

**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 23 August 2022 at 7:00pm.**

**MEMBERS PRESENT**

Mayor A Wilson  
Councillor R Abley  
Councillor A Bradshaw  
Councillor P Chabrel  
Councillor J Fleming  
Councillor J Fletcher  
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 Assets and Delivery – M de Heus  
General Manager Community and Business – M Lock  
General Manager Strategy and Corporate – 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 would like to acknowledge 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
- 5.2 Absent - Councillor R Clancy

**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****C230822/7204**

**That the minutes of the Ordinary Meeting of Council held on 9 August 2022 be taken as read and confirmed.**

Moved Councillor Lonie, Seconded Councillor Patton

**Carried Unanimously****9. PUBLIC PRESENTATIONS**

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

**10. QUESTIONS BY MEMBERS****10.1 Without Notice****10.1.1 Vacant Land Maintenance**

Councillor Fleming asked a question in relation to the maintenance for the vacant land between The Crescent, King and Colton Streets.

Chief Executive Officer provided a response.

**10.1.2 Kauri Sporting Community Complex**

Councillor Lindop asked a question in relation to the Kauri Sporting Community Complex.

General Manager, Strategy and Corporate provided a response.

### 10.1.3 Trial Parklet Investigation

Councillor Lindop asked a question in relation to the Trial Parklet Investigation.

General Manager, Strategy and Corporate took the question on notice.

### 10.1.4 Glenelg Town Hall Restoration Works

Councillor Abley asked a question in relation to the restoration works for the Glenelg Town Hall.

General Manager, Assets and Delivery took the question on notice.

## **Point of Order**

Councillor Chabrel called a Point of Order in relation to questions submitted by an Elected Member who is on a Leave of Absence from Council. The Mayor clarified that Elected Members can submit questions if they are on a Leave of Absence unless the Leave of Absence has been granted under Section 55A of the Local Government Act.

## 10.2 With Notice

### 10.2.1 Glenelg Oval – Councillor Clancy (Report No: 365/22)

Councillor Clancy asked the following question:

*“What costs were incurred up to and including the report of contamination at the southern end of the Glenelg Oval?”*

#### **ANSWER**

The expenditure up to and including the contamination report event date on the southern end of the Glenelg Oval totals \$37,515. It should be noted that all of the expenditure would have been required, regardless of the proposed location of the cricket practice wickets. The following provides a breakdown of the costs.

- Concept Phase drawing = \$15,615 + GST  
(used for Quantity Surveyor to cost the concept plans)
- Detailed Soil Investigation = \$7,950 + GST  
(required when excavating greater than 100 tons on any project site, therefore contamination report required by EPA regulations regardless of known contamination)
- Quantity Surveyor = \$5,000 + GST  
(itemised costing, including being able to identify exact costs for contamination component and all other project components. This also included a breakdown of disposal, haulage and gate fees for contaminated soil)

- Geotechnical Report = \$8,950 +GST  
(required to be undertaken regardless of what is being built/constructed. This report covers Glenelg Oval northern and southern mounds and Margaret Messenger Reserve, therefore required regardless, also a Planning requirement)

#### 10.2.2 Kingston Park Kiosk – Councillor Clancy (Report No: 364/22)

Councillor Clancy asked the following questions regarding the Kingston Park Kiosk:

1. *“What risk and costs assessments have been done?”*
2. *“Has it gone out to contract and has builder been awarded the contract?”*
3. *“Has lessee signed contract?”*
4. *“Has this project been raised at the Audit Committee with all the information regarding sacred sites within this area?”*
5. *“Have contracts been awarded without approval being received from the Minister?  
e.g. in the event remains or artefacts are found what is the process from there?”*

#### ANSWER

1. Risks are assessed and reviewed as part of the monthly project reporting cycle. The detailed design of the project went through a thorough cost estimation process undertaken by a reputable quantity surveyor.
2. The project has gone out to tender with a preferred tenderer now having been selected, however the construction contract is yet to be awarded and is to be considered by Council on 23 August 2022.
3. The prospective lessee has not signed a lease. This is to be considered by Council on 23 August 2022.
4. The project has not been raised with the Audit Committee. The Committee considers strategic and operation risks with a current risk profile of high or above. Considering the treatment plans in place to manage the project, it is not considered at high risk at this stage. As mentioned above the risk profile is reviewed monthly.
5. As mentioned above the contract has not been awarded. Regardless, State Government approval is not required for Council to award the construction contract. With the regard to the cultural heritage management of the site, Administration is working closely with the Kaurna community

in the development a Cultural Heritage Plan to develop the processes in the event remains or artefacts are found during construction of the Kiosk.

