

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 28 July 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 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 - Councillor Fleming
- 5.2 Absent - Nil

6. ITEMS PRESENTED TO COUNCIL - Nil

7. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

8. CONFIRMATION OF MINUTES

Motion

C280720/1969

That the minutes of the Ordinary Meeting of Council held on 14 July 2020 be taken as read and confirmed.

Moved Councillor Miller, Seconded Councillor Patton

Carried Unanimously

9. PUBLIC PRESENTATIONS

9.1 Petitions

9.1.1 Brighton Road and Edwards Street Intersection (Report No: 214/20)

A petition was received from Mr Anthony Doyle

The petition states as follows:

A conforming petition has been received from Mr Anthony Doyle of 25 Edwards Street, South Brighton requesting to:

“Stop the Petition to the Honourable Members of the House of Assembly in Parliament assembled titled Traffic lights at the T-Junction of Brighton Road and Edwards Street, Brighton”.

There is only 1 signature on the petition.

Motion

C280720/1970

- 1. That Council note the Petition from Mr Doyle of 25 Edwards Street South Brighton SA 5048 regarding, stopping the Petition to the Honourable Members of the House of Assembly in Parliament, titled ‘Traffic Lights at the T-Junction of Brighton Road and Edwards Street, Brighton’.**

Moved Councillor Snewin, Seconded Councillor Lindop

Carried Unanimously

9.2 **Presentations - Nil**

9.3 **Deputations**

9.3.1 **Mr Mark Parnell – Member of the Legislative Council (MLC)**

Mayor Wilson approved a deputation from Mr Mark Parnell MLC on the legal changes from the Genetically Modified Crops Management (Designated Area) Amendment Act 2020.

9.3.2 **Mr Anthony Doyle**

Mayor Wilson approved a deputation from My Anthony Doyle in relation to the Brighton Road and Edwards Street Intersection.

10. QUESTIONS BY MEMBERS

10.1 **Without Notice**

10.1.1 **Kingston Park Car Park**

Councillor Lindop asked a question in relation to Kingston Park Car Park confirming the recently installed black discs were sensors collecting data, the placement of the parking availability sign and if the data would be made available to regulatory services to monitor parking restrictions.

General Manager Strategy and Business Services provided a response

10.1.2 **Bait Vending Machine, Brighton**

Councillor Bradshaw asked a question in relation to when Council would receive a report on the Bait Vending Machine at Brighton.

The Chief Executive Officer provided a response.

10.2 **On Notice - Nil**

11. MEMBER'S ACTIVITY REPORTS - Nil

12. MOTIONS ON NOTICE

12.1 **Motion on Notice – Community Centres Audit - Councillor Clancy (Report No: 212/20)**

Councillor Clancy proposed the following motion:

Motion

The Council Administration conduct an audit of our four (4) community centres to report on the consequences of the COVID-19 pandemic and the subsequent delivery of key community services to the clients of the centres.

The report would detail:

- the effects financially in income and expenses and any reserve funding a centre may have;
- what COVID-19 management steps have been taken and the effect of attendance restrictions;
- the ability of the centres to keep providing key programmes;
- what assistance or intervention is needed by Council;
- enrolment, participation and attendances since reopening; and
- the capacity of each community centre management to maintain high standards of governance, compliance, financial integrity and viability in this crisis time.

The report would advise Council on what actions and possible budget adjustments may need to be implemented to ensure continuity of programme and services.

Moved Councillor Clancy, Seconded Councillor Chabrel

Amendment**C280720/1971**

The Council Administration conduct an audit of our four (4) community centres to report on the consequences of the COVID-19 pandemic and the subsequent delivery of key community services to the clients of the centres.

The report would detail:

1. the effects financially in income and expenses and any reserve funding a centre or governing body may have;
2. what COVID-19 management steps have been taken and the effect of attendance restrictions;
3. the ability of the centres to keep providing key programmes;
4. what assistance or intervention is needed by Council;
5. enrolment, participation and attendances since reopening(including NDIS CHSP);
6. the capacity of each community centre management to maintain high standards of governance, compliance, financial integrity and viability in this crisis time;
7. total amount of State/Federal monies received by governing bodies of the Community Centres (eg NDIS/CHSP funding);
8. number of NDIS/CHSP programs held at the Centres;
9. total amount of State/Federal funds received by the Centres for carrying out programs; and
10. number of paid employees, party/ies responsible for wage cost.

