

Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg, on Tuesday 22 August at 7:00pm.

MEMBERS PRESENT

Mayor A Wilson
Councillor R Abley
Councillor A Bradshaw
Councillor A Kane
Councillor C Lindop
Councillor S Lonie
Councillor W Miller
Councillor M O'Donohue (from 7.03pm)
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 Kaurna 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 Kaurna 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 – Nil

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

The Mayor noted that Councillor O'Donohue was not present at the start of the meeting.

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****C220823/7523**

That the minutes of the Ordinary Meeting of Council held on 8 August 2023 be taken as read and confirmed.

Moved Councillor Lonie, Seconded Councillor Miller

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 **Brighton Railway Station**

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

General Manager, Assets and Delivery provided a response.

10.1.2 **Councillor Motion Follow Up**

Councillor Patton asked a question in relation to progress on his motion to extend the dry zone for Jetty Road, Glenelg.

Chief Executive Officer provided a response.

Councillor O'Donohue joined the chamber at 7.03pm.

10.2 **On Notice** - Nil

11. MEMBER'S ACTIVITY REPORTS - Nil**12. MOTIONS ON NOTICE****12.1 Motion on Notice – Leave of Absence - Councillor Abley (Report No: 278/23)****Motion****C220823/7524**

That Council grant Councillor Abley a Leave of Absence for the 26 September 2023.

Moved Councillor Lindop, Seconded Councillor Miller

Carried Unanimously**13. ADJOURNED MATTER - Nil****14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES****14.1 Minutes – Jetty Road Mainstreet Committee – 2 August 2023
(Report No: 263/23)**

The Minutes of the Jetty Road Mainstreet Committee meeting held 2 August 2023 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**C220823/7525**

That Council notes the minutes of the Jetty Road Mainstreet Committee of 2 August 2023.

Moved Councillor Kane, Seconded Councillor Abley

Carried Unanimously**14.2 Minutes – Audit and Risk Committee (Report No: 279/23)**

The public minutes of the meeting of the Audit and Risk Committee held 16 August 2023 were presented to Council for information.

Motion**C220823/7526**

That Council notes the public minutes of the meeting of the Audit and Risk Committee of 16 August 2023, namely that the Audit and Risk Committee:

1. advises Council it has received and considered a Standing Items Report addressing:

- **Monthly Financial Statements**
- **External Audit**
- **Public Interest Disclosures**
- **Economy and Efficiency Audits**
- **Council Recommendations**
- **Audit and Risk Committee Meeting Schedule**

2. has received and noted a report comprising a performance review of 2022/23 municipal investments, as required under Section 140 of the *Local Government Act 1999*;
3. advises Council it has considered the change in the accounting treatment for Library materials effective 1 July 2022; and recommends Council endorses the Asset Accounting Policy being updated to exclude library materials.
4. has received and noted a report regarding the performance of Alwyndor's 2022/23 investments, as required under Section 140 of the *Local Government Act 1999* and recommends it to Council for noting.

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

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

C220823/7527

1. **Successful Green Adelaide Grant**
2. **E-waste Discussion Paper**

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

15.2 **2022/23 Preliminary Funding Statements, Budget Carried Forward and Activity Reports** (Report No: 280/23)

This report provided preliminary funding statements for the 2022/23 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 2023/24. 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 2022/23.

Following a comprehensive budget review in April 2023 a Municipal surplus budget of \$708,910 was adopted. The preliminary result for Municipal operations shows an operating surplus of \$2,523,667 resulting in a positive budget variance of \$1,814,757 compared with the adopted forecast. Explanations for the major variances are discussed in Attachment 1 to this report.

The preliminary result for Alwyndor operations showed an operating deficit before fair value adjustments of \$778,350 compared with the adopted forecast deficit of \$308,000 resulting in a negative budget variance of \$470,350.

The consolidated result for both operations show an operating surplus of \$1,745,317 compared with the adopted surplus forecast of \$400,910 resulting in a positive budget variance of \$1,344,407.