The approach taken, afforded under the *Aboriginal Heritage Act 1988* (the Act), is the desired approach sought by Council's Kurna Advisory Committee and is an approach that Council and Kurna have successfully implemented for other major capital projects. The Kurna Advisory Committee prefers this approach given the site in question has been subject to two separate approvals by the Minister under Section 23 of the Act. The Mayor and Kurna Elder Jeffrey Newchurch met with the Minister for Aboriginal Affairs on 16 August 2022 to discuss and seek support from the Minister for the preferred approach sought by Kurna.

Initial assessment of the site by David Mott, an archaeologist who specialises in Kurna cultural heritage management, indicates that the site is low risk due to previous disturbance with the construction of the adjacent sand pipeline. Regardless, an approved Cultural Heritage Management Plan will outline conditions for cultural monitoring.

#### 10.2.3 **Legal Fees – Councillor Clancy** (Report No: 371/22)

Councillor Clancy asked the following question:

*“In this term of Council what has been the cost in legal fees for each Elected Member?”*

#### **ANSWER**

Elected Members could only incur legal costs to Council individually under the provisions of the Elected Members Entitlements Policy. During the current term the Elected Members Entitlements Policy stated the following:

#### *Legal Advice*

2.17 *Elected Members may in accordance with any scheme established under section 78A directly obtain legal advice at the expense of the Council to assists in performing or discharging official functions and duties, subject to:*

- a. *The legal advice is sought from a legal firm that is included in the Council's legal panel or approved supplier up to a limit determined annually by Council; and*
- b. *The legal advice is limited to Elected Member Code of Conduct matters*
- c. *Council has resolved to limit this amount (currently \$500 in response to a Code of Conduct complaint).*

On 20 September 2021 Section 78A of the *Local Government Act 1999* (the LG Act) was repealed and subsequently Council on 12 October 2021 removed the section above out of the Elected Members Entitlements Policy.

Finance have reviewed our transactions and before this amendment to the policy in 2021 there was no cost to Council for any legal fees incurred under this policy during the current Council term.

**11. MEMBER'S ACTIVITY REPORTS - Nil**

**12. MOTIONS ON NOTICE**

- 12.1 **Motion on Notice – CCTV Facial Recognition - Councillor Smedley** (Report No: 352/22)

**Motion** **C230822/7205**

**That Council approval be sought before installation and activation of any facial recognition technology within Council's CCTV network.**

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

- 12.2 **Motion on Notice – Leave of Absence - Councillor Snewin** (Report No: 351/22)

**Motion** **C230822/7206**

**That Councillor Robert Snewin be granted a leave of absence from Council from Monday 17 October 2022 until Monday 31 October 2022.**

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

**13. ADJOURNED MATTERS**

- 13.1 **Adjourned Motion on Notice - Holdfast Bay Community Centre as Community Land** (Report No: 373/22)

A Motion on Notice was tabled at the ordinary meeting of Council on 12 July 2022 (Item 12.4 Holdfast Bay Community Centre as Community Land – Councillor Clancy Report No: 227/22) and was adjourned under Regulation 19, *Local Government (Proceedings at Meetings) Regulations 2013*, until further information on the history and options for the protection of the land can be brought back to Council.

Council resolved that the motion be adjourned until further information on the history and options for the protection of the land can be brought back to Council.

The adjourned motion was considered as it was laying on the table.

*Councillors Clancy, Bradshaw and Miller spoke to the Motion; however, Councillor Clancy had the right of reply (as the mover).*

**Motion**

**That Council include Holdfast Bay Community Centre as community land.**

Moved Councillor Clancy, Seconded Councillor Bradshaw **Lost**

A Leave of the Meeting was sought to allow Councillor Miller to speak to the motion for a second time. Leave of the Meeting was granted.

**Division Called**

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

Those voting for: Councillors Fleming, Bradshaw (2)

Those voting against: Councillors Fletcher, Snewin, Patton, Lindop, Miller, Abley, Lonie, Smedley, Chabrel (9)

Her Worship the Mayor declared the motion **Lost**

**14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES****14.1 Minutes – Jetty Road Mainstreet Committee – 3 August 2022 (Report No: 366/22)**

The minutes of the Jetty Road Mainstreet Committee meeting held on 3 August 2022 were attached and presented for Council's information.

Jetty Road Mainstreet Committee Agenda, Reports and Minutes are all available on Council's website and the meetings are open to the public.

**Motion** **C230822/7207**

**That Council notes the minutes of the Jetty Road Mainstreet Committee held on 3 August 2022.**

Moved Councillor Abley, Seconded Councillor Miller **Carried Unanimously**

**14.2 Minutes – Audit Committee – 17 August 2022 (Report No: 348/22)**

The public minutes of the meeting of the Audit Committee held 17 August 2022 were presented to Council for information and endorsement.