The report would advise Council on what actions and possible budget adjustments may need to be implemented to ensure continuity of programme and services.

Moved Councillor Bouchee, Seconded Councillor Miller

That the amendment on being put was

Carried

That the motion, as amended, on being put was

Carried

Division Called

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

Those voting for: Councillors Bouchee, Lindop, Snewin, Patton, Smedley, Lonie, Abley, Miller, Bradshaw, Clancy and Chabrel (11)

Those voting against: Nil (0)

Her Worship the Mayor declared the motion

Carried

BACKGROUND

Council needs to have information on what has happened to the services provided from our community centres since the COVID-19 outbreak. Information on their ongoing viability with the loss of programme income and impaired programming capacity for the foreseeable future. It is essential that this information is provided to council to enable a strategy to be developed to ensure the most vulnerable in our community get the support and services they need.

13. ADJOURNED MATTERS - Nil

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES - Nil

15. REPORTS BY OFFICERS

15.1 Items in Brief (Report No: 202/20)

The items were presented for the information of Members.

Motion

C280720/1972

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

- 1. Brighton Oval Redevelopment Update**
- 2. Letter to and from the Hon Steven Marshall MP, Premier of South Australia**
- 3. Murray Darling Association Delegate Reports**
- 4. Notification to Council of Chief Executive Officer Procurement Exemption Approval for the Weekly FOGO Trial**

Moved Councillor Lindop, Seconded Councillor Lonie

Carried Unanimously

15.2 2020-2021 Annual Business Plan (Report No: 209/20)

The 2020-21 Annual Business Plan was presented for consideration and adoption by Council, following incorporation of community feedback on the Draft Annual Business Plan.

Motion**C280720/1973****That Council:**

- 1. Adopts the 2020-21 Annual Business Plan, including the amendments detailed in this report and subject to final design and minor alterations.**
- 2. Notes the 2020-21 Annual Business Plan Summary document.**

Moved Councillor Smedley, Seconded Councillor Miller **Carried Unanimously****15.3 2020-2021 Budget Adoption (Report No: 196/20)**

The 2020-2021 Budget was presented for adoption following adoption of the Annual Business Plan.

Motion**C280720/1974****That in respect of the financial year ended 30 June 2021:**

- 1. The 2020-2021 Budget which consists of:**
 - (a) the Budgeted Income Statement;**
 - (b) the Budgeted Balance Sheet;**
 - (c) the Budgeted Statement of Changes in Equity;**
 - (d) the Budgeted Statement of Cash Flow;**
 - (e) the Budgeted Uniform Presentation of Finances; and**
 - (f) the Budgeted Financial Indicators**

be adopted subject to the following amendments:

Any budget changes arising from Council's consideration of the 2019-20 Annual Business Plan be included in the budgeted financial statements and relevant documents.

- 2. The fees and charges incorporated in the Annual Business Plan and contained as Attachment 1 be adopted and that the relevant policies be updated accordingly.**
- 3. That Council approves new loan borrowings of up to \$5.37 million in accordance with Council's treasury policy to meet the funding requirements of the 2020-2021 budget.**

Moved Councillor Lonie, Seconded Councillor Bouchee **Carried Unanimously****15.4 2020-2021 Rate Declaration (Report No: 195/20)**

General, differential and separate rates have been identified to fund Council's activities, together with the Regional Landscape Levy formerly known as the NRM

Levy, as contained within the approved 2020/2021 budget document. Council is now in a position to formally declare the rates for the 2020/2021 financial year.

Motion

C280720/1975

1. Adoption of Valuations

That the total capital value of land within Council's area of \$13,827,139,580, as provided by the State Valuation Office, be adopted for rating purposes for the 2020/2021 financial year.

