

Special Full Council Minutes

Minutes of the Special Council Meeting called by Her Worship the Mayor. on Tuesday, 26 March 2024 at 8:00 PM.

Membership

Mayor H Holmes-Ross

Crs J Bange, K Bhagat, A Greenshields, P George, K Hockley, D Kruse, C McCarthy, T Morrison, R Moss, A Tilley, Y Todd and J Wells

PLEDGE AND KAURNA ACKNOWLEDGEMENT

The Mayor pledged:

We acknowledge that this land we meet on is the traditional land of the Kurna people. We respect their spiritual relationship with their country.

We, as a Council, welcome all members of the community and pledge honesty and good governance in all of our dealings.

ADMINISTRATIVE MATTERS

1. Welcome

The Mayor welcomed those present to the meeting and advised the meeting was being recorded and will be made available on the website with the minutes.

2. Attendees

Present:

Mayor Holmes-Ross, Cr Bange, Cr Bhagat, Cr George, Cr Greenshields, Cr Hockley, Cr Kruse, Cr McCarthy, Cr Morrison, Cr Moss, Cr Tilley, Cr Todd, Cr Wells

Apologies:

Nil.

Leave of Absence:

Nil.

Absent:

Nil.

Staff in Attendance:

Chief Executive Officer (M Pears), General Manager Corporate Services (W Reynolds), General Manager Development Services and Community Safety (C Harrison), General Manager Engineering and Horticulture (D Baker), Acting General Manager Organisational and Community Development (S McNamara), Manager Development Services (A Mackenzie), Manager Finance and Rates (L Harris), Acting Manager Performance and Strategy (J Lamond), Manager Property and Facilities (A Polkamp), Team Leader Sports and Recreation (H Ashworth), Community Engagement Officer (I Abuleela), Minute Secretary (J Barrett).

3. Council Members' Declaration of Interests

Nil.

COMMUNITY PARTICIPATION

4. Deputations

4.1 Miss Karen Esslinger - Mortlock Park Future Use

Miss Karen Esslinger from Colonel Light Gardens was granted permission to address Council in relation to **Item 5.1 - Mortlock Park Community Consultation Feedback and Decisions on Future Use**.

8:09pm Leave of the meeting was sought and granted for Miss Essling to speak for an additional minute.

4.2 Miss Bianca Guglietti - Mortlock Park Future Use

Miss Bianca Guglietti from Colonel Light Gardens was granted permission to address Council in relation to **Item 5.1 - Mortlock Park Community Consultation Feedback and Decisions on Future Use** and took questions from Council Members.

8:18pm Leave of the meeting was sought and granted for Miss Guglietti to speak for an additional minute.

4.3 Mr Neil Butcher - Mortlock Park Future Use

Mr Neil Butcher from Colonel Light Gardens was granted permission to address Council in relation to **Item 5.1 - Mortlock Park Community Consultation Feedback and Decisions on Future Use** and took questions from Council Members.

8:30pm Leave of the meeting was sought and granted for Mr Butcher to speak for an additional minute.

4.4 Mr Peter Callaghan - Mortlock Park Future Use

Mr Peter Callaghan, Facilities Development Manager, Colonel Light Gardens Football Club was granted permission to address Council in relation to ***Item 5.1 - Mortlock Park Community Consultation Feedback and Decisions on Future Use*** and took questions from Council Members.

8:40pm Leave of the meeting was sought and granted for Mr Callaghan to speak for an additional minute.

4.5 Mr Jon Martyn - Mortlock Park Future Use

Mr Jon Martyn, President, Goodwood Baseball Club was granted permission to address Council in relation to ***Item 5.1 - Mortlock Park Community Consultation Feedback and Decisions on Future Use*** and took questions from Council Members.

BUSINESS ITEMS

5. Decision Reports

5.1 Mortlock Park Community Consultation Feedback and Decisions on Future Use

DECISION 1 – GIRL GUIDES HALL AND DEDICATED COMMUNITY USE OF THE LAND AS OPEN SPACE

MOVED Cr Moss

- 1.** That Council notes the feedback received in **Attachment A**
- 2.** That in accordance with the Mortlock Park Concept Plan (**Attachment B**), and having considered:
 - the Community Land Management Plan for Mortlock Park (**Attachment C**),
 - the Colonel Light Gardens Public Realm Heritage Guidelines (**Attachment C**),
 - the Colonel Light Gardens Conservation Management Plan
 - the ongoing use and management of the site,
 - the principles in section 8 of the Local Government Act 1999

Council approves the demolition of the Colonel Light Gardens Girl Guides Hall, subject to the Colonel Light Gardens Guides Group being relocated.

