

**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 10 March 2020 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 – R Bria  
General Manager City Assets and Services – H Lacy  
General Manager Community Services – M Lock  
General Manager Strategy and Business Services – P Jackson  
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 acknowledged 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

Her Worship the Mayor acknowledged the passing of John Schneebichler from the Brighton Bombers Football Club.

## 7. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

## 8. CONFIRMATION OF MINUTES

### Motion

C100320/1755

**That the minutes of the Ordinary Meeting of Council held on 25 February 2020 be taken as read and confirmed.**

Moved Councillor Clancy, Seconded Councillor Miller

**Carried Unanimously**

## 9. PUBLIC PRESENTATIONS

- 9.1 **Petitions** - Nil
- 9.2 **Presentations**- Nil
- 9.3 **Deputations**

Brighton Sports and Social, Brighton Lacrosse and Brighton Rugby Union Football Clubs– Ms Traci Mathwin and Mr Steve Phillips.

*Mayor Wilson approved a joint deputation from Ms Traci Mathwin and Mr Steve Phillips speaking on behalf of Brighton Lacrosse Club, Brighton Sports and Social Club and Brighton Rugby Union Football Club regarding Brighton Rugby Union Football Club Lease Agreement.*

### **Leave of the Meeting**

Councillor Bouchee sought leave of the meeting to move Item 15.4 Brighton Rugby Union Club Lease Agreement (Report No: 69/20) in the Agenda to be considered after Item 9.3.

Leave of the Meeting was granted.

**15.4 Brighton Rugby Union Football Club Lease Agreement (Report No: 69/20)**

Following the 2017 expiration of the lease agreement held between the City of Holdfast Bay and the Brighton Rugby Union Football Club (*Club*), the long-term tenant continued to occupy and use their former building and playing fields in Hold Over mode.

As part of the current Brighton Oval precinct redevelopment, the Club's former clubroom has been demolished to allow for the construction of new substantially larger and more complex facility. The land occupied has also increased by approximately 700m<sup>2</sup> to allow for a warm up area to the north of the existing playing field.

To reflect the new build and to apply the provision set out in the Sporting & Community Club Leasing Policy (approved by Council on 24 April 2018), it was recommended that Council enters into a new lease agreement with the Brighton Rugby Union Football Club for their non-exclusive use of a portion of Brighton Oval, in time for the Rugby season opening game scheduled for 04 April 2020.

Full details of the proposal were outlined in the report.

**Motion****C100320/1756****That Council:**

- 1. enters into a new Lease Agreement with the Brighton Rugby Union Football Club Incorporated over a portion of land at Brighton Oval for a period of five years commencing from the date of occupation, with an Option to Renew for a subsequent five years;**
- 2. charges the Lessee an annual rent in the first year of \$4,790 (plus GST) with annual incremental increases in subsequent years as outlined in Table 1 of the report; and**
- 3. endorse the Mayor and Chief Executive Officer to be authorised to execute and seal any documents required to give effect to this lease.**

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

**Division Called**

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

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

Those voting against: Nil (0)

Her Worship the Mayor declared the motion

**Carried**

**10. QUESTIONS BY MEMBERS****10.1 Without Notice****10.1.1 Holdfast Bay Bowling Club Signage**

Councillor Bouchee asked about scheduling a meeting with the Holdfast Bay Bowling Club in relation to their policy regarding the Club's signage locations.

General Manager City Assets and Services provided a response.

**10.1.2 Machine Parked on Colley Terrace**

Councillor Bouchee asked a question in relation to the machine that had been parked on Colley Terrace for the past 5 months blocking parking spaces and queried if they were being charged proportionately.

General Manager City Assets and Services took the question on notice.

**10.1.3 Councillor's Strategic Planning Day**

Councillor Clancy asked a question in relation to Councillors being provided with a future Strategic Planning day prior to budget discussions.

Her Worship the Mayor provided a response.

**10.2 On Notice - Nil****11. MEMBER'S ACTIVITY REPORTS - Nil****12. MOTIONS ON NOTICE****Conflict of Interest**

Councillor Fleming declared a material conflict of interest for Item 12.1 Motion on Notice – Brighton Traffic Report – Councillor Lindop (Report No: 70/20). The nature of the material conflict of interest (pursuant to Section 74 of the *Local Government Act 1999*) is that her place of business is within close proximity of the location specified in the motion.

Councillor Fleming dealt with the conflict of interest by making it known and leaving the chamber at 7.32pm.

**12.1 Motion on Notice – Brighton Traffic Report - Councillor Lindop  
(Report No: 70/20)**

Councillor Lindop proposed the following motion:

**Motion****C100320/1757**

1. **That Administration investigate and report to Council, options to improve traffic conditions and safety for customers, shop owners and pedestrians using the eastern footpath on Brighton Road in proximity to the Gregory Street and Marlborough Street intersections.**
2. **That the investigation include any traffic incident information available and a traffic risk assessment for the location and assess any treatments that could improve safety which may include bollards.**

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

**BACKGROUND**

In discussions with business owners, they have advised me that there have been many serious car accidents in this intersection of Brighton Road, Gregory Street and Marlborough Street. In the last nine (9) months I have been advised that these incidents have become far more serious with multiple car pile ups and, most recently, a truck mounted the footpath and was stuck on the building on the corner of Brighton Road and Gregory Street.

