

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 29 November 2022 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 R Snewin
Councillor A Venning

STAFF IN ATTENDANCE

Chief Executive Officer – R Bria
General Manager Assets and Delivery – M de Heus
General Manager Community and Business – M Lock
General Manager Strategy and Corporate – P Jackson
General Manager Alwyndor – B Davidson-Park

1. TIME AND PLACE OF FIRST COUNCIL MEETING

Pursuant to Section 81(4) of the Local Government Act 1999 the Chief Executive Officer, Mr R Bria determined the time and place for the first ordinary meeting after the General Election to take place at 7.00pm on Tuesday 29 November 2022, in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg.

2. OPENING

The Chief Executive Officer, Mr R Bria opened the meeting at 7.00pm and led Elected Members into the Chamber in procession.

3. KAURNA WELCOME TO COUNTRY

Welcome to Country was undertaken by Senior Aboriginal Man, Michael O'Brien.

Kaurna Elders, Jeffrey Newchurch and Lynette Crocker presented the Kaurna Shield to Mayor Wilson for the newly elected Council.

4. DECLARATION OF RESULTS

The Chief Executive Officer, Mr R Bria read the declaration of the results of the election.

5. DECLARATION OF OFFICE

Section 60 of the *Local Government Act 1999* and Regulation 6 of the *Local Government (General Regulations) 2013* prescribe the declaration to be made before a Justice of the Peace or a person authorised under the *Oaths Act 1936*.

The Chief Executive Officer called on Mr Robert Hughes JP, to witness the declarations.

The Mayor, Amanda Wilson made her Declaration of Office, following which all Members of Council made their declarations, in turn, before Mr Robert Hughes JP.

Following the swearing in of the Mayor, she assumed the chair of the meeting.

The form of the declaration was the same for all Members including the Mayor.

6. CONGRATULATORY MESSAGE BY HER WORSHIP THE MAYOR

The Mayor, Amanda Wilson congratulated the members of the 9th Holdfast Bay Council on their election, and acknowledged the contribution made by the previous Council to the City and welcomed members of the gallery.

7. MESSAGES OF ACKNOWLEDGEMENT FROM THE NEW COUNCIL

Each member of Council had the opportunity to acknowledge their family and friends for their on-going support.

8. APOLOGIES

8.1 Apologies Received – Councillor J Smedley

8.2 Absent

9. DECLARATION OF INTEREST

If a Council Member has an interest (within the terms of the Local Government Act 1999) in a matter before the Council they are asked to disclose the interest to the Council and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.

10. CONFIRMATION OF MINUTES

Motion

C291122/7291

That the minutes of the Ordinary Meeting of Council held on 25 October 2022 be taken as read and confirmed.

Moved Councillor Miller, Seconded Councillor Fleming

Carried Unanimously

11. REPORTS BY OFFICERS

11.1 Appointment of Deputy Mayor (Report No: 440/22)

Under Section 51 of the *Local Government Act 1999*, Council may appoint a Deputy Mayor for a term not exceeding four years.

Council has previously made appointments of Deputy Mayor for a term of one year. It is Council's prerogative to choose another term if it chooses.

The Deputy Mayor may act in the absence of the Mayor, in the office of Mayor.

The Mayor called for nominations for the position of Deputy Mayor. Councillor Lindop nominated herself and provided reasons for the nomination.

Conflict of Interest

Councillor Lindop declared a material conflict of interest for Item 11.1 **Appointment of Deputy Mayor** (Report No: 440/22). The nature of the material conflict of interest (pursuant to Section 75 and 75C of the *Local Government Act 1999*) was that she nominated for the position and would have a direct financial advantage.

Councillor Lindop dealt with the material conflict of interest by making it known to the meeting and leaving the chamber at 7.41pm.

Motion

C291122/7292

That Councillor Lindop be appointed as Deputy Mayor for a period of one year, from 30 November 2022 to 1 December 2023.

Moved Councillor Fleming, Seconded Councillor Lonie

Carried Unanimously

Councillor Lindop re-joined the meeting at 7.42pm.

11.2 Time and Place for Ordinary Council Meetings (Report No: 441/22)

The *Local Government Act 1999* requires Council to hold at least one meeting per month.

It is a decision of the Council to determine its meeting schedule. Meeting schedules can be reviewed and amended at any time by the Council.

In previous terms, Council has met on the second and fourth Tuesdays of each month (February – November) and once in January and December due to the holiday periods. It was proposed that Council continue this meeting schedule, with the frequency of meetings to be reviewed in February 2024.

