



Minutes of the Ordinary Meeting of Council Held in the Council Chamber, Glenelg Town Hall on 12 December 2023 at 7.00pm

MEMBERS PRESENT

Mayor A Wilson
Councillor R Abley
Councillor A Bradshaw
Councillor J Fleming
Councillor A Kane
Councillor C Lindop
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 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

5.2 Absent

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

C121223/7627

That the minutes of the Ordinary Meeting of Council held on 28 November 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

9.2.1 Glenelg Football Club

Justin Scripps, Chief Executive Officer, David Whelan, President and Darren Reeves, Senior Coach from the Glenelg Football Club gave a short presentation to the Chamber and brought along the 2023 SANFL Premiership Cup.

9.3 Deputations - Nil

10. QUESTIONS BY MEMBERS

10.1 Without Notice

10.1.1 Jimmy Melrose Memorial Bust

Councillor Fleming asked a question in relation to the cost of the Jimmy Melrose memorial bust.

General Manager, Community and Business provided a response.

10.1.2 Audit of Irrigation Systems

Councillor Abley asked a question in relation to whether we undertake irrigation system audits of our systems.

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

10.1.3 Patawalonga Irrigation System

Councillor Patton asked a question in relation to the timing schedule of sprinklers along the Patawalonga.

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

10.1.4 Upgrades to the Colley Reserve Rotunda

Councillor Patton asked a question in relation to the upgrades occurring to the rotunda at Colley Reserve.

General Manager, Assets and Delivery provided a response.

10.1.5 **Council Policies**

Councillor O'Donohue asked a question in relation to workshop opportunities for future Council policies.

Chief Executive Officer provided a response.

10.1.6 **Hoarding at the Colley Reserve Rotunda**

Councillor Abley asked a question regarding the construction hoarding around the rotunda at Colley Reserve.

General Manager, Assets and Delivery provided a response.

10.1.7 **Burnham Road, Kingston Park**

Councillor Lindop asked whether residents will be advised of the upgrades to Burnham Road, Kingston Park.

General Manager, Assets and Delivery provided a response.

10.1.8 **Wayfinding Signage at Brighton Beachfront Holiday Park**

Councillor Lindop asked a question in relation to wayfinding signage to Brighton Beachfront Holiday Park.

General Manager, Assets and Delivery provided a response.

10.2 **On Notice**

10.2.1 **Park Benches – Jetty Road, Glenelg – Councillor Miller**
(Report No: 398/23)

Councillor Miller asked the following question:

“Can Administration advise how many park benches are on or around Jetty Road, Glenelg, and what proportion of these are shaded or under cover?”

ANSWER - PROJECT MANAGER PUBLIC REALM AND URBAN DESIGN

The seating along Jetty Road and Moseley Square has been audited and found the following on a 34-degree day at noon.

Jetty Road (excluding Bouchée Walk and Chapel Plaza)

There are a total of 40 x three seater seats and two x one seater seats along Jetty Road. This number includes 29 x three-seater seats in the shade at noon. The remainder were in the sun.

Moseley Square

There are eight x 12-seater seats all under shade surrounding the palm trees at noon and five x six-seater and tables that didn't have shade.

The seats are more concentrated in Moseley Square and the Transition and City Zones of the street. The Coast Zone on Jetty Road was lower in public seating however, a significant amount of spare space was taken up by outdoor dining tables and chairs from businesses in that section of the street.

While the seating usage was good, there were many empty seats that were available in the shade. The Jetty Road Masterplan design will look at public seating requirements for the street as we work through the design.

10.2.2 **Wheatland Street Car Park; West of Train Line – Councillor Lindop**
(Report No: 411/23)

Councillor Lindop asked the following question:

“Can Council Administration please advise when the new line marking for the car park will occur?”

ANSWER – TRAFFIC AND TRANSPORT LEAD

The car park design has been finalised and community engagement completed.

The car park works, inclusive of an additional crossing point on Wheatland Street are out for quote to several contractors with submissions due 8 December 2023.

Works are expected to be completed early 2024, depending on contractor availability.

10.2.3 **Pedestrian Kerbing and Crossing Point Corner of Kauri and Wheatland Street – Councillor Lindop** (Report No: 412/23)

Councillor Lindop asked the following question:

“Could Administration please advise on the progress of a pedestrian kerbing and crossing point on Wheatland Street adjacent to the car park and community reserve on the corner of Kauri and Wheatland Street?”

