

**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 February 2019 at 7:00pm.**

**MEMBERS PRESENT**

Mayor A Wilson  
Councillor R Abley  
Councillor M Bouchee  
Councillor A Bradshaw  
Councillor P Chabrel  
Councillor R Clancy  
Councillor J Fleming  
Councillor C Lindop  
Councillor S Lonie  
Councillor W Miller  
Councillor R Patton  
Councillor J Smedley  
Councillor R Snewin

**STAFF IN ATTENDANCE**

Chief Executive Officer - JP Lynch  
General Manager City Assets and Services – H Lacy  
General Manager Community Services – M Lock  
General Manager Business Services – R Bria  
A/General Manager Alwyndor – B Capes

**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. 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.

**4. APOLOGIES**

4.1 Apologies Received - Nil

- 4.2 Absent – Nil
- 4.3 Her Worship the Mayor announced that all Councillors and Staff should refrain from using mobile phones for the duration of the Council meeting and requested these devices to be switched off.

**5. ITEMS PRESENTED TO COUNCIL - Nil**

**6. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**7. CONFIRMATION OF MINUTES**

**Motion**

**C260219/1381**

**That the minutes of the Ordinary Meeting of Council held on 12 February 2019 be taken as read and confirmed.**

Moved Councillor Lonie, Seconded Councillor Abley

**Carried**

**8. PUBLIC PRESENTATIONS**

- 8.1 **Petitions - Nil**
- 8.2 **Presentation - Nil**
- 8.3 **Deputations - Nil**

**9. QUESTIONS BY MEMBERS**

**9.1 Without Notice**

**9.1.1 Alwyndor Website**

Councillor Clancy asked the following question:

*Can the Alwyndor webpage display contact numbers for all Management Committee members and can these contact details be provided to Council?*

The Alwyndor Acting General Manager, Mr Brett Capes, took this question on notice.

**9.2 With Notice**

**9.2.1 Question on Notice – Public Toilet Signage (Report No: 80/19)**

Councillor Miller asked the following question:

**“1. How much signage there is for public toilets along the Jetty Rd Glenelg Precinct and;**

2. ***Whether the signage is clearly visible for visitors and;***
3. ***Whether more signage could be made available to address the perceived lack of effective signage?"***

#### **Background**

Jetty Road traders have noted an influx of public use of their bathrooms and wonder whether Council could better advertise the numerous public toilets available to shoppers and visitors.

#### **ANSWER – General Manager City Assets and Services**

Staff will undertake a visual inspection and report back to Elected Members once complete.

### **10. MEMBER'S ACTIVITY REPORTS**

#### **10.1 Mayoral Report (Report No: 61/19)**

Presented for the information of Members is the Activity Report for the Mayor for November 2018 – January 2019.

#### **Motion**

**C260219/1382**

**That the Mayor's Activity Report for November 2018 – January 2019 be received and noted.**

Moved Councillor Lonie, Seconded Councillor Smedley

**Carried**

### **11. MOTIONS ON NOTICE**

#### **11.1 Motion on Notice – Signage on Mawson Oval - Councillor Fleming (Report No: 70/19)**

Councillor Fleming proposed the following motion:

#### **BACKGROUND**

The City of Holdfast Bay owns Mawson Oval and has entered into a shared usage agreement with the School.

Some residents are confused about the ownership of Mawson Oval and the right of public access to the Oval since the words "Mawson Oval" do not appear on the current signage. This confusion may be eliminated by the passing of this resolution.

### **ADMINISTRATION COMMENT – Manager Development Services**

The need to replace the existing damaged panels on the sign on Mawson Oval on the corner of King George Avenue and Wattle Avenue, coupled with the recent change to the name of the school, provides Council and McAuley Community School an opportunity to revisit the content and design of the original sign prior to any reinstatement.

Development of any new sign design will need to be undertaken jointly with the school in line with the Joint Use Agreement (JUA). Whilst the Motion provides guidance in relation to some wording and content for any new sign, Administration will also consider Council's branding strategy and style guide. It is assumed that the new design will retain a variation of the changeable message board that featured on the original sign, which is a means for both Council and the School to alert the community to important events that occur during the year.

Whilst the sign was originally damaged by the school and therefore the school should fund any reinstatement, should the sign vary significantly from its previous size, design or space allocation, Council may be requested to contribute to the additional costs. A cost apportionment clause is provided in the JUA.

Installation of wayfinding signage at the Wattle Street/ Brighton Road intersection will be assessed under Council style guide.