3. That Council ensures that Girls Guides SA is consulted with to ensure their requirements are met and they are adequately accommodated during the relocation.

4. That once demolition occurs, the land be available for community use as open space and not licenced to any user group until further decision of the Council.

5. That Council will consider a \$84,000 once off capital funding and \$5,773 associated ongoing operating in the 2025/2026 year for the demolition of the Girl Guides Hall and associated landscaping.

6. Council notes that the figures provided are cost estimates only and the actual costs of the project are not fully known at this stage.

SECONDED Cr George

CARRIED UNANIMOUSLY

8:59pm Leave of the meeting was sought and granted for Councillor Moss to continue speaking to the motion.

DECISION 2 – FORMER SCOUTS HALL

MOVED Cr Moss

1. That Council notes the feedback received in **Attachment A**.
2. That Council ***will consider*** a once off operating project budget of \$30,000 in 2024/2025 to fund concept designs for the former Scout Hall to be suitable for use by the Girl Guides Group and as a community hall for hire.
3. That during this design phase, Council approves continued use by appropriate community groups as determined by the Chief Executive Officer or his delegate/nominee.

SECONDED Cr George

CARRIED UNANIMOUSLY

DECISION 3 – GOODWOOD BASEBALL CLUB LICENCE FOR THE USE OF THE GRASSED RECREATION SPACES

MOVED Cr Moss

1. Council notes the feedback received in **Attachment A**.
2. That having considered:
 - a. the feedback received in Attachment A;
 - b. the Community Land Management Plan for Mortlock Park; (**Attachment C**)
 - c. the Colonel Light Gardens Public Realm Heritage Guidelines (**Attachment C**);
 - d. the Colonel Light Gardens Conservation Management Plan;
 - e. the ongoing use and management of the site;
 - f. the principles in section 8 of the Local Government Act 1999

3. Council grants, subject to the matters specified in this resolution, a 10 year licence to the Goodwood Baseball Club, of the areas of Mortlock Park identified below and shown on the map included at **Attachment D** between **October – March** and during the hours specified below each year for a 10-year term:

	Grassed Space South West	Grassed Space North West	Grassed Space East	Warm Up Area
<i>Monday</i>	Nil	Nil	Nil	4:30pm – 8:30pm -
<i>Tuesday</i>	4:30pm – 8:30pm	Nil	4:30pm – 8:30pm -	4:30pm – 8:30pm -
<i>Wednesday</i>	Nil	Nil	4:30pm – 8:30pm -	4:30pm – 8:30pm -
<i>Thursday</i>	4:30pm – 8:30pm	Nil	4:30pm – 8:30pm -	4:30pm – 8:30pm -
<i>Friday</i>	4:30pm – 8:30pm	Nil	4:30pm – 8:30pm -	4:30pm – 8:30pm -
<i>Saturday</i>	Determined Annually	Nil	9am – 7pm	9am – 7pm
<i>Sunday</i>	Determined Annually	Nil	8am – 5pm	8am – 5pm

of the areas of Mortlock Park identified below and shown on the map included at **Attachment D** for the period **October – March** only within the hours specified below with the actual licence hours of the day being determined annually or more frequently by the Council's Chief Executive Officer, which will be in their absolute discretion save that the hours determined Chief Executive Officer must not exceed 19 hours per week and will be based on playing fixtures and the Goodwood Baseball Clubs playing commitments and match arrangements and that the Chief Executive Officer must inform Goodwood Baseball Club, Ward Councillors and Mayor before making a determination;

	Grassed Space South West
<i>Saturday</i>	9am – 7pm
<i>Sunday</i>	8am – 5pm

of the areas of Mortlock Park identified below and shown on the map included at **Attachment D** for the period **August – September** and during the days and hours specified below (subject to the Colonel Light Gardens Football Club not using the relevant areas during those days and hours);

