

ITEM NUMBER: 17.2

CONFIDENTIAL REPORT

NEW CATHOLIC PRIMARY SCHOOL IN HOVE

Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

- b. **Information the disclosure of which 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 would, on balance, be contrary to the public interest.**

Recommendation – Exclusion of the Public – Section 90(3)(b) 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 Report No: 436/17 New Catholic Primary School in Hove 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: 436/17 New Catholic Primary School in Hove on the following grounds:
 - b. pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is proposing to conduct business and would prejudice the commercial position of the Council in possible future negotiations.

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.
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Item No: **17.2**

Subject: **NEW CATHOLIC PRIMARY SCHOOL IN HOVE**

Date: 28 November 2017

Written By: Governance Coordinator

General Manager: Chief Executive Officer, Mr J Lynch

SUMMARY

Catholic Education South Australia has written to the Chief Executive Officer expressing an interest in discussing the potential for the Holdfast Bay Community Centre land being available and used in their redevelopment plans for the primary school and early education centre to be on the Marymount College site.

This report seeks Council's direction to determine if it wishes to authorise the Chief Executive Officer to negotiate with Catholic Education South Australia.

RECOMMENDATION

That Council authorises/does not authorise the Chief Executive Officer to negotiate with Catholic Education regarding the Holdfast Bay Community Centre site.

RETAIN IN CONFIDENCE - Section 91(7) Order

That having considered Agenda Item 17.1 New Catholic Primary School in Hove (Report No: 436/17) in confidence under section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

COMMUNITY PLAN

Community: Providing welcoming and accessible facilities
Culture: Being financially accountable

COUNCIL POLICY

Disposal of Assets Policy
Community Centres Policy
Property Policy

STATUTORY PROVISIONS

Local Government Act 1999

BACKGROUND

Council has not considered this matter before. Council extended the lease to the YMCA who operates the Holdfast Bay Community Centre for a further two years in Report No: 252/17 on 25 July 2017.

REPORT

Catholic Education South Australia (Catholic Education SA) has written to the Chief Executive Officer to confirm that they will be proceeding with the redevelopment of the Marymount School site which is located on King George Avenue, Hove, between Mawson Oval and the Holdfast Bay Community Centre.

The redevelopment of the site involves the transition of Marymount College to the Sacred Heart College Middle School at the end of 2018 and a substantial building project on the site to create a new primary school and early learning centre on the site during 2019. St Teresa's School, Brighton will relocate to the redeveloped campus at the beginning of 2020.

Council received an expressed an interest, from Catholic Education SA to explore if the site currently occupied by the Holdfast Bay Community Centre would be available for inclusion in the development of the new primary school and early learning centre.

Refer Attachment 1

The Holdfast Bay Community Centre is currently leased to the Young Men's Christian Association of South Australia Incorporated (YMCA) and expires on 10 October 2019, there are no further options to extend this lease to the YMCA. The lease with the YMCA includes the standard redevelopment clause which requires council to find an alternative location for their activities, if the lease is terminated during the existing term of the lease and Council needs to provide the YMCA 6 months' notice.

Under the lease to the YMCA council receives an annual rental for the site of \$10 per annum, payable on demand which has never been sought from the YMCA.

An asset revaluation by Maloney Field Services dated 30 June 2017 valued the Holdfast Bay Community centre land at \$1.444 million and the carrying value of the buildings as \$1.623 million.

The total value for the site (land and buildings) is \$3.067 million. The Holdfast Bay Community Centre is identified as a site which Council has excluded from the Community Land Register.

A map of the location is presented in Attachment 2, which shows the Holdfast Bay Community centre, Marymount College and the Mawson Oval.

Refer Attachment 2

The Council has a Deed of Joint Use with Marymount College for the use of the Mawson Oval site, which expires on 16 February 2025, with a rental of \$1 per year payable on demand. The Mawson Oval is classified as community land on Council's Community Land Register.

BUDGET

Not applicable.

LIFE CYCLE COSTS

Not applicable.

CONFIDENTIAL

ATTACHMENT 2 – LOCATION MAP



Mr Justin Lynch
Chief Executive Officer
City of Holdfast Bay
PO Box 19
BRIGHTON SA 5048

by email jlynch@holdfast.sa.gov.au

Dear Justin

New Catholic Primary School at Hove

I understand that officers from the Catholic Education Office met with you and senior council officers in April this year and Peter Bleckly spoke to you about this again last week. I confirm that Catholic Education South Australia is proceeding with the development and seek your advice and assistance as we plan for a significant expansion and improvement to the educational facilities in your council area.

Our program includes the transition of girls from Marymount College to the Sacred Heart College Middle School at the end of 2018 and a substantial building project to create a new primary school at the Hove site during 2019. Our aim is for students from St Teresa's School, Brighton to relocate to the redeveloped campus at Hove for the start of the 2020 school year.

Catholic Education has a strong presence in the south west of Adelaide and in particular in the Holdfast Bay council area through strong pathways developed over several decades between parish primary schools and Sacred Heart College. Our vision is to extend and strengthen those pathways by investing in the facilities and learning programs in Catholic primary schools in the region, developing the new primary school at Hove and incorporating a Catholic early learning centre into the new development at Hove.