ANSWER – TRAFFIC AND TRANSPORT LEAD

This work has been packaged together with the alterations to the Wheatland Street car park. Administration is currently seeking quotes from several contractors to complete the work.

Submissions are due by 8 December, with work to be completed early 2024.

10.2.4 Road Safety – Councillor Lindop (Report No: 413/23)

Councillor Lindop asked the following question:

“In February this year residents on Burnham Rodd and corner of Strickland Avenue/Kingston Crescent Elected Members met with Council Administration to discuss safety concerns on the sharp bend going down to the beach, as well as some footpath and overgrown vegetation restricting pedestrian access. There was action taken regarding the vegetation and footpath, however, there has been no communication in regards to any plans or implementation of improvements to the road in this area. Could Administration please advise on the current plans for the road here, and a timeline for any planned works?”

ANSWER – TRAFFIC AND TRANSPORT LEAD

Traffic counts to confirm volume and speed of vehicles travelling west along Burnham Road around the sub-standard curve have been undertaken to gauge traffic behaviour. This curve is signed with an advisory 25km/h.

Traffic speeds measured just east of the curve recorded average speeds of just under 28km/h, over both weekdays and weekends, with over 99 per cent of vehicles recorded travelling at 40km/h or less. This indicates that the current speed advice is not too far removed from the drivers’ comfort level when negotiating the curve.

Site visits identified maintenance painting of the median line marking treatment including the pavement bars is required and has been requested from our contracted provider.

The hazard markers (signage) around the curve are currently installed to an older standard. A design is currently being developed to replace these markers with Chevron Alignment Markers (CAMs) as well as provide additional intersection warning signage improvements for safety and wayfinding at Burnham Road and Strickland Road. Aspects of the signage will require Department for Infrastructure and Transport (DIT) approval.

It is anticipated all line marking and signage improvements will be installed by March 2024.

10.2.5 **Local Amenity at Seacliff – Councillor Lindop** (Report No: 414/23)

Councillor Lindop asked the following question:

“I have been made aware by residents of a few issues at the corner of the Esplanade and the bottom of Pine Gully. This area has been used by Holdfast Bay Council Administration for machinery and a shipping crate for storage while the Pine Gully works were under way. Is the new retaining walls and bare verges here under consideration for planting to help with weed and erosion control and to help make this part of the natural cliff faces?

The car parking in this street along the Brighton Caravan Fence is marked for the Seacliff Surf Lifesaving Club, however with the yellow lines fading, many cars are often parked illegally. The configuration of the parking bays means that often residents are unable to access their driveways. Recently there has been an incident where a car has reversed into the resident’s retaining wall and fence.

Could Administration please advise what is being done to investigate the usage of this area, and to help improve the amenity for both the residents and the Seacliff Surf Life Saving Club.”

ANSWER – MANAGER, ENGINEERING

Administration has an ongoing investigation in this area. Along with the parking concerns raised, additional concerns have been identified for pedestrian access, intrusion of parked vehicles onto the footpath, stormwater infrastructure, retaining as much parking as practicable and vegetation.

The native plantings on the pre-existing retaining walls are included within the Pine Gully vegetation management program. The next brush up will occur in December, where we have instructed the contractor to dedicate additional time to touch up and tidy this area. In the long-term, there is potential for denser planting of vegetation or native grasses in this area as well as the potential for one or two trees. This will be investigated prior to next winter and prioritised with respect to resourcing.

Administration has met with the Seacliff Surf Lifesaving Club and developed concepts of several parking layouts to determine the best use of this constrained land parcel. The concepts are being tested and refined using turn templates to ensure property access and parking movements are suitably provided.

Prior to any changes to the parking layout, consultation will be undertaken with the clubs and adjacent residents. Consultation will be undertaken in January 2024.

Regulatory controls (yellow lines) are currently visibly in place and enforceable. An updated parking scheme will still require enforcement of illegal parking over yellow lines. If illegal parking is a frequent occurrence, increased enforcement in the area can be implemented to change the behaviours.

