



Minutes of the Ordinary Meeting of Council Held in the Council Chamber, Glenelg Town Hall on 23 April 2024 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 R Patton
Councillor J Smedley
Councillor R Snewin
Councillor A Venning

STAFF IN ATTENDANCE

Acting Chief Executive Officer – 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 - Councillor M O'Donohue (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

C230424/7731

That the minutes of the Ordinary Meeting of Council held on 9 April 2024 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 **Former Buffalo Site**

Councillor Miller asked a question in relation to planned works for the former Buffalo site.

Acting Chief Executive Officer provided a response.

10.1.2 **Brighton Beachfront Holiday Park Roadway**

Councillor Lindop asked a question in relation to naming the roadway for the Brighton Beachfront Holiday Park.

Acting Chief Executive Officer provided a response.

10.2 **On Notice**

10.2.1 **Tree Watering Program – Councillor Bradshaw** (Report No: 124/24)

Councillor Bradshaw asked the following questions:

1. “Please confirm if Council currently have a programme in place which allows them to know if all trees have been watered?”
2. If there’s no system currently in place to determine which trees have or haven’t been watered, did Council ever have such a programme?”

ANSWER – GENERAL MANAGER, ASSETS AND DELIVERY

Council ensures a summer watering schedule for the first three to four years for all planned planted trees. Watering generally occurs between October and April (weather dependant) via two water trucks, between Monday and Friday. On average each tree on the schedule is watered every 5 to 7 days during the watering season.

Council has a system in place to manage the watering of trees and other operational components of tree management. This system is currently under review to identify if there are more effective systems to manage the lifecycle of Council’s trees.

11. MEMBER'S ACTIVITY REPORTS

11.1 Mayor's Activity Report – 1 January to 31 March 2024 (Report No: 98/24)

Presented for the information of Members was the Activity Report for the Mayor for 1 January to 31 March 2024.

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

Motion

C230424/7732

That the Mayor's Activity Report for 1 January to 31 March 2024 be received and noted.

Moved Councillor Lindop, Seconded Councillor Lonie

Carried Unanimously

12. MOTIONS ON NOTICE

12.1 Motion on Notice – Leave of Absence - Councillor Bradshaw (Report No: 123/24)

Motion

C230424/7733

That Council grant Councillor Bradshaw a Leave of Absence from Council for the period 13 May to 7 June 2024.

Moved Councillor Bradshaw, Seconded Councillor Lindop

Carried Unanimously

13. ADJOURNED MATTERS - Nil

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES

14.1 Information Report – Southern Region Waste Resource Authority Board Meeting – 25 March 2024 (Report No: 121/24)

The Information Report of the Southern Region Waste Resource Authority Board meeting held 25 March 2024 was provided for information.

Motion

C230424/7734

That Council notes the Information Report of the Southern Region Waste Resource Authority Board meeting held 25 March 2024.

Moved Councillor Smedley, Seconded Councillor Lindop

Carried Unanimously

14.2 **Minutes – Jetty Road Mainstreet Committee – 3 April 2024** (Report No: 110/24)

The Minutes of the Jetty Road Mainstreet Committee meeting held 3 April 2024 were attached and presented for Council's information.

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

Motion

C230424/7735

1. That Council notes the minutes of the Jetty Road Mainstreet Committee held 3 April 2024.

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Attachment 2 to Report No: 110/24 Minutes – Jetty Road Mainstreet Committee – 3 April 2024 in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Committee, pursuant to section 91(7) of that Act orders that Attachment 2 be retained in confidence for a period of 12 months and/or the Chief Executive Officer is authorised to release the documents when the negotiations have been finalised and that this order be reviewed every 12 months.

Moved Councillor Kane, Seconded Councillor Abley

Carried Unanimously

14.3 **Minutes – Alwyndor Management Committee** (Report No: 116/24)

The minutes of the Alwyndor Management Committee meeting held 4 April 2024 were provided for information.

Motion

C230424/7736

1. That the minutes of the Alwyndor Management Committee meeting held on 4 April 2024 be noted.

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Attachment 2 to Report No: 116/24 Minutes – Alwyndor Management Committee – 4 April 2024 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

14.4 **Public Minutes – Audit and Risk Committee – 15 April 2024** (Report No: 126/24)

The public minutes of the meeting of the Audit and Risk Committee held 15 April 2024 were presented to Council for information.