**Motion** **C230822/7208**

**That Council notes the minutes of the meeting of the Audit Committee of 17 August 2022, namely:**

1. that the Audit Committee advises Council it has received and considered a Standing Items Report addressing:
  - Monthly Financial Statements
  - Audit - External
  - Public Interest Disclosures
  - Economy and Efficiency Audits
  - Essential Services Commission of South Australia Framework and Approach
  - Council recommendations
  - Audit Committee Meeting Schedule 2022
2. that the Audit Committee:
  - (a) recommends Council approves the Carbon Neutral Plan for Council operations to be carbon neutral for Scope 1 and 2 emissions by 2030; and
  - (b) recommends Council reviews the feasibility and cost of offsets in 2026/27 financial year in preparation for 2030.

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

14.3 **Draft Minutes – Alwyndor Management Committee – 28 July 2022** (Report No: 367/22)

The draft minutes of the Alwyndor Management Committee meeting held on 28 July 2022 were provided for information.

**Motion** **C230822/7209**

1. That the draft minutes of the Alwyndor Management Committee meeting held on 28 July 2022 be noted.

**RETAIN IN CONFIDENCE - Section 91(7) Order**

2. That having considered Attachment 2 to Report No: 367/22 Draft Minutes - Alwyndor Management Committee – 28 July 2022 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 Lonie, Seconded Councillor Snewin **Carried Unanimously**



**15. REPORTS BY OFFICERS****15.1 Items in Brief (Report No: 339/22)**

These items were presented for the information of Members.

After noting the report any items of interest were discussed and, if required, further motions proposed.

**Motion****C230822/7210**

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

- 1. Review of the Planning, Development and Infrastructure Act 2016**
- 2. Majors Road Interchange – Project Update**
- 3. Election Commitment – Jetty Road Revitalisation**
- 4. New Year's Eve State Government Funding Support**

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

**15.2 2021/22 Preliminary Funding Statements, Budget Carried Forwards and Activity Reports (Report No: 350/22)**

This report provided preliminary funding statements for the 2021/22 financial year including explanations of the interim results and major budget variations as well as detailing yet to be finalised projects to be brought forward and budgeted for in 2022/23. Also presented was a summary of the external grant funding received during the year, as well as a report detailing the organisation's progress in achieving the new initiatives and capital renewal program as set out in the Annual Business Plan for 2021/22.

Following a comprehensive budget review in April 2022 a municipal surplus budget of \$1.245m was adopted. The preliminary result for municipal operations showed an operating surplus of \$2.895m resulting in a positive budget variance of \$1.65m compared with the adopted forecast. Explanations for the major variances were discussed in Attachment 1 to this report.

The preliminary result for Alwyndor operations showed an operating deficit before fair value adjustments of \$1.513m compared with the adopted forecast deficit of \$1.126m resulting in a negative budget variance of \$0.387m.

The consolidated result for both operations showed an operating surplus of \$1.382m compared with the adopted budget surplus forecast of \$0.119m resulting in a positive budget variance of \$1.263m.

**Motion****C230822/7211****That Council:**

1. notes the provisional unaudited 2021/22 funding statements and carried forward budgets;
2. notes the 2021/22 Annual Business Plan activity summary;
3. notes the 2021/22 external grant funding summary;
4. approves the carried forward amounts from the 2021/22 municipal budget to the current year 2022/23 budget of \$453,995 operating expenditure, \$90,185 operating revenue, \$12,284,470 capital expenditure and \$2,129,697 capital income;
5. approves the carried forward amounts from the 2021/22 Alwyndor budget to the current year 2022/23 budget of \$350,000 capital expenditure;
6. approves the carried forward loan borrowing amount from the 2021/22 budget to the current year 2022/23 budget of \$10,518,000 to be negotiated in accordance with Council's treasury policy; and
7. the Mayor and the Chief Executive Officer be authorised to execute any relevant documentation in relation to new borrowings on behalf of Council and affix the common seal thereto.

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

15.3 **Local Area Traffic Management – King Street and King George Avenue, Hove – Trial Outcomes (Report No: 362/22)**

At the Ordinary Council meeting of 10 December 2019, Council resolved via Motion C101219/1700 to install Local Area Traffic Management treatments on King George Avenue and The Crescent, Hove, as a trial treatment for a number of community traffic concerns in the area related to the McAuley School which was to open in January 2020.

Council approved the installation of speed cushions on King George Avenue and left turn restrictions on The Crescent at Alfreda Street and King Street. These were installed prior to the school term commencing.

The motion C101219/1700 included a number of elements, including that the treatments would be reviewed. This report serves as that review. The treatments were observed to be positive changes to the road network, and the recommendation was to retain the traffic treatments in their current form.

