

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 8 August 2023 at 7:00pm.

MEMBERS PRESENT

Mayor A Wilson
Councillor R Abley
Councillor A Bradshaw
Councillor A Kane
Councillor S Lonie
Councillor W Miller
Councillor M O'Donohue
Councillor R Patton
Councillor J Smedley
Councillor R Snewin
Councillor A Venning

STAFF IN ATTENDANCE

Chief Executive Officer – R Bria
General Manager Assets and Delivery – P Jackson
General Manager Community and Business – M Lock
General Manager Strategy and Corporate – S Wachtel
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 - Councillor C Lindop

5.2 Absent – Councillor J Fleming (approved Leave of Absence)

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****C080823/7509**

That the minutes of the Ordinary Meeting of Council held on 25 July 2023 be taken as read and confirmed.

Moved Councillor Miller, Seconded Councillor Lonie

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 Moseley Street and Broadway Roundabout

Councillor Miller asked for an update on the remediation of the Moseley Street and Broadway roundabout.

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

10.1.2 KESAB Survey

Councillor O'Donohue asked a question in relation to the KESAB survey.

General Manager, Assets and Delivery provided a response.

10.1.3 Project Nightlight

Councillor O'Donohue asked a question in relation to Project Nightlight that is being undertaken by City of Adelaide.

General Manager, Community and Business took the question on notice.

10.1.1 Roadside Waste Collection

Councillor Bradshaw asked a question in relation to roadside waste collection.

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

10.1.1 Brighton Railway Station

Councillor Snewin asked a question in relation to the cleanliness of Brighton Railway Station.

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

10.2 On Notice

10.2.1 Moseley Beach Club – Councillor Miller (Report No: 235/23)

Councillor Miller asked the following questions:

Can Administration advise:

1. **The total payments (rent and other fees) made to Council for the operation of the Moseley Beach Club for each year of its operation;**
2. **The policies that have guided the fees charged;**
3. **The weekly rent per square metre for the Moseley Beach Club for each year of its operation; and**
4. **The current lease arrangement's renewal timeframe.**

Background

The Moseley Beach Club has operated at Glenelg Beach for many years now, and its popularity is certainly assured as a staple of the Bay's summer season. For transparency to ratepayers and traders, the community has a right to know how much revenue council is receiving particularly as it takes up a prime spot in our city's greatest asset and within a competitive commercial precinct.

ANSWER – Manager, City Activation

1. The Moseley Beach Club has been operated by RD Jones Group on Glenelg Beach since the summer of 2018/2019, with hire fees as follows:

Year	Weekly rate (ex GST)	Number of weeks	Rent paid
2018/19	\$1,500	18	\$24,000
2019/20	\$1,500	15	\$22,500
2020/21	\$1,800	18	\$0*
2021/22	\$2,800	18	\$53,400
2022/23	\$2,800	20	\$58,800

* Administration is currently investigating amounts received during the 2020/21 season amidst COVID to ascertain why payment wasn't recovered and or received during this period.

Attendance by Depot staff to rehabilitate the site following high tides and storms is charged to the operators at cost. In 2018/19 these charges totalled \$3,556; in 2021/22 \$5,154; and \$14,140 in 2022/23.

2. The policies that have guided the fee charged are Commercial Activation of Community Land Policy and the Councils schedule of fees and charges.
3. Council's event fees and charges are not levied on a per square metre basis. However, given the maximum footprint of the Moseley Beach Club is 750 square metres, the above rates translate to between \$36 and \$74.67 per square metre (\$2 and \$3.73 per square metre per week).

In January 2021, following an open Expression of Interest process, Council approved the RD Jones Group being granted a licence for two years (2021/22 and 2022/23) with the option for 2023/24 and 2024/25 by mutual agreement of both parties, subject to annual review (Confidential Council Motion C270121/2205).

At this time the weekly fee was set to be in line with the annually published Event Fees and Charges schedule, as a Low Impact Event category.

11. MEMBER'S ACTIVITY REPORTS

11.1 Mayor's Activity Report – 1 April to 30 June 2023 (Report No: 252/23)

This activity report was presented for the information of Members.