Motion

C230424/7737

That Council notes the public minutes of the meeting of the Audit and Risk Committee of 15 April 2024, namely that the Audit and Risk Committee:

1. **notes the Draft Long Term Financial Plan 2024-2034 and supports its presentation to Council for community consultation;**
2. **recommends to Council that the Net Financial Liability Ratio be increased from 75% to 100% for the life of this Plan, as a result of the borrowings for the Transforming Jetty Road Project; and**
3. **notes the Draft 2023-24 Annual Business Plan and supports its presentation to Council for community consultation.**

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

15. **REPORTS BY OFFICERS**

15.1 **Items in Brief** (Report No: 120/24)

The 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

C230424/7738

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

1. **Kingston Park Kiosk Official Opening**
2. **Illumination Request – National Road Safety Week – 5-12 May 2024**

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

Conflict of Interest

Councillor Fleming declared a general conflict of interest for Item 15.2 **Draft Long-Term Financial Plan 2024-2034** (Report No: 125/24) (pursuant to sections 74 and 75A of the *Local Government Act 1999*), on the basis that she is a member of the Council Assessment Panel which may consider items referred to the Panel. Councillor Fleming dealt with the general conflict of interest by making it known to the meeting, remained in the Chamber, and abstained from voting.

15.2 **Draft Long-Term Financial Plan 2024-2034** (Report No: 125/24)

The Draft Long-Term Financial Plan 2024-2034 was presented for endorsement and release for community engagement.

The Long-Term Financial Plan (LTFP) has been reviewed and updated to include the Draft 2024-25 Annual Business Plan, 2022-23 audited financial statements, and budget updates to 31 December 2023. The projections in the LTFP indicate Council remains in a sound financial position.

The LTFP has also been informed by the latest Asset Management Plans and direction from Council regarding its commitment to financial sustainability. A number of assumptions have been reviewed in updating the plan and these were detailed in the report.

Motion

C230424/7739

That Council approves:

- 1. the Draft Long-Term Financial Plan 2024-2034 for community consultation in conjunction with the Draft 2024-25 Annual Business Plan; and**
- 2. the Net Financial Liability Ratio be increased from 75% to 100% for the life of this Plan, as a result of the borrowings for the Transforming Jetty Road Project.**

Moved Councillor Snewin, Seconded Councillor Smedley

Carried

Conflict of Interest

Councillor Fleming declared a general conflict of interest for Item 15.3 **Draft 2024-25 Annual Business Plan** (Report No: 119/24) (pursuant to sections 74 and 75A of the *Local Government Act 1999*), on the basis that she is a member of the Council Assessment Panel which may consider items referred to the Panel. Councillor Fleming dealt with the general conflict of interest by making it known to the meeting, remained in the Chamber, and abstained from voting.

15.3 **Draft 2024-25 Annual Business Plan** (Report No: 119/24)

The Draft 2024-25 Annual Business Plan is presented for noting ahead of its release for community engagement. It has been developed having regard to the Our Holdfast 2050+ Strategic Plan, Asset Management Plans, Long-Term Financial Plan and directions provided by Council.

The Local Government Act also requires Council to review its Long-Term Financial Plan (LTFP) at least annually and that the public be given the opportunity for involvement in the review. The Long-Term Financial Plan is the subject of a separate report in this Agenda. Given the related nature of the Draft 2024-25 Annual Business Plan and the LTFP, community engagement on both plans will be conducted jointly.

The draft budget has been developed with a general rate increase of 7.1% and satisfies Council's financial sustainability and performance measures. The Draft 2024-25 Annual Business Plan and consultation results are due for review by Council at a workshop on 28 May 2024 and at the meeting of 11 June 2024.

Motion

C230424/7740

- 1. That, subject to minor alterations and design, the Draft 2024-25 Annual Business Plan be released for community consultation.**
- 2. That the process for community consultation on the Draft 2024-25 Annual Business Plan, as described in this report, be endorsed.**

Moved Councillor Smedley, Seconded Councillor Snewin

Carried

Leave of meeting

Her Worship the Mayor with the approval of two-thirds of the members present sought leave of the meeting to propose that Agenda Item 15.5 **Brighton Tennis Club Licence** (Report No: 112/24) be considered after Item 15.3.