11. MEMBER'S ACTIVITY REPORTS

11.1 Mayor's Activity Statement – Nil

12. MOTIONS ON NOTICE

12.1 Motion on Notice – Feasibility into Expanding Community Safety Services - Councillor Abley (Report No: 418/23)

Motion

C121223/7628

That Administration bring a report back to Council on the feasibility of expanding community safety services to include:

- **the establishment of a Community Safety Committee, with representation from various State Government Departments, local Service Providers, and key stakeholders that oversee the community safety efforts in the City of Holdfast Bay; and**
- **expand the current community safety service to include the monitoring of the City's CCTV network to identify community safety issues in real-time and coordinate responses by relevant bodies.**

The report should include the costs, benefits, risks and consultation required. Consultation should occur with the City of Onkaparinga on the model used for community safety.

Moved Councillor Abley, Seconded Councillor Miller

Carried Unanimously

13. ADJOURNED MATTERS

13.1 **Adjourned Report – Call for Nominations – Local Government Grants Commission** (Report No: 407/23)

The Local Government Grants Commission is established under the *South Australian Local Government Grants Commission Act 1992*. It provides recommendations to the Minister for Local Government and performs the role of the Local Government Boundaries Commission.

The Local Government Association sought nominations from a council member or employee of the council who has knowledge of or experience with the Commonwealth Financial Assistance Grants process, Boundary Reform process and exposure to financial management and decision making to fill a position on the Board for a period not exceeding five years, commencing immediately upon appointment by the Minister.

Any members who wish to be nominated need to have their nomination endorsed by Council prior to submission to the Local Government Association. If Council does not have a nominee, it may just note the report.

The report was most recently tabled at the ordinary meeting of Council on 28 November 2023 (Item 15.7 – Call for Nominations – Local Government Grants Commission Report No: 392/23) and was adjourned under Regulation 19, Local Government (Proceedings at Meetings) Regulations 2013, until the next meeting to allow for absent Councillor’s to consider nominating for the position.

As the adjournment was moved prior to the moving of the motion, any Councillor can move, second and/or speak to the motion.

Nomination

Her Worship the Mayor called for nominations.

Nominations were received for Councillor Smedley.

Her Worship the Mayor announced that Councillor Smedley had been selected for the nomination which was included in the Council’s motion.

Councillor Smedley declared a material conflict of interest for **Item 13.1 Adjourned Report – Call for Nominations – Local Government Grants Commission (Report No: 407/23)** before the vote. The nature of the material conflict of interest (pursuant to Section 73 and 74 of the *Local Government Act 1999*) was that if successful he would receive a sitting fee.

Councillor Smedley dealt with the conflict of interest by leaving the meeting at 7.20pm.

Motion

C121223/7629

That Council nominates Councillor Smedley for consideration by the Local Government Association of South Australia to be nominated for the Local Government Grants Commission.

Moved Councillor Snewin, Seconded Councillor Lonie

Carried Unanimously

Councillor Smedley re-joined the meeting at 7.21pm.

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES

14.1 Minutes – Audit and Risk Committee – 15 November 2023 (Report No: 405/23)

The minutes of the meeting of the Audit and Risk Committee held 15 November 2023 were presented to Council for information.

Motion

C121223/7630

That Council notes the minutes of the meeting of the Audit and Risk Committee of 15 November 2023, namely that the Audit and Risk Committee recommends that Council:

1. **adopts the Policy Development Council Policy and notes the Policy Framework and Manual;**
2. **adopts the Project Management Council Policy and notes the Project Management Framework and Manual;**
3. **adopts the Prioritisation Council Policy and notes the Prioritisation Framework and Manual; and**
4. **adopts the Service Review Council Policy and notes the Service Review Framework and Manual.**

Moved Councillor Smedley, Seconded Councillor Snewin

Carried Unanimously

14.2 Information Report – Southern Region Waste Resource Authority Board Meeting (Report No: 403/23)

The Information Report of the Southern Region Waste Resource Authority Board meeting held on 20 November 2023 was provided for information.

Motion

C121223/7631

That Council notes the Information Report of the Southern Region Waste Resource Authority Board meeting held on 20 November 2023.

Moved Councillor Smedley, Seconded Councillor O’Donohue

Carried Unanimously

15. REPORTS BY OFFICERS

15.1 Items in Brief (Report No: 415/23)

This item was presented for the information of Members.

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

Motion

C121223/7632

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

1. Minda Community Christmas Carols and Markets

Moved Councillor Lonie, Seconded Councillor Lindop

Carried Unanimously

15.2 Business Hubs / Co-Working Facilities Review (Report No: 389/23)

At the 11 July 2023 Council Meeting, the motion (C110723/7485) was carried for Administration to investigate the viability of establishing a Council-run business hub/co-working facility and to provide a report back to Council within the next three months.