After noting the report any items of interest were discussed, if required with the leave of the meeting.

Motion

C080823/7510

That the Mayor's Activity Report for 1 April to 30 June 2023 be noted.

Moved Councillor Miller, Seconded Councillor Snewin

Carried Unanimously

13. ADJOURNED MATTER - Nil

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES - Nil

15. REPORTS BY OFFICERS

15.1 Items in Brief (Report No: 255/23)

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**C080823/7511**

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

- 1. Sea Change: A Pictorial History of Holdfast Bay**
- 2. Glenelg Town Hall Commercial Pop-Up Businesses**
- 3. Days at the Bay Program**
- 4. Request to Illuminate - National Wattle Day – 1 September 2023**
- 5. Greater Adelaide Regional Plan Discussion Paper Briefing Sessions**
- 6. City of Holdfast Bay Free Compost Events**
- 7. Local Government Boundary Realignment**
- 8. Appreciation letter from Somerton Bowling Club**

Moved Councillor Abley, Seconded Councillor Lonie

Carried Unanimously

15.2 Change of Land Use at 5 Maturin Road Glenelg (Report No: 254/23)

This report sought Council's endorsement for a written submission to the State Government's invitation for comments on the proposal to change the use of an existing Local Heritage Place located at 5 Maturin Road, Glenelg to a facility providing accommodation and therapeutic services for up to twelve people recovering from alcohol and drug dependency.

Motion**C080823/7512**

That Council endorses the written submission provided as Attachment 2 to this report in response to the proposal to change the use of the building at 5 Maturin Road, Glenelg to a facility providing accommodation and therapeutic services for up to twelve people recovering from alcohol and drug dependency.

Moved Councillor Smedley, Seconded Councillor O'Donohue **Carried Unanimously**

15.3 Glenelg Beach Access Points Project (Report No: 259/23)

Council has completed the renewal of seven beach access points in Glenelg between the Glenelg Jetty and Robert Street, just north of the Broadway Kiosk. All seven sites are now open and accessible to the community. The site directly north of the Glenelg Jetty provides full wheelchair accessibility to Glenelg Beach and the Moseley Beach Club when operating.

The project consisted of the upgrade of ramps and stairways and has improved accessibility for the community. There is now a greater ability to cope with fluctuating sand and tide levels due to the designs and permeability of the material used. The new beach access infrastructure was constructed from durable marine grade materials including a permeable high grip mesh material (Fibre Reinforced Polymer) surface that improves safety and usability for the community and reduces maintenance requirements for Council.

The project was co-funded by Council, State Government and Federal Government grant programs.

Motion**C080823/7513****That Council notes the report.**

Moved Councillor Patton, Seconded Councillor Kane

Carried Unanimously**15.4 PLEC Undergrounding Power Cables Investigation (Report No: 258/23)**

Administration undertook a project to provide a standard framework for prioritising PLEC (Power Line Environmental Committee) proposals for funding. Six locations were reviewed against the framework to identify future prioritisation and likelihood of funding.

The projects identified in the report can be considered for prioritisation as new initiatives in future annual business planning processes.

Future PLEC opportunities can be assessed against this framework.

Motion**C080823/7514****That Council notes the report.**

Moved Councillor Lonie, Seconded Councillor Abley

Carried Unanimously**15.5 Adelaide Coastal Councils Network (Report No: 256/23)**

The newly formed Adelaide Coastal Councils Network was created this year after a two-year governance review of the former Metropolitan Seaside Councils Committee.

This report was an update on its activities.

Motion**C080823/7515****That Council notes the report.**

Moved Councillor Smedley, Seconded Councillor Miller

Carried Unanimously**15.6 Appointment to the Southern Region Waste Resource Authority (Report No: 257/23)**

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the "Constituent Councils"), pursuant to Section 43 of the *Local Government Act 1999*.

The SRWRA Charter provides for Council to appoint two members to its Board (one of which must be an officer of Council) along with one specific deputy for each Board member or one non-specific deputy for both such Board members.

This report seeks endorsement of the appointment of the Council Officer Deputy Member.