The new Catholic early learning centre and primary school at Hove will be at the forefront of contemporary learning, in terms of both educational practice and the facilities offered. With that in mind, we have engaged innovative educational architects Swanbury Penglase to commence site master planning, informed by the findings of a site facilities and infrastructure assessment completed earlier this year.

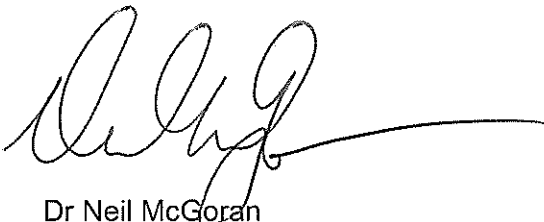
Our vision is for the new Catholic early learning centre and primary school to be integral with the local community, not only as a focal point for children's education but also a range of other community activities and services. We would value an opportunity to work with council and its staff to explore opportunities for these services and facilities.

I would also like to formally express our interest in property owned by the City of Holdfast Bay and currently occupied by Holdfast Bay Community Centre at King George Avenue, Hove. This property abuts the southern side of the Hove school site and would be invaluable in providing the space needed to deliver the facilities and services we envisage for the site. We would be very interested to work with council officers to explore the feasibility of this land becoming available for redevelopment.

To inform our master planning and project planning, I ask that you consider these issues and clarify whether or not council is willing to engage in further discussions about the potential for the Community Centre land becoming available as part of the site redevelopment. Any such discussions and investigations would at this stage necessarily be based on in-principle support and subject to consideration of a range of options, timing and conditions that would be clarified through further discussion.

I would welcome the opportunity to work together on this important development and ask that you call me on 8301 6600 or Peter Bleckly 0439 399 375 to discuss how we proceed from here.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Neil McGoran', with a long horizontal flourish extending to the right.

Dr Neil McGoran
Director

21 November 2017

Division called

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

Those voting for: Councillors Lonie, Aust, Bouchée, Charlick, Clancy, Donaldson, Patton, Smedley, Snewin, Wilson, Yates (11)

Those voting against: Nil (0).

His Worship the Mayor declared the motion

Carried Unanimously

RETAIN IN CONFIDENCE - Section 91(7) Order

C281117/986

That having considered Agenda Item 17.1 Report No: 434/17 – Coast Park Project Management in confidence under section 90(2) and (3)(d and g) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachments and minutes be retained in confidence for a period of 36 months and that this order be reviewed every 12 months.

Moved Councillor Bouchee , Seconded Councillor Lonie

Carried

17.2 **New Catholic Primary School at Hove (Report No: 436/17)**

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

C281117/987

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: 436/17 New Catholic Primary School in Hove 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: 436/17 New Catholic Primary School in Hove on the following grounds:

- b. pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is proposing to conduct business and would prejudice the commercial position of the Council in possible future negotiations.**

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 Snewin, Seconded Councillor Lonie

Carried

New Catholic Primary School at Hove (Report No: 436/17)

Catholic Education South Australia has written to the Chief Executive Officer expressing an interest in discussing the potential for the Holdfast Bay Community Centre land being available and used in their redevelopment plans for the primary school and early education centre to be on the Marymount College site.

This report seeks Council's direction to determine if it wishes to authorise the Chief Executive Officer to negotiate with Catholic Education South Australia.

Motion

That Council does not authorise the Chief Executive Officer to negotiate with Catholic Education regarding the Holdfast Bay Community Centre site.

Moved Councillor Clancy, Seconded Councillor Bouchee

Lost

Division called

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

Those voting for: Councillors Bouchée and Clancy (2)

Those voting against: Councillors Lonie, Aust, Charlick, Donaldson, Patton, Smedley, Snewin, Wilson, Yates (9).

His Worship the Mayor declared the motion

Lost

Motion

C281117/988

That Council authorises the Chief Executive Officer to discuss with Catholic Education the Holdfast Bay Community site, including other options; in particular the possibility of a land swap with St Teresa's School, Strathmore Terrace, Brighton.

Moved Councillor Lonie, Seconded Councillor Smedley

Amendment

1. That Council authorises the Chief Executive Officer to discuss with Catholic Education the Holdfast Bay Community site, including other options; in particular the possibility of a land swap with St. Teresa's school, Strathmore Terrace, Brighton
2. That Council researches the gift of land on which the Holdfast Bay Community Centre is located and any conditions associated with the gift of land.

Moved Councillor Yates, Seconded Councillor Clancy

Lost

The substantive motion, on being put was

Carried

Division called

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

Those voting for: Councillors Lonie, Aust, Bouchée, Charlick, Donaldson, Patton, Smedley, Snewin, Wilson, Yates (10)

Those voting against: Councillors Clancy (1).

His Worship the Mayor declared the motion

Carried

RETAIN IN CONFIDENCE - Section 91(7) Order

C281117/989

That having considered Agenda Item 17.2 New Catholic Primary School in Hove (Report No: 436/17) in confidence under section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

Moved Councillor Lonie, Seconded Councillor Snewin

Carried

CONFIRMED

Tuesday 12 December 2017

MAYOR