- Wednesday Grassed Space South West and Grassed Space East 4pm – 8pm

- Sunday Grassed Space East 8:30pm – 4:30pm

of the areas of Mortlock Park identified as Grassed Space South West as shown on the map included at **Attachment D** for the period **August – September** (subject to the Colonel Light Gardens Football Club not using the relevant areas during those days and hours) only within the hours specified below with the licence hours of the day being determined annually or more frequently by the Council's Chief Executive Officer, which will be in his absolute discretion save that the hours determined by the Chief Executive Officer must not exceed 8 hours per week for the licence term and that the Chief Executive Officer must inform Goodwood Baseball Club, Ward Councillors and Mayor before making a determination

	Grassed Space South West
Sunday	8:30am – 4:30pm

4. That the licence granted to the Goodwood Baseball Club includes a requirement that the Goodwood Baseball Club provide a copy of its playing fixture prior to the season commencing to Council which will be placed on Council's website and My Local Services App (and or a similar app as determined by the Chief Executive Officer) and a requirement that the Goodwood Baseball Club publish a copy of its playing fixtures on its website and on a social media platform and affix a printed copy of the permitted hours of use as determined in accordance with the licence and playing fixtures to the outside of its Clubroom being the Gil Langley Building at Mortlock Park including any changes or updates to the fixtures and permitted hours of use.
5. That Council authorises the Chief Executive Officer to negotiate and finalise the other terms of the licence granted provided that they are consistent with Council's resolution and related policies
6. That the Council delegates to the Chief Executive Officer the power pursuant to section 36(1)(a) of the Local Government Act 1999 to vary the licence granted to the Goodwood Baseball Club in relation to the usage hours (which may result in different usage hours on different days) provided that any changes do not increase the total hours of use.
7. That the licence granted to the Goodwood Baseball Club is subject to the Goodwood Baseball Club agreeing to terminate its existing licence.

SECONDED Cr George

CARRIED

9:13pm Leave of the meeting was sought and granted for Councillor George to continue speaking to the motion.

ADJOURNMENT OF MEETING

The meeting adjourned at 9:16pm.

RESUMPTION OF MEETING

The meeting resumed at 9:30pm.

DECISION 4 – COLONEL LIGHT GARDENS FOOTBALL CLUB LICENCE FOR THE USE OF THE GRASSED RECREATION SPACES

MOVED Cr George

1. That Council notes the feedback received in **Attachment A**
2. That having considered:
 - the feedback received in **Attachment A**;
 - the Community Land Management Plan for Mortlock Park (**Attachment C**),
 - the Colonel Light Gardens Public Realm Heritage Guidelines (**Attachment C**),
 - the Colonel Light Gardens Conservation Management Plan
 - the ongoing use and management of the site,
 - the principles in section 8 of the Local Government Act 1999

Council grants a licence to the Colonel Light Gardens Football Club;

- of the areas of Mortlock Park identified below and shown on the map included at Attachment D between April – September and during the hours specified below each year for a 10 year term :

	South West	North West	East
<i>Monday</i>	Nil.	Nil.	Nil.
<i>Tuesday</i>	4pm – 8pm	4pm – 8pm	Nil.
<i>Wednesday</i>	4pm – 8pm	4pm – 8pm	Nil.
<i>Thursday</i>	4pm – 8pm	4pm – 8pm	Nil.
<i>Friday</i>	4pm – 8pm	4pm – 8pm	Nil.
<i>Saturday</i>	9:30am – 5pm	9:30am – 5pm	9:30am – 5pm
<i>Sunday</i>	9:30pm – 5pm	9:30am – 5pm	8:30am – 4:30pm

- of the areas of Mortlock Park identified below and shown on the map included at **Attachment D** between February and March as specified below and during the hours specified below each year (subject to the Goodwood Baseball Club not using the grassed recreation spaces of Mortlock Park during those hours for a 10 year term :

1. 1 February – 29 February
Monday North West and South West – 4pm – 8pm

2. 1 March – 31 March

Monday & Wednesday North West and South West – 4pm – 8pm

Saturday or Sunday North West and South West – one trial match

subject to all other terms and conditions of the licence being negotiated and agreed to the satisfaction of the Chief Executive Officer in accordance with this resolution and related policies.