Motion

C291122/7293

1. That Council continue to meet once in the months of December and January and will meet on 13 December 2022 and 24 January 2023.

2. That Council will meet on the second and fourth Tuesday of each month, commencing in February 2023, except for January and December which will hold a meeting once in each month, due to the holiday periods. (Dates as included in report).
3. That the frequency of meetings will be reviewed by February 2024.
4. That Council will meet in the Council Chamber, Glenelg Town Hall, Moseley Square Glenelg.
5. That Council meetings will commence at 7.00pm.
6. If required an information/briefing session will be held prior to Council Meetings commencing at 6.00pm.
7. If required an information/briefing session commencing at 6.00pm will be held on the first, third and fifth Tuesday of each month.

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

11.3 **Elected Member Allowances, Support and Entitlements Policy** (Report No: 444/22)

Following the periodic election, Council was required to consider its Elected Member Allowances, Support and Entitlements Policy for the reimbursement of discretionary expenses and determine facilities and support for members.

In accordance with Section 77 (2) of the *Local Government Act 1999* (the Act), the previous Elected Member Entitlements Policy lapsed at the General Election held 10 November 2022 and was required to be reconsidered and adopted by this Council.

Motion

C291122/7294

1. That the Elected Member Allowances, Support and Entitlements Policy be adopted, noting that:
 - an IT equipment allowance of \$1,700 for the first year in office, followed by \$1,100 p.a. be approved; and
 - each Elected Member is issued with a laptop with a corporate data plan to enable them to receive Council communication and documents.
2. Council resolves that the provision of facilities or services is necessary or expedient to the performance or discharge of official functions or duties.

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

11.4 Code of Practice – Meeting Procedures (Report No: 445/22)

The City of Holdfast Bay's Code of Practice – Meeting Procedures (the Code) was required to be reviewed annually and was last adopted by Council on 14 June 2022. With the conclusion of the 2022 Local Government General Election, it was deemed appropriate to update the Code with the new Council.

The Council resolution needed to be supported by at least two thirds of the members of the Council to be adopted as the new Code of Practice.

Motion**C291122/7295**

That Council endorse the reviewed Code of Practice – Meeting Procedures with the following replacement of section 6:

6. Mobile Telephones

6.1 Mobile telephones may not be used for making or receiving calls during a Council or Committee meeting or Council Information/Briefing Session by members or Council Officers. Devices may be used to look up information relevant for the discussion on hand.

6.2 Mobile telephones must be switched off or turned to silent mode before a meeting commences.

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

11.5 Elected Member Appointments to the Council Assessment Panel (Report No: 443/22)

The City of Holdfast Bay Council Assessment Panel (CAP) is a five member CAP consisting of one Elected Member and four Independent Members, which meets monthly to hear representations and consider the merits of specific development applications.

Following the recent Local Government Elections it is necessary for Council to appoint an Elected Member representative and deputy Elected Member to the CAP for a tenure of one year.

The Mayor called for nominations for the position of CAP member. Councillor Fleming nominated herself and provided reasons for the nomination.

The Mayor called for nominations for the position of CAP deputy member. Councillor Snewin nominated himself and provided reasons for the nomination.

Conflict of Interest

Councillor Fleming declared a material conflict of interest for Item 11.5 **Elected Member Appointments to the Council Assessment Panel** (Report No: 443/22). The nature of the material conflict of interest (pursuant to Section 75 and 75C of the *Local Government Act 1999*) 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 7.52pm.

Conflict of Interest

Councillor Snewin declared a material conflict of interest for Item 11.5 **Elected Member Appointments to the Council Assessment Panel** (Report No: 443/22). The nature of the material conflict of interest (pursuant to Section 75 and 75C of the *Local Government Act 1999*) was that he nominated for the deputy position and would have a direct financial advantage.

Councillor Snewin dealt with the material conflict of interest by making it known to the meeting and leaving the chamber at 7.52pm.

Motion

C291122/7296

That Council:

- 1. appoints Councillor Fleming to the City of Holdfast Bay Council Assessment Panel for the period commencing 30 November 2022 and ending 29 November 2023; and**
- 2. appoints Councillor Snewin as the deputy Elected Member on the City of Holdfast Bay Council Assessment Panel during the incumbent Elected Member's absence for the period commencing 30 November 2022 and ending 29 November 2023.**

Moved Councillor Miller, Seconded Councillor Lonie

Carried Unanimously

Councillor Fleming and Councillor Snewin re-joined the meeting at 7.53pm.

- 12. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**
- 13. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil**
- 14. CLOSURE**

The Meeting closed at 7.53pm.

CONFIRMED 13 December 2022

MAYOR