2. Declaration of Differential General Rates

In order to raise a total net amount of \$36,016,000 from the differential general rate:

- (a) in respect of rateable land with a land use of Commercial-Shop (Category 2), Commercial-Office (Category 3), Commercial-Other (Category 4), Industrial-Light (Category 5), Industrial-Other (Category 6), and Vacant Land (Category 8) , a Differential General Rate of 0.384991 cents in the dollar is declared on the capital value of such land;
- (b) in respect of rateable land with a land use of Residential (Category 1) and Other Land (Category 9) uses, a Differential General Rate of 0.247456 cents in the dollar is declared on the capital value of such land;
- (c) pursuant to Section 158 of the *Local Government Act 1999*, a minimum amount payable by way of the General Rate is fixed at \$1,021; and
- (d) pursuant to Section 153(3) and (4) of the *Local Government Act 1999*, a maximum increase of 6% (of the general rate declared for the same property for the 2019/2020 financial year) is fixed in the general rate charged on rateable land that is used for residential purposes and constitutes the principal place of residence of a principal ratepayer. Any amount exceeding the 6% increase will be remitted in full. The cap on an increase in general rates under this Section will not apply where property values have increased as a result of the following events: new building work and/or development activity greater than \$5,000; changes in land use wholly or partially; changes in zoning; the ownership of the rateable property has changed since 1 July of the previous year; the property is no longer the principal place of residence.

3. Declaration of Separate Rates

Jetty Road Mainstreet

- (a) In exercise of the powers contained in Section 154 of the *Local Government Act 1999* and in order to support and improve the activity of promoting and enhancing business viability, profitability and trade, commerce and industry in Jetty Road Glenelg, a Differential Separate Rate of 0.126719 cents in the dollar is declared on the capital value of all rateable land:

- with a frontage to Jetty Road or Moseley Square;
- within the side streets that intersect with Jetty Road between High Street and Augusta Street;
- the entire site referred to as the Holdfast Shores 2B Entertainment Centre; and
- that has a land use of Category 2 (Commercial – Shop), Category 3 (Commercial – Office) and Category 4 (Commercial – Other).

Patawalonga Marina

- (b) (i) In exercise of the powers contained in Section 154 of the *Local Government Act 1999* and in order to carry out the activity of the maintenance and upkeep of the Boat Lock in the Patawalonga basin, a Separate Rate of 0.96334 cents in the dollar of the capital value of land, is declared on all rateable land within the Patawalonga basin bounded by the high water mark; and
- (ii) in exercise of the powers contained in Section 158(1)(b) of the *Local Government Act 1999* the amount that would otherwise be payable by way of rates in respect of this separate rate is altered by fixing the maximum amount of the separate rate payable for assessments within the area to which this separate rate applies where the capital values of which exceed \$83,667 at \$806.

4. Imposition of regional Landscape Levy (formerly known as NRM Levy)

In exercise of the powers contained in Section 69 of the *Landscape South Australia Act 2019* and Section 154 of the *Local Government Act 1999*, in order to reimburse the Council for the amount contributed to the Green Adelaide Board, being \$1,286,635, the Council declares a separate rate of 0.0096815 cents in the dollar of the capital value of all rateable land in the Council area.

5. Payment

- (a) That in accordance with Section 181(1) of the *Local Government Act 1999*, all rates are payable in four equal (or approximately equal) instalments, the due dates being:

**30 September 2020
18 December 2020;
1 March 2021; and
1 June 2021.**

Provided that in cases where the initial account requiring payment of rates is not sent by the time set by the *Local Government Act 1999* (the “Act”), or an amended account is required to be sent, the Chief Executive Officer is authorised to fix the date by which rates must be paid in respect of those assessments affected; and

- (b) Pursuant to Section 181 (4)(b) of the *Local Government Act 1999*, the Chief Executive Officer is authorised to enter into agreements with ratepayers relating to the payment of rates in any case of hardship or financial difficulty, or where it is considered in the best interests of Council so to do (as determined by the Chief Executive Officer).**

6. The current Rating Policy be updated to reflect Council’s decision.

Moved Councillor Clancy, Seconded Councillor Abley

Carried Unanimously

Conflict of Interest

Councillor Clancy declared a perceived conflict of interest for Item 15.5 Somerton Surf Lifesaving Club – Renewal of Kiosk Sub-Lease Agreement (Report No: 178/20). The nature of the perceived conflict of interest (pursuant to Section 75 of the *Local Government Act 1999*) is that she is Vice Patron of Somerton Surf Lifesaving Club.