Motion**C220823/7528****That Council:**

1. notes the provisional unaudited 2022/23 funding statements and carried forward budgets;
2. notes the 2022/23 Annual Business Plan activity summary;
3. notes the 2022/23 external grant funding summary;
4. approves the carried forward amounts from the 2022/23 budget to the current year 2023/24 budget of:
 - \$469,954 operating expenditure
 - \$36,949 operating income
 - \$16,418,514 capital expenditure, and
 - \$4,294,091 capital income;
5. approves the carried forward loan borrowing amount from the 2022/23 budget to the current year 2023/24 budget of \$14,367,000 to be negotiated in accordance with Council's Treasury Policy; and
6. authorises the Mayor and the Chief Executive Officer 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 Snewin **Carried Unanimously**

15.3 **Delegates Report – Australian Local Government Association National General Assembly 2023 – Mayor Wilson and Councillor Kane** (Report No: 260/23)

The Delegate's Report was presented for the information of Members.

From the 14-15 June 2023 Mayor Wilson and Councillor Kane attended the Australian Local Government Association National General Assembly (NGA) at the National Convention Centre, Canberra.

The theme of the 2023 NGA was "Our Communities, Our Future", and the event was attended by more than 1,100 Local Government leaders from around Australia.

Motion**C220823/7529**

That the Delegates Report for the Australian Local Government Association National General Assembly 2023 be noted.

Moved Councillor Kane, Seconded Councillor Abley

Carried Unanimously

15.4 Legislative Council Inquiry Into Recycling of Soft Plastics and Other Recycling Material Submission (Report No: 271/23)

A Select Committee of the Legislative Council has been established to inquire into and report on the recycling of soft plastics and other recyclable material in South Australia.

The Committee has invited any persons or organisations wanting to make a written submission to the inquiry or register an interest in presenting oral evidence to the Committee to do so by Friday 8 September 2023.

Motion

C220823/7530

That Council endorses the submission as presented in Attachment 1.

Moved Councillor Lindop, Seconded Councillor Lonie

Carried Unanimously

15.5 Circular Hub Concept and Action Plan (Report No: 272/23)

Administration recently engaged local consultant Rawtec to provide a quote to develop a Circular Hub Concept and Action Plan.

Creating infrastructure to support a Circular Hub out of a Council owned Community Centre will provide the community with a convenient location for the community to access circular products and services.

Project deliverables for the Concept and Action Plan will be due late 2023 which would support proposed potential works in 2024/25.

Motion

C220823/7531

That Council endorses the development of a Circular Hub Concept and Action Plan.

Moved Councillor Abley, Seconded Councillor O'Donohue

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 Event Activation (Report No: 274/23)

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

C220823/7532

- 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: 274/23, 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: 274/23, Event Activation on the following grounds:
 - g. pursuant to section 90(3)(g) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information concerning matters that must be considered in confidence in order to ensure that the Council does not breach any duty of confidence to Adelaide Festival, who have shared the information on the understanding it will be kept confidential.
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 O'Donohue, Seconded Councillor Miller **Carried Unanimously**

RETAIN IN CONFIDENCE – Section 91(7) Order

C220823/7533

That having considered Agenda Item 18.1 Report No: 274/23, Event Activation in confidence under section 90(2) and (3)(g) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachment and minutes relevant to this item be retained in confidence until the date the event takes place, currently earmarked as 9 March 2024.

Moved Councillor O'Donohue, Seconded Councillor Lonie

Carried

Division Called

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

Those voting for: Councillors Kane, Abley, Snewin, Venning, Lindop, Lonie, Bradshaw, Miller, O'Donohue, Smedley (10)

Those voting against – Councillor Patton (1)

The Mayor declared the motion

Carried

**18.2 Confidential Minutes – Audit and Risk Committee – 16 August 2023
(Report No: 281/23)**

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

C220823/7534

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: 281/23 Confidential Minutes – Audit and Risk Committee – 16 August 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: 281/23 Confidential Minutes – Audit and Risk Committee – 16 August 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, as this would prejudice the commercial position 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

RETAIN IN CONFIDENCE – Section 91(7) Order

C220823/7535

That having considered Agenda Item 18.2 Confidential Minutes – Audit and Risk Committee – 16 August 2023 (Report No: 281/23) 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 the Audited Financial Statements are presented to Council.

Moved Councillor Smedley, Seconded Councillor Snewin

Carried Unanimously

CLOSURE

The Meeting closed at 7.46 pm.

CONFIRMED

12 September 2023

MAYOR