Motion**C080823/7516**

That Council appoints Ms Pamela Jackson as the Deputy Member to the Board of Southern Region Waste Resource Authority until 31 July 2027.

Moved Councillor O'Donohue, Seconded Councillor Bradshaw **Carried Unanimously**

16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

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

18. ITEMS IN CONFIDENCE

**18.1 Kauri Community and Sporting Complex – Lease to Seacliff Sports Club
(Report No: 253/23)**

Motion - Exclusion of the Public – Section 90(3)(b & d) Order C080823/7517

- 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: 253/23 Kauri Community and Sporting Complex – Lease to Seacliff Sports Club 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: 253/23 Kauri Community and Sporting Complex – Lease to Seacliff Sports Club 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 Miller, Seconded Councillor Lonie

Carried Unanimously

Following the granting by Council of a lease to Seacliff Sports Club (incorporating the Seacliff Tennis Club and the Seacliff Hockey Club) for exclusive management of the first-floor function area of the Kauri Community and Sporting Complex for a term of five years commencing in July 2022, an extension to the preceding year-long trial period was sought.

This report recommended that Council grant a one-year extension to the trial period to enable Council Administration to continue to support the Seacliff Sports Club as it transitions to a self-management model, and in recognition that the evaluation period was not for the full year as intended, due to a delay in the start-up stage.

Motion

C080823/7518

That Council:

1. **Approves a one-year extension of the current trial period to precede the lease with the Seacliff Sports Club in respect of the first-floor function area of the Kauri Community and Sporting Complex to 1 July 2024.**

RETAIN IN CONFIDENCE - Section 91(7) Order

2. **Having considered Agenda Item 18.1 Kauri Community and Sporting Complex – Lease to Seacliff Sports Club (Report No: 253/23) in confidence under Section 90(2), 90(3)(b&d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and attachment be retained in confidence until 1 July 2024 with the Chief Executive Officer authorised to release the documents following conclusion of the extended trial period.**

Moved Councillor Bradshaw, Seconded Councillor Lonie

Carried Unanimously

18.2 **Glenelg Foreshore Activation (Report No: 240/23)**

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

C080823/7519

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: 240/23 Glenelg Foreshore Activation in confidence.**
1. **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: 240/23 Glenelg Foreshore Activation 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, as it includes financial details of their business operations.

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 Kane, Seconded Councillor Abley

Carried Unanimously

Xtra Ordinary Events Pty Ltd have a licence to operate the Mix 102.3 Giant Wheel on the Glenelg Foreshore over the summer months. A summary of visitation, revenue and promotional activity for the 2022/23 season was presented.

Motion

C080823/7520

1. notes this report; and
2. approves the Giant Wheel trading until Mother's Day for each year of the current licence expiring on 30 September 2025.

RETAIN IN CONFIDENCE - Section 91(7) Order

3. That having considered Agenda Item 18.2 Report No. 240/23 Glenelg Foreshore 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 for a period of five years and that this order be reviewed every 12 months.

Moved Councillor Abley, Seconded Councillor Patton

Carried

Division Called

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

Those voting for: Councillors Patton, Kane, Abley, Snewin, Lonie, Bradshaw, O'Donohue (7)

Those voting against: Councillors Venning, Miller, Smedley (3)

The Mayor declared the motion

Carried

18.3 Event Activation (Report No: 248/23)**Motion - Exclusion of the Public – Section 90(3)(d) Order****C080823/7521**

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: 240/23 Glenelg Foreshore 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: 240/23 Glenelg Foreshore Activation 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, as it includes financial details of their business operations.

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 Lonie, Seconded Councillor Abley

Carried**RETAIN IN CONFIDENCE - Section 91(7) Order****C080823/7522**

That having considered Agenda Item 18.3 Report No: 248/23 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 relevant to this item be retained in confidence for a period of six months and/or the Chief Executive Officer is authorised to release the documents when the event is publicly announced and that this order be reviewed every 12 months.

Moved Councillor Abley, Seconded Councillor Lonie

Carried Unanimously

CLOSURE

The Meeting closed at 7.50 pm.

CONFIRMED 22 August 2023

MAYOR