Councillor Clancy dealt with this perceived conflict of interest by making it known to the chamber and remaining in the chamber as she will act in the best interests of the community.

15.5 Somerton Surf Lifesaving Club – Renewal of Kiosk Sub-Lease Agreement (Report No: 178/20)

The Somerton Surf Lifesaving Club Inc. (Club) has a lease over the Somerton Surf Lifesaving Club building for a term of 21 years commencing on 7 December 2005 and expiring on 6 December 2026 (Head lease). Pursuant to Clause 5 of the Head lease, the Club is entitled to sublease areas within the Somerton Surf Lifesaving building to third parties, on the proviso that Council consent is first given.

On 11 March 2014, Council resolved to permit the Club to sublease a portion of the building to Ms Penelope McEwan Wallbridge (Sublessee) for the purpose of operating a coffee shop and kiosk for a term of two (2) years commencing on 1 May 2014 and expiring on 30 April 2016, with a right of renewal for two (2) years commencing on 1 May 2016 and expiring on 30 April 2018 (Original Sublease) (Resolution No. C110314/1059). Following the expiration of the renewed term of the Original Sublease, Council approved a further term of two (2) years pursuant to Resolution No. C270319/1425 (Second Sublease).

The Second Sublease expired on 30 April 2020, and Somerton Surf Life Saving Club sought Council's consent to enter into a new Sublease with the Sub-lessee for a further term of three (3) years commencing on 1 May 2020 with a right of renewal for a further term of two (2) years.

Motion

That Council:

1. **approves a new sublease between the Somerton Surf Lifesaving Club Inc. (as Sub Lessor) and Penelope McEwan Wallbridge (as Sub Lessee) for the Kiosk area on the following terms:**
 - **term: three (3) years commencing on 1 May 2020 and expiring on 30 April 2023;**
 - **renewal: one (1) right of right of renewal for a further term of two (2) years commencing on 1 May 2023 and expiring on 30 April 2025;**
 - **sublease area: delineated in red on the plan annexed hereto as Attachment 1 being approximately 66m²; and**
 - **commencing rent payable to Sub Lessor: \$22,000 per annum to be reviewed annually in accordance with movements in CPI (Adelaide-All Groups) subject to:**
 - a) **an increase in the rent payable by the Club to Council pursuant to the Sublease (Head lease Kiosk rent) to \$4,410 per annum from the date of signing of the Kiosk Sublease;**
 - b) **Head lease Kiosk rent being adjusted annually by CPI (Adelaide-All Groups) as and from each anniversary of the sublease commencement date, the first such adjustment being on 1 May 2021; and**
 - c) **a market review of the Head lease Kiosk rent being undertaken prior to the granting of the Sublease extension (ie on or before 30 April 2023).**
2. **that the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this sublease**

Moved Councillor Clancy, Seconded Councillor Lonie

Adjournment

C280720/1976

That the report be adjourned until the next meeting on the basis that Administration seek advice in relation to Councillor Bouchee's discussion on the motion.

Moved Councillor Smedley, Seconded Councillor Snewin

Carried Unanimously

Councillor Lindop left the meeting at 8.18pm.

Councillor Bouchee left the meeting at 8:18pm.

Councillor Bouchee re-joined the meeting at 8.20pm.

Councillor Lindop re-joined the meeting at 8.21pm.

15.6 **Smoke Free Council Facilities Policy (Report No: 02/20)**

Council requested the establishment of a Smoke Free Council Facilities Policy which included community centres, sporting clubs and Council sports grounds. The purpose of the policy was to be a positive public health initiative which outlined guiding principles to ensure community facilities promote healthy lifestyles.

A draft Smoke Free Council Facilities policy was released for public consultation between 22 October 2019 and 12 November 2019 and received 59 submissions, with 32 responses supporting introduction of the policy, 12 opposing and 8 supporting but requesting changes.

The draft policy has been amended to make it easier to administer and enforce. By utilising the provisions of By-law No.3 - Local Government Land, Council can specifically determine which Council owned land and facilities are to be smoke free. Once resolved by Council, the determinations must be advertised, including in the Gazette, and signage installed. The determinations can then be enforced under the By-law.