3. That the licence granted to the Colonel Light Gardens Football Club include a requirement that the Colonel Light Gardens Football Club provide a copy of its playing fixture prior to the season commencing to Council which will be placed on Council's website and My Local Services App (and or similar app's to Council's satisfaction) and also requires them to publish a copy of its playing fixtures on its website and social media and affix a printed copy of its approved hours under the licence and playing fixtures to the outside of the Clubroom being the Gil Langley Building at Mortlock Park including any changes or updates to the fixtures
4. That Council authorises the Chief Executive Officer to negotiate and finalise the other terms of the licence granted provided that they are consistent with Council's resolution and related policies
5. That the Council delegates to the Chief Executive Officer the power pursuant to section 36(1)(a) of the Local Government Act 1999 to vary the licence granted to the Colonel Light Gardens Football Club in relation to the usage hours provided that any changes do not increase the total hours of use.

SECONDED Cr Moss

CARRIED UNANIMOUSLY

DECISION 5 – SCHOOL LICENCES FOR THE USE OF THE GRASSED RECREATION SPACES

MOVED Cr George

1. That Council notes the feedback received in **Attachment A**.
2. That having considered:
 - the feedback received in **Attachment A**;
 - the Community Land Management Plan for Mortlock Park (**Attachment C**),
 - the Colonel Light Gardens Public Realm Heritage Guidelines (**Attachment C**),
 - the Colonel Light Gardens Conservation Management Plan
 - the ongoing use and management of the site,
 - the principles in section 8 of the Local Government Act 1999

Council grants a 10-year licence to Colonel Light Gardens Primary School for the areas and times as per **Attachment E**

3. That having considered:

- the feedback received in **Attachment A**;
- the Community Land Management Plan for Mortlock Park (**Attachment C**),
- the Colonel Light Gardens Public Realm Heritage Guidelines (**Attachment C**),
- the Colonel Light Gardens Conservation Management Plan
- the ongoing use and management of the site,
- the principles in section 8 of the Local Government Act 1999

Council endorses a 10-year licence being granted to St Therese Primary School for the areas and times as per **Attachment E**.

4. That the licences granted to the Colonel Light Gardens Primary School and St Therese Primary School include a requirement that the Colonel Light Gardens Primary School and St Therese Primary School publish the times of their recess and lunch breaks on their website and provide the Council with those times to be posted on Council's website advising the community of peak times.
5. That the Council delegates to the Chief Executive Officer the power pursuant to section 36(1)(a) of the Local Government Act 1999 to vary the licences granted to the Colonel Light Gardens Primary School and St Therese Primary School in relation to the usage hours provided that any changes do not increase the total hours of use.

SECONDED Cr Moss

CARRIED UNANIMOUSLY

DECISION 6 - CLUBROOM ("GIL LANGLEY BUILDING") UPGRADE AND/OR EXTENSION, BATTING TUNNELS AND STORAGE

MOVED Cr Moss

1. That Council notes the feedback received in **Attachment A** and as such supports Design 2 (**Attachment F**).
2. That having considered:
 - the feedback received in Attachment A;
 - the Community Land Management Plan for Mortlock Park (**Attachment C**),
 - the Colonel Light Gardens Public Realm Heritage Guidelines (**Attachment C**),
 - the Colonel Light Gardens Conservation Management Plan
 - the ongoing use and management of the site,
 - the principles in section 8 of the Local Government Act 1999

Council supports and proceeds with Design 2 including Stage 1 and 2 (**Attachment F**) subject to heritage advice and development approval

3. That Council notes the State Government commitment of \$2.1 million, Federal Government commitment of \$900,000 and that Goodwood Baseball

Club and Colonel Light Gardens Football Club are committing \$50,000 each to the project

4. That in order to meet external funding deadlines Council endorses the allocated \$540,000 in the 2023/2024 Annual Budget being allocated to Design 2 (Stage 1 and 2) and approves an additional \$704,000 once off capital funding and associated additional ongoing operating budget of \$51,795 in the 2024/2025 ABP, this option (Design 2) will equate to a rate increase of 0.08%.
5. Council notes that the figures provided are cost estimates only and the actual costs of the project are not fully known at this stage. Any significant variations will be reported to Council.
6. That Council provides the Chief Executive Officer with delegation to make modifications to design in line with relevant standards and heritage requirements

SECONDED Cr George

CARRIED

A DIVISION WAS CALLED BY COUNCILLOR TILLEY AND THE DECISION WAS SET ASIDE:

For the motion: Crs George, Moss, Kruse, Bange, Todd, Greenshields, Wells, Hockley, Bange

Against the motion: Crs Morrison, McCarthy, Tilley

THE MAYOR DECLARED THE MOTION

CARRIED

10:27pm Cr Kruse left the meeting during this item.

