seacliff Council agrees to fund the additional \$1.713 million through additional borrowings in accordance with Council’s Treasury Management Policy.**

Moved Councillor Lonie, Seconded Councillor Yates

**Carried**



**15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil****16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil****17. ITEMS IN CONFIDENCE****17.1 Glenelg Football Club (Report No: 110/16)****Motion****C260416/376**

- 1. That under provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, General Managers and administrative staff in attendance in order to consider in confidence this item.**
- 2. That the Chief Executive Officer is satisfied that it is necessary that the public be excluded to enable the Council to discuss and to consider the matter at the meeting on the following grounds:**
  - b. Information the disclosure of which –**
    - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and**
    - (ii) would, on balance, be contrary to the public interest, as the benefit or detriment to Council in not disclosing information relating to Glenelg Football Club outweighs the public interest at this time.**

Moved Councillor Lonie, Seconded Councillor Yates

**Carried**

Councillor Donaldson left the chamber at 8.23pm.

**Conflict of Interest:**

His Worship the Mayor, S Patterson declared a perceived conflict of interest for the item 17.1 Glenelg Football Club (Report No: 110/16). The nature of his perceived conflict of interest (Pursuant to Section 74 of the *Local Government Act 1999*) was that his company has a business relationship with the Club. His Worship the Mayor dealt with this perceived conflict of interest by making it known to the chamber and if it becomes apparent he would have a Material Conflict of Interest this will be declared.

**Glenelg Football Club (Report No: 110/16)**

**Order to Retain Documents in Confidence****Motion****C260416/378**

1. That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the documents relating to Report No: 110/16 including:

- Minutes
- Report
- Attachment

relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(b).

2. This resolution will be reviewed within 12 months by the Council.

Moved Councillor Clancy, Seconded Councillor **Lonie**

**Carried**

**CLOSURE**

The Meeting closed at 8.48pm.

**CONFIRMED      Tuesday 10 May 2016**

**MAYOR**