### **Motion**

**C260219/1383**

#### **That Council:**

- 1. Requires the development by staff, in conjunction with McAuley Community School, of a new design for the sign located on the corner of Wattle Avenue and King George Avenue which must be presented to Council for prior approval.**
- 2. Requires the words "Mawson Oval" to be on the sign together with stated times for public access.**
- 3. Requires a street sign to be placed on the corner of Brighton Road and Wattle Avenue directing people to Mawson Oval.**

Moved Councillor Fleming, Seconded Councillor Bouchee

**Carried**

- 11.2 **Motion on Notice – Censure Motion – Suspension of Funding from Community Centres Budget - Councillor Clancy (Report No: 79/19)**

### **BACKGROUND**

The motion was first raised on 28 January and I then foreshadowed that I would bring a motion to the next council meeting on 12 February. I heard from Pip Pearson from the Over 50s club that the CEO had permitted administration to

commit to spending the funds from the budget which were proposed to be suspended.

Councillor Clancy proposed the following motion:

**Motion**

**That the CEO be censured for committing to spend a budget item when it was known that a motion to suspend that item pending a workshop on community centres was before council.**

Councillor Clancy withdrew item 11.2 Motion on Notice – Censure Motion – Suspension of Funding from Community Centres Budget - Councillor Clancy (Report No: 79/19).

**12. ADJOURNED MATTER - Nil**

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

**13.1 Minutes – Jetty road Mainstreet Committee – 6 February 2019 (Report No: 75/19)**

The minutes of the meeting of the Jetty Road Mainstreet Committee meeting held on 6 February 2019 are attached and presented for Council's information.

Jetty Road Mainstreet Committee Agendas, Reports, and Minutes are all available on Council's website and the meetings are open to the public.

**Motion**

**C260219/1384**

**That Council notes the minutes of the meeting of the Jetty Road Mainstreet Committee of 6 February 2019.**

Moved Councillor Lonie, Seconded Councillor Miller

**Carried**

**14. REPORTS BY OFFICERS**

**14.1 Items in Brief (Report No: 69/19)**

These items are presented for the information of Members.

**Motion**

**C260219/1385**

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

- 1. Installation of Sharrows on Bandon Terrace, Kingston Park**
- 2. Australia Day Awards Recipients**

Moved Councillor Lonie, Seconded Councillor Lindop

**Carried**

**14.2 Council Submission – Draft Planning Reforms (Report No: 72/19)**

As part of the ongoing reforms to the South Australian planning system, the State Government has released further draft amendments for consultation. The draft amendments relate mainly to technical and operational aspects of development assessment, containing no land use policy changes at this stage. This report looks at the anticipated impact of the proposed amendments, providing feedback and identifying some opportunities to strengthen the content where necessary.

**Motion****C260219/1386****That Council authorise:**

- 1. Administration to submit the response in Attachment 1 to the State Government’s planning reforms;**
- 2. the Chief Executive Officer to make any minor amendments as necessary.**

Moved Councillor Bouchee, Seconded Councillor Clancy

**Carried****14.3 Appointments to Council Assessment Panel (Report No: 73/19)**

The term of the four independent members serving on the Council Assessment Panel expires on 1 May 2019. It is recommended that Council invite expressions of interest for the positions. The current independent members would be eligible to apply.

**Motion****C260219/1387****That:**

- 1. Council invite expressions of interest for the appointment of four independent members to the Council Assessment Panel;**
- 2. Councillor Clancy, Councillor Bradshaw and the Manager Development Services review expressions of interest received and make a recommendation to Council.**

Moved Councillor Lonie, Seconded Councillor Abley

**Carried****14.4 Recognition of TPI Permits – Council Parking Scheme (Report No: 78/19)**

At the Council meeting of 29 January 2019 it was requested that Administration prepare a report on recognizing the TPI permit pass system within the City of Holdfast Bay’s car parking system.

The Association of Totally and Permanently Incapacitated Ex-Service Men and Women (TPI Association) has previously raised with the Mayor that they would like TPI passes to be recognized for parking concessions in the Holdfast Bay area.

**Motion****C260219/1388****That Council allows TPI permit holders double time in timed street parking areas.**

Moved Councillor Miller, Seconded Councillor Snewin

**Carried**14.5 **Monthly Financial Report – 31 January 2019** (Report No: 71/19)

Attached are financial reports as at 31 January 2019. They comprise a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor Aged Care, and a month by month variance report for Council's municipal activities. The adjusted forecast budget includes the carried forward amount as approved by Council 14 August 2018 and the two quarterly budget updates approved by Council 23 October 2018 and 12 February 2019.

No changes to Alwyndor and Municipal budgets are recommended at this time, but the report highlights items that show a material variance from the YTD budget.

**Motion****C260219/1389****That Council receives the financial reports and budget update for the 7 months to 31 January 2019 and notes:**

- **no change to the Municipal activities 2018/19 revised budget forecast;**
- **no change to the Alwyndor Aged Care 2018/19 revised budget forecast.**

Moved Councillor Lonie, Seconded Councillor Smedley

**Carried**14.6 **Community Centres Memorandum of Understanding** (Report No: 76/19)

At Council's workshop held on 3 July 2018 where the future management of the four Community Centres was discussed, Council supported the continuation of the current management model for each centre (leases and hire arrangements) but with the establishment of a Memorandum of Understanding (MOU) between each Centre and Council. This report tables the MOU's and summarises the key objectives that the MOU will help achieve. Importantly, the MOU's are strongly aligned to achieving community focused outcomes contained in the *Our Place 2030 Strategic Plan*.