The report provided an overview of the current co-working spaces available and included findings from the Business Confidence Survey 2023 where businesses were asked about co-working spaces within the City of Holdfast Bay.

Motion

C121223/7633

That Council:

- 1. notes this report; and**
- 2. does not proceed with developing a Council-run business hub/co-working facility at this time.**

Moved Councillor Abley, Seconded Councillor Lindop

Carried

15.3 Sir Douglas Mawson Memorial (Report No: 417/23)

Council resolved that Administration investigate the commissioning of a memorial bronze bust and plaque in honour of Sir Douglas Mawson and bring back a report to Council. The report summarised potential locations and costs, as well as details of other existing memorialisations of Mawson identified as part of the investigation process.

Motion

C121223/7634

That Council considers an allocation of \$48,000 in the 2024-25 annual business planning process for the commissioning of a memorial bronze bust to Sir Douglas Mawson on the corner of Wattle and Colton Avenues; and that a suitably

qualified artist be commissioned to create the memorial through an Open Invitation process in accordance with Council’s public art guidelines.

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

15.4 **Pigeon Control Update** (Report No: 416/23)

Council endorsed a range of pigeon control strategies on 26 April 2022, motion C260422/2580. These strategies included improved signage, education and enforcement, and funding pigeon proofing via a grant program for local businesses.

The report reviewed the success of these strategies and provided a recommendation for the future management of pigeon control.

Motion

C121223/7635

That Council:

1. **not proceed with a Pigeon Policy; and**
2. **reviews Council bylaws, affording consideration for a specific bylaw to prevent Pigeon feeding.**
3. **endorses Administration to continue undertaking approved pigeon management actions to control the population**

Moved Councillor Smedley, Seconded Councillor Abley

Carried

Division Called

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

Those voting for: Councillors Patton, Kane, Abley, Snewin, Venning, Lonie, Lindop, O’Donohue and Smedley (9)

Those voting against: Councillors Fleming, Bradshaw and Miller (3)

The Mayor declared the motion

Carried

15.5 **Libraries Board of SA – Call for Nominations** (Report No: 404/23)

The Local Government Association (LGA) of South Australia is seeking nominations from a suitably qualified Council member, employees of Council, or other Local Government entities to fill a position on the Libraries Board of South Australia for a three-year term.

Any member who would like to be nominated will need to have their nomination endorsed by Council prior to submission to the LGA. If Council does not have a nominee, it may just note the report.

Nominations

Her Worship the Mayor called for nominations. Councillor Venning and Councillor O'Donohue nominated themselves and provided reasons for their nomination.

A secret ballot was conducted for the nomination.

Her Worship the Mayor announced that Councillor O'Donohue had been selected for the nomination which was included in the Council's motion.

Conflict of Interest

Councillor O'Donohue declared a material conflict of interest for **Item 15.5 Libraries Board of SA – Call for Nominations (Report No: 404/23)** before the vote. The nature of the material conflict of interest (pursuant to Section 73 and 74 of the *Local Government Act 1999*) was that if successful she would receive a sitting fee.

Councillor O'Donohue dealt with the conflict of interest by leaving the meeting at 7.49pm

Motion

C121223/7636

That Council nominates Councillor O'Donohue for consideration by the Local Government Association of South Australia to be nominated for the Libraries Board of SA.

Moved Councillor Venning, Seconded Councillor Lonie

Carried Unanimously

Councillor O'Donohue re-joined the chamber at 7.50pm.

15.6 Appointment to the Southern Region Waste Resource Authority Audit Committee (Report No: 406/23)

The Southern Region Waste Resource Authority (SRWRA) has established an Audit Committee comprising an independent member appointed by each of the three constituent councils being Marion, Onkaparinga and Holdfast Bay, plus one Board Audit Committee member.

SRWRA is seeking from Council the appointment of a new Audit and Risk Committee member to serve on the SRWRA Audit Committee.

Motion

C121223/7637

That Council:

- 1. appoints Mr David Powell to the Southern Region Waste Resource Authority Audit Committee for a term of 24 months; and**
- 2. acknowledges Mr Sam Spadavecchia's contribution to the SRWRA Audit Committee as the City of Holdfast Bay representative.**

Moved Councillor Smedley, Seconded Councillor Lindop

Carried Unanimously

15.7 **Policy Development Policy, and Policy Framework and Manual**
(Report No: 399/23)

Policy-making is an important part of Council's role in fulfilling its obligations under the *Local Government Act 1999* and other legislation.