Leave of the meeting was granted.

15.5 Brighton Tennis Club Licence (Report No: 112/24)

The Brighton Tennis Club Incorporated currently holds a twenty-year lease to operate from the premises at 33 Torr Avenue, Brighton with a right to renegotiate the terms of conditions of a new licence. Having exercised its right of renewal prior to the expiration of the current licence, the report sought the City of Holdfast Bay's (the Council's) endorsement for a new licence to be issued to the Brighton Tennis Club Incorporated to occupy the premises for a further five-year period.

Motion

C230424/7741

- 1. That Council enters into a Licence Agreement with the Brighton Tennis Club Incorporated over the portion of land comprised in Certificate of Title Volume 5775 Folio 258 until 30 June 2029 in accordance with the terms and conditions in the document provided as Attachment 1 to this report.**
- 2. That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

Moved Councillor Fleming, Seconded Councillor Bradshaw

Carried Unanimously

Leave of meeting

Her Worship the Mayor with the approval of two-thirds of the members present sought leave of the meeting to propose that Agenda Item 15.6 **Seacliff Recreation Centre Lease** (Report No: 111/24) be considered after Item 15.5.

Leave of the meeting was granted.

15.6 **Seacliff Recreation Centre Lease** (Report No: 111/24)

The Seacliff Community Recreation Association Incorporated currently holds a five-year lease to operate the Seacliff Recreation Centre from premises at 32 Yacca Road, Seacliff with an option to renew for a further five years. Having exercised its right of renewal prior to the expiration of the current lease, the report sought the City of Holdfast Bay's (the Council's) endorsement for a new lease to be issued to the Seacliff Community Recreation Association Incorporated to occupy the premises for a further five-year period.

Motion

C230424/7742

- 1. That Council enters into a Lease Agreement with the Seacliff Community Recreation Association Incorporated over the whole of land comprised in Certificate of Title Volume 5855 Folio 959 until 30 June 2028 in accordance with the terms and conditions in the document provided as Attachment 1 to this report.**
- 2. That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to this lease.**

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

15.4 **Naming of New Roads – Consultation Results** (Report No: 113/24)

The report sought Council's authorisation to assign names for two roads constructed as part of a new residential estate located on Sturt Road at Brighton. The community has been consulted on a number of suggested road names, whilst also providing the opportunity for unsolicited suggestions from the community in return.

Motion

C230424/7743

That Council authorises the names Hackett Way and Minear Lane for two new public roads currently on land located at 28 Sturt Road, Brighton in accordance with the City of Holdfast Bay's Naming of Public Spaces Policy.

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

Conflict of Interest

Councillor Fleming declared a general conflict of interest for Item 15.7 **Transforming Jetty Road – Establishment of a Section 41 Committee** (Report No: 122/24) (pursuant to sections 74 and 75A of the *Local Government Act 1999*), on the basis that she is a member of the Council Assessment Panel which may consider items referred to the Panel. Councillor Fleming dealt with the general conflict of interest by making it known to the meeting, remained in the Chamber, and abstained from voting.

15.7 Transforming Jetty Road – Establishment of a Section 41 Committee (Report No: 122/24)

The Jetty Road, Masterplan, publicly known as Transforming Jetty Road, has been initiated for delivery by the City of Holdfast Bay and is recognised as not only one of this Council's most strategic projects, but also as this Council's largest single investment in a project.

The report was seeking to establish a section 41 Committee to assist Council in their decision making and ensure there is an appropriate level of governance in the management of this project and Council's investment. It is acknowledged that the project is being considered as part of the Annual Business Planning process and subject to funding approval through that process. The early establishment of the Committee will assist in meeting the delivery timeframes of the project.