**Motion****C230822/7212**

**That the current Local Area Traffic Management measures (speed cushions on King George Avenue, Left Turn restriction on The Crescent) be retained in place.**

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

15.4 **Car Share Trial (Report No: 353/22)**

In January 2021, Council approved participation in a car share service in partnership with the Royal Automobile Association (RAA) and Flexicar. A twelve-month trial across 16 locations in Adelaide commenced in March 2021, including two car parks in the Glenelg area, which became dedicated Flexicar spaces.

RAA and Flexicar have completed the twelve-month trial in Adelaide, in order to market and promote car share as a future mobility option. Flexicar indicated their intention to provide a request to expand their activities within the City of Holdfast Bay and requested temporary approval to continue the service until further arrangements are agreed.

**Motion****C230822/7213**

**That Council approves the extension of existing Flexicar presence (on the same terms as the RAA/Flexicar trial in the existing locations) until 31 January 2023, noting that a proposal for further expansion of car share services within the City of Holdfast Bay will be forthcoming within that timeframe.**

Moved Councillor Patton, Seconded Councillor Lonie **Carried**

15.5 **Development Policy – Art Deco Review (Report No: 354/22)**

The City of Holdfast Bay retains many, but as yet undocumented or protected, examples of buildings in the Art Deco style. On 27 April 2021 Council endorsed a motion to undertake a review of Art Deco style buildings across Holdfast Bay. From a tender process, Hosking Willis was selected as the architect firm to undertake a review.

This report presented the latest assessment of properties by Hosking Willis, with a recommendation that the properties be considered for Local Heritage listing at the next available opportunity through a Code Amendment process.

**Motion****C230822/7214**

- 1. That Council notes the reports prepared by Hosking Willis Architects as to the heritage value attributable to a selection of properties incorporating Art Deco design themes;**
- 2. That Council seek Hosking Willis Architects review their determinations under the criteria set out in Section 67(1)(d) of the Planning, Development and Infrastructure Act 2016 applying a broader lens for all properties under review with particular reference for 25 & 31 Broadway, Glenelg South, 8 Giles Avenue (Retten) Glenelg,**

**33 Pier Street, Glenelg South, 18A South Esplanade (Shoreham) Glenelg, and 53 Whyte Street (Strathmerton)Somerton Park;**

- 3. That Council notes further consideration will be made to all properties forming the Art Deco Heritage Review utilising all criteria set out in Section 67(1) of the Planning, Development and Infrastructure Act 2016; and**
- 4. That the findings in the Hosking Willis Architect Reports, including supplementary reports received in association with this project at a later date, inform a future Code Amendment process under the Planning, Development and Infrastructure Act 2016 to consider the properties for formal recognition as Local Heritage Places.**
- 5. That the Holdfast Bay History Centre be included to provide additional comments and reports to inform a future Code Amendment process under the PDI Act 2016 to consider the properties for formal recognition as Local Heritage Places.**

Moved Councillor Miller, Seconded Councillor Fleming **Carried Unanimously**

Leave of the meeting was sought to allow Councillor Miller to extend the speaking time for an additional one (1) minute. Leave of the meeting was granted.

#### **15.6 Metropolitan Seaside Councils Committee (Report No: 363/22)**

Local Government management of the coastline delivers important social, environmental and economic outcomes for our communities. There is widespread agreement within the Government sector about the need for collaborative coastal management arrangements in South Australia, and there is a shared recognition that existing arrangements require improvements and optimisation.

A rigorous independent review of the Metropolitan Seaside Councils Committee (MSCC) during 2021 by URPS delivered a series of recommendations for improving and optimising existing arrangements.

The model proposed by URPS was endorsed in principle by the MSCC and has also been endorsed by GAROC. The Coast Protection Board, Green Adelaide and DEW have also demonstrated strong appetite and willingness to collaborate with metropolitan coastal councils via the proposed new model.

The proposed new model sets a promising new path for effective inter-governmental and intra- governmental collaboration, partnerships and outcomes. This will amplify the capacity for councils to pursue funding opportunities that align with a strategic and long-term plan and that have a focus on collaboration so that councils can support and implement integrated coastal management activities.