To ensure that Council fulfills its legislative obligations effectively and is able to set and administer clear, well-considered, evidence-based, practical and useful policy, a Council Policy to guide policy development, and an associated Policy Framework and Manual have been developed and are presented to Council.

On 15 November 2023, the Audit and Risk Committee of Council considered the:

- Policy Development Policy, and recommended it to Council for adoption; and
- Policy Framework and Manual and noted it.

Motion

C121223/7638

That Council:

1. **adopts the Policy Development Council Policy; and**
2. **notes the Policy Framework and Manual.**

Moved Councillor Abley, Seconded Councillor Miller

Carried Unanimously

15.8 **Project Management Policy, and Framework and Manual** (Report No: 400/23)

The City of Holdfast Bay delivers millions of dollars of works and services on behalf of ratepayers every year. To prove that we meet community expectations, and adhere to approved budgets, schedules and quality standards, it is important that we properly prioritise, plan, execute and report what we do. Managing projects consistently and transparently is one aspect of this.

To ensure that Council fulfills its legislative obligations effectively and is able to effectively scope, schedule and deliver projects, a Project Management Council Policy and associated Project Management Framework and Manual have been developed and were presented to Council.

On 15 November 2023, the Audit and Risk Committee of Council considered the:

- Project Management Council Policy, and recommended it to Council for adoption; and
- Project Management Framework and Manual and noted it.

Motion

C121223/7639

That Council:

- 1. adopts the Project Management Council Policy; and**
- 2. notes the Project Management Framework and Manual.**

Moved Councillor Smedley, Seconded Councillor Lonie

Carried Unanimously

15.9 **Prioritisation Policy, and Framework and Manual** (Report No: 401/23)

Elected Members bear a heavy legislative burden when it comes to decision-making on behalf of the community. To enable Elected Members to fulfill their legislative obligations to make informed and responsible decisions on new investment proposals in the interests of the community, a Prioritisation Policy and a supporting Prioritisation Framework and Manual have been developed and are presented to Council.

While transparent and evidence-based decision-making is necessary at all times, careful scoping and objective prioritisation is even more prudent with current economic conditions causing rampant cost increases and various supply-chain shortages.

The purpose of the documents is to support evidence-based decision-making by enabling objective assessments and prioritisation of options and projects.

On 15 November 2023, the Audit and Risk Committee of Council considered the:

- Prioritisation Council Policy, and recommended it to Council for adoption; and
- Prioritisation Framework and Manual and noted it.

Motion

C121223/7640

That Council:

- 1. adopts the Prioritisation Council Policy; and**
- 2. notes the Prioritisation Framework and Manual.**

Moved Councillor Smedley, Seconded Councillor Miller

Carried Unanimously

15.10 **Service Review Policy, and Framework and Manual** (Report No: 402/23)

Periodic service reviews are a useful support in fulfilling the requirements of the *Local Government Act 1999* “to provide and co-ordinate various public services and facilities and to develop its community and resources in a socially just and ecologically sustainable manner”.

A proposed Service Review Council Policy and Service Review Framework and Manual have been developed to guide service reviews and were presented for Council’s review and endorsement.

The underlying approach is based on a human-centred design approach, with the rationale that to be of value, services need to be useful and effective for those using them. This approach provides assurance that the voices of users are heard in the design of services. It also provides an inclusive and psychologically safe way to design services (that is, ‘designing with’ not ‘doing to’ staff and service users).

On 15 November 2023, the Audit and Risk Committee of Council considered the:

- Service Review Policy, and recommended it to Council for adoption; and
- Service Review Framework and Manual and noted it and associated documents.

Motion

C121223/7641

That Council:

1. **adopts the Service Review Council Policy;**
2. **notes the Service Review Framework and Manual; and**
3. **notes the report from the test service review.**

Moved Councillor Snewin, Seconded Councillor O’Donohue **Carried Unanimously**

15.11 **Review of Items Held in Confidence** (Report No: 386/23)

An extensive review of all items held in confidence is being undertaken, in stages, under section 90(3) of the *Local Government Act 1999*.