As the updated draft Policy is substantially different from the original version, it was recommended that a final round of consultation be undertaken.

Motion

C280720/1977

That Council:

1. **approve the updated draft Smoke Free Council Facilities Policy as presented in Attachment 2;**
2. **authorise Administration to prepare smoke free plans for Council owned sporting facilities; and**
3. **submit a further report to Council for approval to refer the proposed draft smoke free areas to community consultation.**

Moved Councillor Clancy, Seconded Councillor Smedley **Carried Unanimously**

15.7 **Attendance at the Local Government Finance Authority AGM, Board Nominations and Calling Notices of Motions (Report No: 210/20)**

The Local Government Finance Authority (LGFA) of South Australia has advised that their Annual General Meeting (AGM) will be held on Thursday, 29 October 2020 (format of meeting to be confirmed).

Section 15(1) of the *Local Government Finance Authority of South Australia Act 1983* provides that every Council is entitled to appoint a person to represent it at

its AGM. As the meeting of the Local Government Association (LGA) is intended to be held on the same day, it is suggested the same person is appointed to represent the Council. Council's delegate for the LGA Meetings has historically been the Mayor (which has been maintained with Mayor Wilson registered as the voting delegate). It was proposed that the Mayor represent the Council at the LGFA AGM.

The LGFA are requesting nominations to fill two positions on the LGFA Board. Council may nominate two members, or officers.

The LGFA are also calling for Motions (which will need to be endorsed by the Council). If Elected Members wanted to raise any Motions at the AGM, they will need to do so for Council endorsement at the next Council meeting 11 August 2020. Administration did not have any suggested motions to put forward at this time.

Motion

C280720/1978

That Council:

- 1. approve Mayor Wilson to attend the Local Government Finance Authority (LGFA) AGM as a Council representative and voting member to be held on 29 October 2020; and**
- 2. nominate Councillor Smedley to fill a vacancy on the LGFA Board.**

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

15.8 Response to the *Statutes Amendment (Local Government Review) Bill 2020* (Report No: 208/20)

The *Statutes Amendment (Local Government Review) Bill 2020* (the Bill) was tabled in the House of Assembly on 17 June 2020.

The Bill proposes a range of local government reforms arising from the Local Government Reform Program, which included public and sector-wide consultation.

The Local Government Association (the LGA) sought submissions from councils on the Bill by Friday, 9 August 2020.

Motion

C280720/1979

That Council:

- 1. endorses the proposed response to the Local Government Association (Attachment 2); and**
- 2. authorises the Chief Executive Officer to send the response on Council's behalf, with any minor alternations as necessary.**

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

Councillor Lonie left the meeting at 8.41pm.

Councillor Lonie re-joined the meeting at 8.43pm.

Councillor Snewin left the meeting at 8.41pm.

Councillor Snewin re-joined the meeting at 8.43pm.

15.9 **Murray Darling Association Membership Renewal** (Report No: 168/20)

The Murray Darling Association (MDA) seeks to provide effective representation of local government and communities at state and federal level in the management of Basin resources by providing information, facilitating debate and seeking to influence government policy.

The City of Holdfast Bay has been a member of the MDA since 1997 as a 'local government entity' member (whole of Council). For the City of Holdfast Bay there is limited tangible benefit to the City's residents of being a member of the MDA however, the membership provides a financial contribution, which allows the MDA to continue its work for the benefit of South Australia as a whole.

Renewal of the 'local government entity' membership for 2020/21 is \$6,681.64 (ex GST). Alternatively, Council could consider individual membership for an Elected Member/s at a cost of \$90 (ex GST) per delegate.

Motion

C280720/1980

That Council does not continue with the 'local government entity' renewal membership of the Murray Darling Association (MDA).

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

15.10 **New License Agreement – Glenelg Primary School** (Report No: 197/20)

On 1 July 2012, the Minister for Education and Child Development (Minister) entered into a sublicense with the Glenelg Football Club and Glenelg Footballers' Club to enable the Glenelg Primary School to utilise Glenelg Oval for both school curriculum and recreational sporting activities during specified times.