**Motion****C230822/7215**

1. **That Council notes the Metropolitan Seaside Councils Committee Governance Review Options and Recommendations Report, URPS 2021;**
2. **That Council notes the Proposed Delivery Plan 2022-23;**
3. **That Council endorses the proposed new governance model laid out in the Proposed Delivery Plan including:**
  - **changing the name of the group from Metropolitan Seaside Councils Committee (MSCC) to Adelaide Coastal Councils Network (ACCN);**
  - **directly linking ACCN governance to the LGA;**
  - **engaging a dedicated ACCN Executive Officer to be hosted and delivered by the LGA via a new LGA Coastal Coordinator role;**
  - **moving to a tiered structure incorporating an Executive Committee and staff forum;**
  - **adopting an ongoing funding model involving a \$10,000 annual fee-for- service to the LGA to deliver ACCN Executive Officer duties from 2023-24**
  - **adopting the draft Memorandum of Understanding (MoU); and**
  - **developing a Strategic Plan to guide the direction of the committee and Executive Officer.**
4. **That Council authorise the Chief Executive Officer to sign the MOU.**

Moved Councillor Miller, Seconded Councillor Lindop

**Carried Unanimously**

Councillor Fleming left the meeting at 7.50pm

Councillor Fleming re-joined the meeting at 7.51pm

**15.7 Carbon Neutral Plan (Report No: 360/22)**

The development and implementation of a Carbon Neutral Plan is one of a number of treatment actions that reduce our climate risk from Catastrophic to Medium. This report provided details of Council's Carbon Neutral Plan including the costs and risks associated with offsetting carbon emissions in the future.

The Audit Committee on 17 August 2022 endorsed the following recommendations to Council:

*That the Audit Committee recommend to Council to approve the Carbon Neutral Plan for Council operations to be carbon neutral for Scope 1 and 2 emissions by 2030.*

*That the Audit Committee recommend to Council to review the feasibility and cost of offsets in 2026/27 financial year in preparation for 2030.*

**Motion**

**C230822/7216**

**That Council**

- 1. endorse the Carbon Neutral Plan;**
- 2. endorse the target for Council operations to be carbon neutral for Scope 1 and 2 emissions by 2030; and**
- 3. endorse a review of the Carbon Neutral Plan options, feasibility and offset cost in 2026/27 financial year in preparation for 2030 carbon neutrality.**

Moved Councillor Chabrel, Seconded Councillor Lonie

**Carried Unanimously**

**15.8 New Policy – Coastal Vegetation Management (Report No: 361/22)**

Council values its coastal vegetation and the many benefits it brings to our community. These include aesthetics, sand stabilisation, storm buffer, climate adaptation, and habitat for biodiversity purposes. Occasionally, there are conflicting values in this space such as access to coastal views, particularly from memorial seats, and space around sculptures and other amenities. This policy has been developed to provide clarity on Council's position on Coastal Vegetation Management, and to provide consistency in the application of that management.

**Motion**

**C230822/7217**

**That Council:**

- 1. approve the new Council Policy: Coastal Vegetation Management; and**
- 2. endorse the Holdfast Bay Dunes Biodiversity Action Plan 2019 -2024.**

Moved Councillor Fletcher, Seconded Councillor Lindop

**Carried**

**Division called**

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

Those voting for: Councillors Fletcher, Snewin, Patton, Lindop, Miller, Fleming, Abley, Lonie, Smedley, Chabrel (10)

Those voting against: Councillor Bradshaw (1)

Her Worship the Mayor declared the motion

**Carried**

Councillor Abley left the meeting at 8.05pm

Councillor Abley re-joined the meeting at 8.06pm

**15.9 Election Signs (Report No: 355/22)**

In November 2021, changes to the *Local Government Act 1999* (LG Act) came into effect which prohibit the display of electoral advertising posters relating to Local Government elections. 'Electoral advertising posters' are defined at this time as being made of corflute or plastic. While Section 226(5) of the LG Act prohibits electoral advertising posters (that is, those made of corflute or plastic), it does not prohibit Local Government election signs made from other materials, provided those signs do not unreasonably restrict the use of the road or endanger the safety of members of the public.

The legislative changes have also resulted in changing the meaning of Council's Moveable Signs By-law and Election Signs Policy, insofar as intended exemptions within that By-law no longer apply. As these intended exemptions no longer apply, Local Government election signs would have to comply with the Moveable Signs By-law. In the majority of cases, it will not be possible for a candidate to display a Local Government election sign and comply with this By-law, therefore it is proposed that Council make a determination which grants a general Council approval for the display of Local Government election signs on Council infrastructure. The proposed approval closely mirrors the general approvals already in place from SA Power Networks (SAPN) and Department for Infrastructure and Transport (DIT). Council cannot approve the display of electoral advertising posters (i.e. corflute or plastic signs). Commensurate changes are also required to Councils Election Signs Policy.

In the absence of a general Council approval of Local Government election signs, Council would have to receive, consider and assess each application for display of Local Government election signs on its merits. Having a general Council approval would reduce this unintended and unexpected resource burden.