Motion

C230424/7744

That Council:

- 1. establishes the Transforming Jetty Road Project Committee of Council under section 41 of the Local Government Act 1999;**
- 2. endorses the Terms of Reference presented in Attachment 1;**
- 3. appoints the Mayor to the Committee and Chair of the Committee;**
- 4. appoints the Audit and Risk Committee Presiding Member to the Committee;**
- 5. appoints Councillor Kane and Councillor Lonie as the Elected Member representatives to the Committee;**
- 6. appoints the Jetty Road Mainstreet Committee Chair (Gilia Martin) and Chris Morley as JRMC representatives to the Committee; and**
- 7. authorises the Chief Executive Officer to write to Department of Infrastructure and Transport to provide a representative for the Committee.**

8. **authorises the Chief Executive Officer to approach owners of properties in the Jetty Road precinct seeking their interest in joining the Committee.**

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

15.8 **State Planning Review Outcomes** (Report No: 114/24)

The report outlined the outcomes of the State Government’s review of the South Australian planning system that was initiated in mid-2022, and how these outcomes align with the City of Holdfast Bay’s submission to that review at the time. For the most part, Council’s recommendations have been addressed by way of either immediate or pledged changes to the State’s planning system by the State Government.

Motion

C230424/7745

That Council notes the State Government’s response to submissions received to the State Planning Review and how it aligns with the City of Holdfast Bay’s priorities.

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

15.9 **Australian Local Government Association – National General Assembly – Conference Motions** (Report No: 89/24)

Each year, the Australian Local Government Association (ALGA) holds a National General Assembly (NGA) in Canberra where councils from around Australia can discuss current and emerging challenges and opportunities, and advocate to the Federal Government on critical issues facing the sector.

The next NGA will be held on 2-4 July 2024 with the theme Building Community Trust. This theme aims to explore the critical importance of trust in governments, between governments, its institutions, and its citizens. This trust is a fundamental building block of our nation’s democracy.

Possible motions have been drafted for Council’s consideration, in line with the guidelines provided by the ALGA.

Motion

C230424/7746

That Council:

1. **endorses the suggested motion regarding ‘housing and homelessness’ be submitted for consideration by the Australian Local Government Association for inclusion in the National General Assembly agenda; and**

2. **endorses the suggested motion regarding the ‘environment – safe battery disposal’ be submitted for consideration by the Australian Local Government Association for inclusion in the National General Assembly agenda.**

Moved Councillor Abley, Seconded Councillor Lindop

Carried Unanimously

15.10 **Inquiry Into Local Government Sustainability** (Report No: 128/24)

On 21 March 2024, the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport of the Parliament of Australia launched an inquiry into local government sustainability.

The Committee invited submissions from interested organisations and individuals by 3 May 2024. Due to the short timeframe, a detailed submission is not feasible, however, a broad response that supports the notional position of the Australian Local Government Association has been prepared, and was appended for Council’s consideration.

Motion

C230424/7747

That Council:

1. **notes the inquiry into local government sustainability by the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport of the Parliament of Australia;**
2. **endorses the proposed submission to the Inquiry as provided in Attachment 1; and**
3. **authorises the Chief Executive Officer to lodge the submission on Council’s behalf, subject to any necessary corrections of typographical errors or other minor amendments.**

Moved Councillor Smedley, 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 Confidential Minutes – Audit and Risk Committee – 15 April 2024
(Report No: 127/24)

Motion - Exclusion of the Public – Section 90(3)(d) Order **C230424/7748**

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: 127/24 Confidential Minutes – Audit and Risk Committee – 15 April 2024 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: 127/24 Confidential Minutes – Audit and Risk Committee – 15 April 2024 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 Lonie, Seconded Councillor Kane

Carried Unanimously

RETAIN IN CONFIDENCE – Section 91(7) Order

C230424/7749

That having considered Agenda Item 18.1 127/24 Confidential Minutes – Audit and Risk Committee – 15 April 2024 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 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**

18.2 **Glenelg Football Club Loan** (Report No: 117/24)

Motion - Exclusion of the Public – Section 90(3)(d) Order **C230424/7750**

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: 117/24 Glenelg Football Club Loan 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: 117/24 Glenelg Football Club Loan 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 Lonie, Seconded Councillor Miller **Carried Unanimously**

RETAIN IN CONFIDENCE – Section 91(7) Order **C230424/7751**

That having considered Agenda Item 18.2 - Glenelg Football Club Loan 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

CLOSURE

The Meeting closed at 8.15pm.

CONFIRMED 14 May 2024

MAYOR