The Confidential Items Review considers the nature of the information contained within the confidential items, the grounds on which it was originally held in confidence and the length of time the information can be kept confidential. Each item is reviewed individually, resulting in a determination as to whether the confidentiality order for each item is still current under the Act.

The purpose of the report was to present to Council a summary of standing confidential orders, as well as recommended actions (release/retain confidentiality) for review and decision.

The report recommended that 80 Confidential Items (reports and/or attachments and/or minutes) be released from confidence and 96 Confidential Items reviewed at this time should be retained in confidence.

Motion

C121223/7642

That Council approves:

- 1. the Confidential Items presented as Attachment 1 to this report be released from confidence; and**
- 2. the Confidential Items presented as Attachment 2 to this report be retained in confidence and included in future stages of the Confidential Items Review.**

Moved Councillor Miller, Seconded Councillor Lonie

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 Jetty Road Masterplan Stage 2 – Design Procurement Exemption
(Report No: 409/23)**

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

C121223/7643

- 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: 409/23, Jetty Road Masterplan Stage 2 – Design Procurement Exemption 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: 409/23, Jetty Road Masterplan Stage 2 – Design Procurement Exemption 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; and the information would prejudice the commercial position of the Council.

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 Abley

Carried Unanimously

RETAIN IN CONFIDENCE - Section 91(7) Order

C121223/7644

That having considered Agenda Item 18.1 Report No: 409/23 – Jetty Road Masterplan Stage 2 – Design Procurement Exemption 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 and minutes be retained in confidence for a period of three years and/or the Chief Executive Officer is authorised to release the documents on completion of the project and that this order be reviewed every 12 months.

Moved Councillor Abley, Seconded Councillor Miller

Carried Unanimously

- 18.2 Somerton Park Tennis Club Lighting and Court Renewal (Report No: 408/23)

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

C121223/7645

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: 408/23 Somerton Park Tennis Club Lighting and Court Renewal 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: 408/23 Somerton Park Tennis Club Lighting and Court Renewal 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 undertaking works for the supply and installation of sports lighting, fencing and court resurfacing.

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 Bradshaw

Carried Unanimously

RETAIN IN CONFIDENCE - Section 91(7) Order

C121223/7646

That having considered Agenda Item 18.2 Report No: 408/23 Somerton Park Tennis Club Lighting and Court Renewal 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 relevant to this item be retained in confidence for a period of six months and the Chief Executive Officer is authorised to release the documents after the contract has been signed and that this order be reviewed every 12 months.

This order is subject to section 91(8)(b) of the Act which provides that details of the identity of the successful tenderer must be released once Council has made a selection.

Moved Councillor Venning, Seconded Councillor Lonie

Carried Unanimously

18.3 **Glenelg Town Hall – Commercial Area – Summer Pop Up (Report No: 390/23)**

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

C121223/7647

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: 390/23 Glenelg Town Hall - Commercial Area - Summer Pop Up 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: 390/23 Glenelg Town Hall - Commercial Area - Summer Pop Up 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

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 Venning

Carried Unanimously

RETAIN IN CONFIDENCE – Section 91(7) Order

C121223/7648

That having considered Agenda Item 18.3 Report No: 390/23 Glenelg Town Hall – Commercial Area – Summer Pop Up 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, Attachment and Minutes relevant to this item be retained in confidence for a period of 18 months and/or the Chief Executive Officer is authorised to release the documents thereafter and that this order be reviewed every 12 months.

Moved Councillor Miller, Seconded Councillor O’Donohue

Carried Unanimously

18.4 **Code of Conduct** (Report No: 424/23)

Motion - Exclusion of the Public – Section 90(3)(a & j) Order

C121223/7649

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: 424/23 Code of Conduct 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: 424/23 Code of Conduct 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: 424/23 Code of Conduct is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

- j. pursuant to section 90(3)(j) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would divulge information provided on a confidential basis by the State Planning Commission.
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 Bradshaw

Carried Unanimously

RETAIN IN CONFIDENCE – Section 91(7) Order

C121223/7650

That having considered Agenda Item 18.4 Report No: 424/23 Code of Conduct in confidence under section 90(2) and (3)(a & j) 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 24 months and that this order be reviewed every 12 months.

Moved Councillor Snewin, Seconded Councillor Patton

Carried Unanimously

CLOSURE

The Meeting closed at 8.36pm.

CONFIRMED 23 January 2023

MAYOR