**Motion****C230822/7218****That Council:**

- 1. approves the General Approval to display Local Government election signs; and**

2. **endorses the revised Election Signs Policy, and authorise any minor corrections that may be needed before publication be made.**

Moved Councillor Fletcher, Seconded Councillor Fleming

**Carried**

15.10 **Jetty Road Masterplan Stage 2 (Report No: 327/22)**

In 2017, Council endorsed the Jetty Road Masterplan, which was subsequently funded to construct Stage 1 Chapel Plaza and Bouchée Walk in 2021 (completed) and undertake Stage 2 detailed design. Given the time between the Masterplan's endorsement and the second stage of the project, Administration sought endorsement from Council on the considerations for the next stage of the Masterplan.

This report recommended that concept and detailed design be undertaken for the Coastal Zone as per the recommendations in the report.

**Motion**

**C230822/7219**

**That Council:**

1. **approves Administration undertaking concept and detailed design for Stage 2 of the Jetty Road Masterplan, being the Coastal Zone, and that the design:**
  - **use the existing design principles to inform the design options for the Coastal Zone;**
  - **retain the tram line and tram terminal in its current location; unless future negotiations with State and/or Federal Governments elicit support for an alternative that can be put to Council for approval;**
  - **investigate the removal of tram barriers and fencing to beautify and increase pedestrian flow and access (in consultation with the Department of Transport and Infrastructure); and**
  - **use Juperana natural stone (as used in Chapel Plaza) as the primary paver in the Coastal Zone.**
2. **endorses Administration to complete concept plan options and cost estimations and report back to Council for further consideration at a Workshop before commencing the detailed design.**



**RETAIN IN CONFIDENCE - Section 91(7) Order**

3. That having considered Attachment 1 to Report No: 327/22 Jetty Road Masterplan Stage 2 in confidence under section 90(2) and (3) (b&d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of the Act orders that Attachment 1 be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

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

**Conflict of Interest**

Councillor Snewin declared an actual conflict of interest for Item 15.11 Glenelg District Cricket Club – New Lease and Licence (Report No: 365/22). The nature of the conflict of interest (pursuant to Section 75 and 75A of the *Local Government Act 1999*) was that he is a committee member of the cricket club.

Councillor Snewin dealt with the conflict of interest by making it known and leaving the chamber at 8.18 pm.

**15.11 Glenelg District Cricket Club – New Lease and Licence (Report No: 356/22)**

In readiness for the imminent expiration of the current lease and license agreement for the Glenelg District Cricket Club Incorporated (the Club), this report recommended that Council enter into a new lease and license agreement with the Club for a period of five (5) years commencing 1 October 2022, with an option to renew for a further five (5) years thereafter. In accordance with the requirements of the Sporting and Community Club Leasing Policy, it is recommended that an annual rent of \$5,000 (excluding GST) is payable.

**Motion****C230822/7220**

1. That Council enters into a new lease agreement with the Glenelg District Cricket Club Incorporated for exclusive use rights over a portion of land contained within Certificate of Title Volume 5869 Folio 949 for a period of five (5) years commencing 1 October 2022, with a commencing annual rent of \$3,221.55 (ex GST);
2. That Council enters into a new license agreement with the Glenelg District Cricket Club Incorporated for non-exclusive use rights over a portion of land contained within Certificate of Title Volume 5869 Folio 949 for a period of five (5) years commencing 1 October 2022, with an annual rent of \$1 payable on demand; and
3. That the Chief Executive Officer and Mayor be authorised to execute and seal all documents necessary to complete the lease and licence.

Moved Councillor Patton, Seconded Councillor Fletcher **Carried Unanimously**

Councillor Snewin re-joined the meeting at 8.20pm.

15.12 **Reappointment of Deputy Chair to the Alwyndor Management Committee**  
(Report No: 338/22)

Under the requirements of the Terms of Reference 2020 the Alwyndor Management Committee (AMC) Office Bearers i.e. 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 can be made on a triennial basis or commensurate with the term of the Member.

Ms Julie Bonnici's term as Deputy Chair was renewed by Council at its meeting held on 10 August 2021 for a period of one (1) year expiring July 2022.

At its meeting held on 28 July 2022 the AMC unanimously supported the reappointment of Ms Julie Bonnici to the position of Deputy Chair for two (2) years commensurate with Julie's current and final term expiring July 2024.

**Motion**

**C230822/7221**

**That Council approves the reappointment of Ms Julie Bonnici to Deputy Chair of Alwyndor Management Committee commensurate with her current and final term as a Committee member expiring July 2024.**

Moved Councillor Lonie, Seconded Councillor Snewin

**Carried Unanimously**

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

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

17.1 Councillor Smedley sought to bring forward a motion without notice. The Mayor deemed the matter was one of urgency and accepted the motion.