EXTENSION OF MEETING

MOVED Cr Morrison

That the meeting be extended until the conclusion of the agenda.

SECONDED Cr Bange

CARRIED

The motion was carried by two thirds majority.

DECISION 7 – COLONEL LIGHT GARDENS FOOTBALL CLUB AND GOODWOOD BASEBALL CLUB LEASE FOR THE CLUBROOM BUILDING

MOVED Cr George

1. That Council notes the feedback received in **Attachment A**
2. That having considered:
 - the feedback received in **Attachment A**;
 - the Community Land Management Plan for Mortlock Park (**Attachment C**),

- the Colonel Light Gardens Public Realm Heritage Guidelines (**Attachment C**),
- the Colonel Light Gardens Conservation Management Plan
- the ongoing use and management of the site,
- the principles in section 8 of the Local Government Act 1999

Council grants leases to the Goodwood Baseball Club and Colonel Light Gardens Football Club of the Gil Langley Building at Mortlock Park for a 10-year term and, noting that if/when the extension is approved and completed a variation to the lease will encompass the Batting Tunnels and Storage for the remainder of the term.

3. That Council does not approve the use of the Gil Langley Building for late night private functions and the lease granted to the Goodwood Baseball Club and Colonel Light Gardens Football Club is subject to the prohibition of such use.
4. That once the lease is executed, Council authorises the Chief Executive Officer to adjust the leased area to include any proposed building extensions when constructed.
5. That Council authorises the Chief Executive Officer to negotiate and finalise the other terms of the lease granted provided that they are consistent with Council's resolution and related policies
6. That the lease granted to the Goodwood Baseball Club is subject to the Goodwood Baseball Club agreeing to terminate its existing lease.

SECONDED Cr Moss

CARRIED UNANIMOUSLY

10:30pm Cr Kruse returned to the meeting during discussion of this item.

DECISION 8 – UPGRADED OVAL LIGHTING

MOVED Cr Moss

1. That Council notes the feedback received in **Attachment A**.
2. That having considered:
 - the feedback received in Attachment A;
 - the Community Land Management Plan for Mortlock Park (Attachment C),
 - the Colonel Light Gardens Public Realm Heritage Guidelines (Attachment C),
 - the Colonel Light Gardens Conservation Management Plan
 - the ongoing use and management of the site,
 - the principles in section 8 of the Local Government Act 1999

Council approves, subject to heritage advice and development approval, the construction of 6 x 18m light pole design at Mortlock Park as per **Attachment H**

3. That Council approves the lights being installed with technology which allows them to be switched on/off via a timer, with the inclusion of the option for low lux level lighting for enhanced community amenity and safety outside of sporting club hours.
4. That Council approves the existing lights currently used by Goodwood Baseball Club to be replaced ("like for like") when the new light poles and batting tunnels are installed to allow continued use.
5. That Council endorses \$182,000 once off capital funding and associated ongoing operating budget of \$16,768 noting that this results in a rate impact of 0.03%
6. Council notes that the figures provided are cost estimates only and the actual costs of the project are not be known at this stage. Any significant variations will be reported to Council.

SECONDED Cr George

CARRIED UNANIMOUSLY

DECISION 9 – UPGRADED BASEBALL INFRASTRUCTURE

MOVED Cr Moss

1. That Council notes the feedback received in **Attachment A**
2. That having considered:
 - the feedback received in **Attachment A**;
 - the Community Land Management Plan for Mortlock Park (**Attachment C**),
 - the Colonel Light Gardens Public Realm Heritage Guidelines (**Attachment C**),
 - the Colonel Light Gardens Conservation Management Plan
 - the ongoing use and management of the site,
 - the principles in section 8 of the Local Government Act 1999

Council provides approval subject to funding, heritage advice and development approval, to construct baseball infrastructure of a 10m hybrid backstop and 2.4m fence along Freeling Crescent and 1.8m along Colonel Light Gardens Primary School side of the park

3. That Council **will consider** a \$315,000 once off capital funding and \$29,205 associated ongoing operating in the 2025/2026 year, noting that this results in a rate impact of \$0.05%.
4. Council notes that the figures provided are cost estimates only and the actual costs of the project are not fully known at this stage.