In 2017, the lease and seasonal licence arrangements with the Glenelg Football and Glenelg District Cricket Clubs over the buildings and grounds were re-structured and it was deemed appropriate for Council to enter into a new licence directly with the Minister so that the Glenelg Primary School could continue using Glenelg Oval on an annual basis.

On 22 August 2017, Council endorsed a licence with the Minister for Education and Child Development over portion of the Glenelg Oval for a period of five (5) years commencing on 1 October 2017 with an "Option to Renew" for an additional five (5) years.

A formal licence was never prepared nor signed and since that time, Glenelg Primary School has been using Glenelg Oval for school curriculum and recreational sporting activities during specified times pursuant to an informal arrangement between Council and the Minister.

It was therefore recommended that Council enter into a formal licence agreement with the Minister on the terms and conditions outlined hereunder.

Motion

C280720/1981

- 1. That Council, as landowner, approves a Licence Agreement with the Minister for Education and Child Development over portion of the Glenelg Oval for a period of five (5) years commencing 1 October 2017, with an 'Option to Renew' for an additional five (5) years.**
- 2. That an annual Licence fee of \$5,838 (plus GST) be payable commencing from 1 October 2019 to assist with the maintenance of the oval and surrounds with the Licence Fee adjusted in accordance with movements in the Consumer Price Index (Adelaide – All Groups) (CPI) on the anniversary of the date of the Licence Agreement.**
- 3. That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this licence.**

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

15.11 Additional Beach Patrols (Report No: 200/20)

In 2019-2020 Council provided funding for a new initiative to fund an additional dedicated beach patrol for 6 months over the summer season, as part of a 3-year trial.

The purpose of the additional beach patrol was to improve animal management, improve general compliance along the coast and to enforce the new By-law which set out exclusion zones around Hooded Plover breeding sites.

The project was successful in protecting the Hooded Plovers, enabling a successful fledgling. Furthermore, general compliance and animal management along the coast improved significantly.

Council has included funding of \$40,000 in the draft 2020/21 Operating Budget to continue (and slightly expand) the additional beach patrols for the upcoming summer period.

Motion

C280720/1982

That Council:

- 1. note the report; and**

2. **note that an amount of \$40,000 has been included in the 2020/21 Operating Budget to continue (and slightly expand) the additional beach patrol for 5 months over the 2020/21 summer season.**

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

15.12 **Appointment of Alwyndor Management Committee Office Bearers (Chair and Deputy Chair) (Report No: 217/20)**

Under the requirements of the Terms of Reference 2020 the Alwyndor Management Committee (AMC) Office Bearers (ie Chair and Deputy Chair) are appointed from amongst the AMC (with the exception of the Elected Members who are ineligible to nominate for these roles). These appointments are made on a triennial basis or commensurate with the term of the Member.

The incumbent office bearers eligible for reappointment at the expiry of their term in 2020 were Mr Kim Cheater, Chair and Ms Julie Bonnici, Deputy Chair. Following their one year term in these positions both Members expressed their intent to nominate to stand for reappointment to their respective positions. Mr Cheater's term as a Committee member has recently been renewed until 2023 whilst Ms Bonnici's term expires in July 2021.

The AMC supported the re-appointment of the incumbents at their meeting held on 16 July 2020.

Motion

C280720/1983

That Council endorse:

1. **the re-appointment of Mr Kim Cheater to Chair of Alwyndor Management Committee until July 2023; and**
2. **the re-appointment of Ms Julie Bonnici to Deputy Chair of Alwyndor Management Committee until July 2021.**

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

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

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

18. **ITEMS IN CONFIDENCE**

18.1 **Proposed Activation (Report No: 211/20)**

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

C280720/1984

- 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: 211/20 Proposed Activation 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: 211/20 Proposed Activation 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 conducting business and would prejudice the commercial position of the Council.

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 Miller

Carried Unanimously

RETAIN IN CONFIDENCE - Section 91(7) Order

C280720/1985

Having considered Agenda Item 18.1 Proposed Activation (Report No 211/20 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 be retained in confidence for a period of 24 months or after an agreement is executed, whichever occurs first, and that this order be reviewed every 12 months.

Moved Councillor Smedley, Seconded Councillor Patton

Carried Unanimously

CLOSURE

The Meeting closed at 9.08pm.

CONFIRMED 11 August 2020

MAYOR