**Motion**

**C230822/7222**

**That Council acknowledges the milestone birthday of Catherina van der Linden, who on 26 August 2022 will celebrate her 110<sup>th</sup> birthday. Ms van der Linden is South Australia's oldest person.**

Moved Councillor Smedley, Seconded Councillor Patton

**Carried Unanimously**

18. **ITEMS IN CONFIDENCE**

18.1 **Alwyndor Standby Credit Facility Agreement** (Report No: 369/22)

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

**C230822/7223**

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: 369/22 Alwyndor Standby Credit Facility Agreement 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: 369/22 Alwyndor Standby Credit Facility Agreement 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) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party.

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 Fleming, Seconded Councillor Lonie **Carried Unanimously**

**RETAIN IN CONFIDENCE - Section 91(7) Order** **C230822/7224**

That having considered Agenda Item 18.1 Alwyndor Standby Credit Facility Agreement (Report No: 369/22) in confidence under section 90(2) and (3) (d) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Report, Attachments and Minutes be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.

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

18.2 **Kingston Park Kiosk Construction Funding (Report No: 359/22)**

**Motion – Exclusion of the Public – Section 90(3)(b) Order** **C230822/7225**

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: 359/22 - Kingston Park Kiosk Construction Funding 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: 359/22 – Kingston Park Kiosk Construction Funding 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 or would prejudice the commercial position of the Council as it discusses possible business cases

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 Bradshaw, Seconded Councillor Lonie **Carried Unanimously**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

**C230822/7226**

That having considered Agenda Item 18.2 Report No: 359/22 – Kingston Park Kiosk Construction Funding 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, attachments and minutes relevant to this item be retained in confidence for a period of 18 months and the Chief Executive Officer be authorised to release of the documents thereafter.

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

18.3 **Kingston Park Agreement to Lease (Report No: 329/22)**

**Motion – Exclusion of the Public – Section 90(3)(b & d) Order** **C230822/7227**

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: 329/22 Kingston Park Agreement to Lease 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: 329/22 Kingston Park Agreement to Lease 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 would prejudice the commercial position of the Council; and

- 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) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information.

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 Fleming, Seconded Councillor Fletcher **Carried Unanimously**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

**C230822/7228**

That having considered Agenda Item 18.3 Kingston Park Agreement To Lease (Report No: 329/22) in confidence under section 90(2) and (3)(b & d) 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 for the duration of the approved lease period (provided always that the release of the Report, Attachment and Minutes is subject to the redaction of any financial information contained therein).

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

18.4 **Former Buffalo Site Detailed Design** (Report No: 358/22)

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

**C230822/7229**

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: 358/22 – Former Buffalo Site Detailed Design 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: 358/22 – Former Buffalo Site Detailed Design on the following grounds:
  - k. pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this Agenda Item are tenders for the provision of design services for the former Buffalo site.

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 Fleming, Seconded Councillor Patton **Carried Unanimously**

**Motion** **C230822/7230**

**That Council:**

1. **notes that further investigation and analysis be undertaken prior to commencing detailed design of the Buffalo site design.**
2. **approves \$30,000 of the former Buffalo site design budget to be allocated towards site investigations and analysis;**
3. **notes a project update will be provided to the public via 'yourholdfast' and notification to the former Buffalo site consultation database; and**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

- 4 **That having considered Agenda Item 18.4 358/22 – Former Buffalo Site Detailed Design in confidence under section 90(2) and (3)(k) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report be retained in confidence and the Chief Executive Officer is authorised to release the documents when relevant financial information is redacted from the documentation and that this order be reviewed every 12 months.**

Moved Councillor Patton, Seconded Councillor Abley **Carried Unanimously**

Councillor Lonie left the meeting at 8.38pm

Councillor Lonie re-joined the meeting at 8.40pm

### **Conflict of Interest**

Councillor Fletcher declared a perceived conflict of interest for Item 18.5 Glenelg Football Club – New Lease and Licence (Report No: 357/22). The nature of the perceived conflict of interest (pursuant to Section 75 and 75A of the *Local Government Act 1999* is that her daughters' partner plays for the Glenelg Football Team.

Councillor Fletcher dealt with the perceived conflict of interest by making it known to the meeting and remained in the meeting as she was acting in the interests of the community. Councillor Fletcher voted for the motion.

18.5 **Glenelg Football Club – New Lease and Licence (Report No: 357/22)**

**Motion** – Exclusion of the Public – Section 90(3)(b & d) Order **C230822/7231**

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: 357/22 Glenelg Football Club - New Lease and Licence of 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: 357/22 Glenelg Football Club - New Lease and Licence 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 would prejudice the commercial position of the Council.
  - 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) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information.

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 Fletcher, Seconded Councillor Snewin **Carried Unanimously**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

**C230822/7232**

That having considered Agenda Item 18.5 in confidence under section 90(2) and (3)(d) 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 24 months from the date of this decision and that the Chief Executive Officer is authorised to release the documents at the expiry of that period and that this order be reviewed every 12 months.

