

ITEM NUMBER: 10.1

CONFIDENTIAL REPORT

TRANSFORMING JETTY ROAD

Pursuant to Section 87(10) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Jetty Road Mainstreet Committee upon the basis that the Committee consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that the Jetty Road Mainstreet Committee will receive, discuss or consider:

- d. commercial information of a confidential nature (not being a trade secret) the disclosure of which –
 - i. could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - ii. would, on balance, be contrary to the public interest.

Recommendation – Exclusion of the Public – Section 90(3)(d) Order

1. That pursuant to Section 90(2) of the *Local Government Act 1999* the Jetty Road Mainstreet Committee 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: 92/24. Transforming Jetty Road 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: 92/24: Transforming Jetty Road Project on the following grounds:
 - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret).

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: 10.1

Subject: TRANSFORMING JETTY ROAD

Summary

The Jetty Road, Masterplan is currently going through approval for delivery by the City of Holdfast Bay and is recognised as not only one of this Council's most strategic projects, but also Council's single largest investment in a project to date.

This report is seeking a nomination from Jetty Road Mainstreet Committee for a proposed Transforming Jetty Road section 41 Committee to assist Council in their decision making and ensure there is an appropriate level of governance in the management of this project and Council's investment. It is intended the section 41 Committee of council will be established as soon as practical and conclude at the end of the project, 31 December 2027.

Recommendation

That Jetty Road Mainstreet Committee:

1. **appoints (name) and the Jetty Road Mainstreet Committee Chair as nominees for the Transforming Jetty Road section 41 Committee; and**
2. **notes Council will consider the establishment of the section 41 Committee at a future Council meeting with the Jetty Road Mainstreet Committee nomination subject to Council endorsement.**

RETAIN IN CONFIDENCE - Section 91(7) Order

3. **That having considered Agenda Item 10.1 Report No: 92/24, Transforming Jetty Road in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Jetty Road Mainstreet Committee, pursuant to section 91(7) of that Act orders that the report and minutes relevant to this item be retained for a period of 12 months and/or the Chief Executive Officer is authorised to release the documents when Council determines the establishment of the Committee and that this order be reviewed every 12 months.**
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Background

On 28 November 2023, Council approved to initiate of the Jetty Road Masterplan Stage 2 project. This included undertaking the design and construction of the remaining stages of the Jetty Road Masterplan.

Council has committed \$30 million to deliver the project and approved the execution of a grant agreement with the Federal Government to receive \$10 million of funding for the project.

Administration has recommended that a section 41 Committee be established, namely Transforming Jetty Road Project Committee (the Committee) to support Council in their decision making. Council has not yet considered this establishment, however will do in so in a future meeting in April 2024.

Report

The project is recognised as Council's largest project and a highly complex piece of work due to the anticipated outcomes the project is seeking to deliver, the involvement of numerous stakeholders and its prominence as a local precinct and State tourist attraction.

The project is further complicated by the State's ownership of public transport infrastructure that plays a key role in enabling changes to the street operations. The transformational change and future vision of the project is likely to present challenges in obtaining acceptance by the community and key stakeholders. Further, the Federal Government grant requires the newly constructed Coast Zone to be completed by 31 December 2026.

Given the level of investment and the project's complexity, Administration believes a section 41 Committee is required to achieve an appropriate level of due diligence and consideration to assist Council in its decision making.

Delegation of the Committee

At the Administration level, the project reports into a Project Control Group for decisions within their delegation. The Project Control Group will refer matters to the Committee and seek recommendations to the Council on draft concept plans, public consultation activities, and variations/risks and issues that impact on scope, budget or public perception of the project (if those matters arise).

Committee Membership

It is proposed that the Committee would comprise of the following membership:

- City of Holdfast Bay Mayor (Chair)
- Chair, Audit and Risk Committee
- Two Elected Members
- Two members from the Jetty Road Mainstreet Committee
- A representative from the Department of Infrastructure and Transport
- A Landlord with property located on Jetty Road Glenelg

Meeting Frequency

It is proposed that the Committee shall meet on a bi-monthly basis unless an urgent matter is identified and a special meeting is requested; at appropriate times in the project's reporting cycle; and otherwise as required.

Allowance of Committee Members

There will be no allowance provided for members of this Committee.

Appointment of Committee Members

Nominations will be called for by Council for Elected Member representation. Invitations for other members of the Committee will be made on behalf of Council, following their approval.

Next Steps

If Council approves the establishment of the Transforming Jetty Road Project Committee in accordance with this report:

1. Nominations from the Jetty Road Mainstreet Committee for appointment will be considered for endorsement by Council.
2. DIT will be contacted to seek an appointment to the Committee.
3. Landlords will be approached seeking their interest in joining the Committee.

Budget

There are no budget implications associated with this report.

Life Cycle Costs

Not applicable

Strategic Plan

The Jetty Road Masterplan directly connects and delivers on all Our Place 2050+ Strategic Plan objectives for 2020-30. The Masterplan principles which the concept design will be built upon, were formulated through three phases of extensive community consultation and further demonstrates the direct alignment to the Strategic Plan and ensures Jetty Road is truly considered 'Our Place'.

Council Policy

Not applicable

Statutory Provisions

Local Government Act 1999, section 41

Written By:

General Manager, Community and Business

Chief Executive Officer: Mr R Bria