Therefore, I believe we should investigate options to improve safety for customers, shop owners and pedestrians using the eastern footpath around the Brighton Road, Gregory Street, and Marlborough Street intersection. These options could include bollards or any other treatments that may improve safety concerns.

Councillor Fleming re-joined the chamber at 7.47pm.

**13. ADJOURNED MATTER – Nil****14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES**

- 14.1 **Draft Minutes – Alwyndor Management Committee – 20 February 2020** (Report No: 65/20)

**Leave of the Meeting**

Councillor Chabrel sought leave of the meeting to propose that Item 14.1 Draft Minutes – Alwyndor Management Committee - 20 February 2020 (Report No: 65/20) be considered in confidence at Item 18, Items in Confidence.

Leave of the meeting was granted.

**15. REPORTS BY OFFICERS**

- 15.1 **Items In Brief** (Report No: 66/20)

The item was presented for the information of the Members.

After noting the report the item was discussed.

**Motion**

**C100320/1758**

**That the following item be noted and discussed:**

**1. Events Update**

Moved Councillor Lonie, Seconded Councillor Abley

**Carried Unanimously**

**15.2 E-Scooter Update (Report No: 67/20)**

The report summarised the outcome of discussions with the Department of Planning, Transport and Infrastructure (DPTI) and the tender process undertaken by the Local Government Association (LGA) and the Western Alliance of Councils for a trial of electric scooters (e-scooters) within the Holdfast Bay Council area and the implications associated with such a trial.

**Motion**

**That Council endorse the 6 month trial of the e-scooters, to begin 13 March 2020.**

Moved Councillor Lonie, Seconded Councillor Abley

**Tied**

Her Worship the Mayor used her casting vote for the motion and declared it

**Lost**

**Division Called**

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

Those voting for: Councillors Smedley, Lonie, Abley, Miller, Clancy and Chabrel (6)

Those voting against: Councillors Bouchee, Lindop, Snewin, Patton, Fleming and Bradshaw (6)

Her worship the Mayor used her casting vote for the motion and declared it

**Lost**

**15.3 Jetty Road Brighton Banners (Report No: 68/20)**

Administration was approached in October 2018 to investigate outdoor signage for Jetty Road Brighton following formal Trader meetings undertaken with Administration. Since then Administration has conducted an analysis and review of installation of a banner on Jetty and Brighton Roads, Brighton. With all optimal locations exhausted this report reflected the locations reviewed and the recommendation for the next steps of the project.

**Motion**

**That Council endorse no further work be undertaken on the Jetty Road Brighton Banners project and include the remaining money left from the banner to be**

**allocated for a future project for Jetty Road, Brighton. The project must be in consultation between Council Administration and Councillors.**

Moved Councillor Fleming, Seconded Councillor Miller

**Amendment**

**C100320/1759**

**That Council endorse no further work be undertaken on the Jetty Road Brighton Banners project.**

Moved Councillor Lonie, Seconded Councillor Snewin

The amendment on being put was

**Carried**

That the motion, as amended, on being put was

Moved Councillor Snewin, Seconded Councillor Abley

**Carried Unanimously**

Item 15.4 Brighton Rugby Union Football Club Lease Agreement (Report No: 69/20) was considered after Item 9.3, as per leave of the meeting granted.

**16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**

**17. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil**

**18. ITEMS IN CONFIDENCE – 14.1 - Draft Alwyndor Minutes – February 2020 (Report No: 65/20)**

**Leave of the Meeting**

Councillor Chabrel sought leave of the meeting to propose that Item 14.1 Draft Minutes – Alwyndor Management Committee- 20 February 2020 (Report No: 65/20) be considered in confidence at Item 18, Items in Confidence.

Leave of the meeting was granted.

**14.1 Draft Minutes – Alwyndor Management Committee – 20 February 2020 (Report No: 65/20)**

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

**C100320/1760**

**1. That pursuant to Section 90(3) 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: 65/20 Draft Minutes – Alwyndor Management Committee – 20 February 2020 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: 65/20 Draft**

**Minutes – Alwyndor Management Committee – 20 February 2020 on the following grounds:**

- a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 65/20 Draft Minutes – Alwyndor Management Committee- 20 February 2020 is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person living or dead.

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 Clancy, Seconded Councillor Lonie

**Carried Unanimously**

**Motion**

**C100320/1761**

1. That the draft minutes of the Alwyndor Management Committee meeting held on 20 February 2020 be noted.
2. That having considered Attachment 2 to Report No: 65/20 Draft Minutes – Alwyndor Management Committee – 20 February 2020 in confidence under Section 90(2) and (3)(b) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that Attachment 2 be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

Moved Councillor Chabrel, Seconded Councillor Lonie

**Carried Unanimously**

**CLOSURE**

The Meeting closed at 8.31pm.

**CONFIRMED 24 March 2020**

**MAYOR**