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

Councillor Lindop left the meeting at 8.49pm

Councillor Lindop re-joined the meeting at 8.51pm

18.6 **Commercial Activation, Spring 2023** (Report No: 316/22)**Motion – Exclusion of the Public – Section 90(3)(d) Order** **C230822/7233**

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: 316/22 Commercial Activation, Spring 2023 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: 316/22 Commercial Activation, Spring 2023 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) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information. The nature of the activation and the specific terms of the agreement are commercial in confidence.

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 Fleming, Seconded Councillor Lonie **Carried Unanimously**

**RETAIN IN CONFIDENCE - Section 91(7) Order** **C230822/7234**

That having considered Agenda Item 18.6 316/22 Commercial Activation, Spring 2023 in confidence under section 90(2) and (3) (d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and minutes relevant to this item be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

Moved Councillor Miller, Seconded Councillor Abley **Carried Unanimously**



18.7 **Glenelg Foreshore Amusement Device** (Report No: 318/22)**Motion – Exclusion of the Public – Section 90(3)(k) Order** **C230822/7235**

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: 318/22 Glenelg Foreshore Amusement Device 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: 318/22 Glenelg Foreshore Amusement Device on the following grounds:
  - k. pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this Agenda Item are tenders for the provision of services, namely the operation of an Amusement Device on the Glenelg Foreshore.
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 Fleming, Seconded Councillor Lonie **Carried Unanimously**

**RETAIN IN CONFIDENCE - Section 91(7) Order** **C230822/7236**

Having considered Agenda Item 18.7 Glenelg Foreshore Amusement Device (Report No: 318/22) in confidence under Section 90(2) and (3) (k) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the Report and Minutes be retained in confidence for a period of five years with the Chief Executive Officer authorised to release the documents on the expiry of the 1 June 2027 confidentiality period.

Moved Councillor Patton, Seconded Councillor Abley **Carried**

Councillor Fleming left the meeting at 8.57pm

Councillor Fleming re-joined the meeting at 8.59pm

18.8 **Event Activation** (Report No: 368/22)**Motion – Exclusion of the Public – Section 90(3)(g) Order** **C230822/7237**

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: 368/22 Event 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: 368/22 Event Activation on the following grounds:
  - d. commercial information of a confidential nature (not being a trade secret) the disclosure of which 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 would, on balance, be contrary to the public interest.
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 Fletcher, Seconded Councillor Fleming **Carried Unanimously**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

**C230822/7238**

That having considered Agenda Item 18.8 368/22 Event Activation in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and minutes be retained in confidence until the event organisers make their public announcement which is targeted for September 2022 and/or the Chief Executive Officer is authorised to release the documents when the official announcement is made and that this order be reviewed every 12 months.

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

- 18.9 **Confidential Minutes – Audit Committee Meeting – 17 August 2022 (Report No: 372/22)**

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

**C230822/7239**

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: 372/22 Confidential Minutes - Audit Committee Meeting – 17 August 2022 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: 372/22 Confidential Minutes - Audit Committee Meeting – 17 August 2022 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) the disclosure of which 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.

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 Unanimously**

**RETAIN IN CONFIDENCE - Section 91(7) Order** **C230822/7240**

That having considered Agenda Item 18.9 372/22 Confidential Minutes - Audit Committee Meeting – 17 August 2022 in confidence under section 90(2) and (3)(d) 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 six months and the Chief Executive Officer is authorised to release the documents when Audited Financial Statements are presented to Council.

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

18.10 **Chief Executive Officer's Performance Review (Report No: 349/22)**

**Motion** – Exclusion of the Public – Section 90(3)(a) Order **C230822/7241**

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 General Manager, Strategy and Corporate and staff minute taker at the meeting in order to consider Report No: 349/22 Chief Executive Officer's Performance Review 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: 349/22 Chief Executive Officer's Performance Review 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: 349/22 Chief Executive Officer's Performance Review is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Chief Executive Officer, Mr Roberto Bria, in that details of his performance review will be discussed, which are sensitive

and are details only known to those who have participated in the discussion.

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 Abley, Seconded Councillor Lonie

Carried Unanimously

RETAIN IN CONFIDENCE - Section 91(7) Order

C230822/7242

That having considered Agenda Item 18.10 349/22 Chief Executive Officer's Performance Review in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the Report, Attachments 2, 3, 4, and 5 and Minutes be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

Moved Councillor Abley, Seconded Councillor Smedley

Carried Unanimously

#### CLOSURE

The Meeting closed at 9.39 pm.

CONFIRMED

13 September 2022

MAYOR