SECONDED Cr George

VARIATION

10:44pm Leave of the meeting was sought and granted for the motion to be varied.

10:44pm The Mover with consent of the Seconder varied the motion to change 1.8m to 1.9m.

SUBSTANTIVE MOTION

MOVED Cr Moss

1. That Council notes the feedback received in **Attachment A**
2. That having considered:
 - the feedback received in **Attachment A**;
 - the Community Land Management Plan for Mortlock Park (**Attachment C**),
 - the Colonel Light Gardens Public Realm Heritage Guidelines (**Attachment C**),
 - the Colonel Light Gardens Conservation Management Plan
 - the ongoing use and management of the site,
 - the principles in section 8 of the Local Government Act 1999

Council provides approval subject to funding, heritage advice and development approval, to construct baseball infrastructure of a 10m hybrid backstop and 2.4m fence along Freeling Crescent and 1.8m along Colonel Light Gardens Primary School side of the park

3. That Council ***will consider*** a \$315,000 once off capital funding and \$29,205 associated ongoing operating in the 2025/2026 year, noting that this results in a rate impact of \$0.05%.
4. Council notes that the figures provided are cost estimates only and the actual costs of the project are not fully known at this stage.

SECONDED Cr George

FORMAL MOTION – QUESTION BE PUT

MOVED Cr Wells

That the question be put.

SECONDED Cr Bange

CARRIED

SUBSTANTIVE MOTION WAS PUT

MOVED Cr Moss

5. That Council notes the feedback received in **Attachment A**
6. That having considered:
 - the feedback received in **Attachment A**;
 - the Community Land Management Plan for Mortlock Park (**Attachment C**),

- the Colonel Light Gardens Public Realm Heritage Guidelines (**Attachment C**),
- the Colonel Light Gardens Conservation Management Plan
- the ongoing use and management of the site,
- the principles in section 8 of the Local Government Act 1999

Council provides approval subject to funding, heritage advice and development approval, to construct baseball infrastructure of a 10m hybrid backstop and 2.4m fence along Freeling Crescent and 1.8m along Colonel Light Gardens Primary School side of the park

7. That Council **will consider** a \$315,000 once off capital funding and \$29,205 associated ongoing operating in the 2025/2026 year, noting that this results in a rate impact of \$0.05%.
8. Council notes that the figures provided are cost estimates only and the actual costs of the project are not fully known at this stage.

SECONDED Cr George

CARRIED UNANIMOUSLY

DECISION 10 – UPDATE MORTLOCK PARK CONCEPT PLAN TO REFLECT DECISIONS 1-9

MOVED Cr Moss

That Council subject to heritage advice approves the Mortlock Park Concept Plan (**Attachment B**) being updated to reflect the appropriate aspects of Council's decisions made at its meeting of 26 March 2024.

SECONDED Cr George

FORMAL MOTION – QUESTION BE PUT

MOVED Cr Hockley

That the question be put.

SECONDED Cr McCarthy

CARRIED UNANIMOUSLY

SUBSTANTIVE MOTION WAS PUT

MOVED Cr Moss

That Council subject to heritage advice approves the Mortlock Park Concept Plan (**Attachment B**) being updated to reflect the appropriate aspects of Council's decisions made at its meeting of 26 March 2024.

SECONDED Cr George

CARRIED UNANIMOUSLY

**DECISION 11 – FUNDING TO PROGRESS SCOPING AND DELIVERY OF
REMAINING ELEMENTS OF MORTLOCK PARK CONCEPT PLAN**

MOVED Cr Moss

That Council notes the Chief Executive Officer will provide to the Council for its consideration a once off operating project of \$40,000 for the scoping of the balance of the remaining elements within the Mortlock Park Concept Plan (**Attachment B**) and notes other funding requirements for delivery of these elements will submitted for Council's consideration.

SECONDED Cr George

CARRIED

CLOSE

There being no further business the meeting closed at 10:58pm.