**Motion****That Council notes that each Community Centre has signed their respective Memorandum of Understanding and returned to Council for signing.**

Moved Councillor Lonie, Seconded Councillor Clancy

**Formal Motion****C260219/1390**

That item 14.6 Community Centres Memorandum of Understanding (Report No: 46/19) is deferred for a further four weeks at the request of Councillor Bouchee on the grounds that further advice is required on the status of the Holdfast Bay Community Centres Coordinating Committee.

Moved Councillor Bouchee, Seconded Councillor Patton

**Carried****14.7 Nominations Sought for a Local Government Member on the Dog and Cat Management Board (Report No: 77/19)**

The Minister for Environment and Water has written to the Local Government Association requesting nominations for two local government members on the Dog and Cat Management Board for a term of up to 3 years. Nominations must be forwarded to the Local Government Association by close of business 14 March 2019.

Any members who wish to be nominated need to have their nomination endorsed by Council prior to submission to the Local Government Association.

**Motion****C260219/1391**

- 1. Note the report**
- 2. That Council nominates Councillor Fleming to the Local Government Association for consideration as a Member on the Dog and Cat Management Board.**

Moved Councillor Bouchee, Seconded Councillor Clancy

**Carried****15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil****16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING****Leave of the Meeting**

Councillor Smedley sought leave of the meeting to raise an item of Urgent Business on the grounds that the Chief Executive Officer resigned last week and he wished to acknowledge his hard work and contribution. Under rule 3.5.5 of the Code of Practice - Meeting Procedure the matter is sufficiently urgent and requires no additional information in order to make an informed decision on the motion.

Leave of the meeting was granted.

**16.1 Acknowledgment of Contribution to the City of Holdfast Bay by the Chief Executive, Mr Justin Lynch****Motion****C260219/1392**

**That Council acknowledges the hard work and contribution of Justin Lynch to the City of Holdfast Bay and thank him for it.**

Moved Councillor Smedley, Seconded Councillor Snewin

**Carried**



**Leave of the Meeting**

Her Worship the Mayor sought leave of the meeting to raise an item of Urgent Business to consider the appointment of an Acting Chief Executive Officer. It is an urgent matter on the grounds that staff at council need to know as a matter of urgency who will be leading the organisation for the next 6 months.

Leave of the meeting was granted.

**16.2 Appointment of Acting Chief Executive****Motion****C260219/1393**

**That pursuant to Section 96 (1) and 98 (2) of the Local Government Act 1999 that the Council appoint Mr Roberto Bria to act in the position of the Chief Executive Officer from such time as the resignation of Justin Lynch takes effect until the vacancy is filled.**

Moved Mayor Wilson, Seconded Councillor Lonie

**Carried****Division called**

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

Those voting for: Councillors, Snewin, Clancy, Miller, Bouchee, Fleming, Smedley, Abley, Patton, Chabrel, Lonie, Lindop and Bradshaw (12)

Those Voting Against: Nil (0)

Her worship the Mayor declared the motion

**Carried****Leave of the Meeting**

Her Worship the Mayor sought leave of the meeting to raise an item of urgent business and for the discussion to be held in confidence. The purpose is to consider an update on progress for the Brighton Oval Redevelopment.

Leave of the meeting was granted.

**17. ITEMS IN CONFIDENCE****17.1 Brighton Oval Redevelopment****Motion****C260219/1394**

**Recommendation - Exclusion of the Public - Section 90(3)(d) Order**

- 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 an item of urgent business, update to the Brighton Oval Redevelopment.**

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 update 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 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 discussion confidential.**

Moved Councillor Lonie, Seconded Councillor Clancy

**Carried**

Councillor Snewin left the chamber at 7.54pm

Short Term Suspension of the Local Government (Procedures at Meetings) Regulations 2013

Her Worship the Mayor with the approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013 for a period of 20 minutes to facilitate informal discussion in relation to the update to Brighton Oval redevelopment and will resume at the end of this time or at the discretion of Her Worship the Mayor.

The meeting procedures were suspended at 7.55 pm.

Councillor Snewin re joined the chamber at 7.57pm.

An extension of time for the suspension of meeting procedures was granted at 8.15pm.

A further extension of time for the suspension of meeting procedures was granted at 8.40pm

The meeting resumed at 8.52pm.

**Motion**

**C260219/1395**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

**That having considered the item of urgent business, update to the Brighton Oval Redevelopment in confidence under section 90(2) and (3)(d) of the *Local***

***Government Act 1999, the discussion be retained in confidence for a period of 12 months.***

Moved Councillor Clancy, Seconded Councillor Lonie

**Carried**

**CLOSURE**

The Meeting closed at 8.54 pm.

**CONFIRMED      Tuesday 12 March 2019**

**MAYOR**