

Confidential 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 14 March 2023.

18. ITEMS IN CONFIDENCE

- 18.1 Motion on Notice – Order of Australia Nomination – Councillor Lindop (Report No: 85/23)

Motion – Exclusion of the Public – Section 90(3)(a)&(o)) Order C140323/7382

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: 85/23 Motion on Notice – Order of Australia Nomination – Councillor Lindop 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: 85/23 Motion on Notice – Order of Australia Nomination – Councillor Lindop 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: 85/23 Motion on Notice – Order of Australia Nomination – Councillor Lindop is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), because all nominations are confidential, and the person being nominated should not be advised of the nomination or approached for information.
 - o. information relating to a proposed award recipient before the presentation of the award.
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

Motion

Councillor Lindop proposed the following motion:

1. That Council Administration prepare and submit a nomination for Brighton Resident Sarah Tinney for an Order of Australia, in recognition of her outstanding fundraising efforts and contribution to the community through the Brighton Marilyn Jetty Swim.



RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Agenda Item 18.1 Report No: 85/23 Motion on Notice – Order of Australia Nomination – Councillor Lindop in confidence under section 90(2) and (3)(a)&(o) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, discussion and minutes be retained in confidence until the recipient is given the award or until notification is received that the application is unsuccessful and/or the Chief Executive Officer is authorised to release the documents and that this order be reviewed every 24 months.

Moved Councillor Lindop, Seconded Councillor Bradshaw

Adjournment

C140323/7383

That the report be adjourned to seek further information on the Order of Australia nomination and be brought back to Council once the information has been attained.

Moved Councillor Smedley, Seconded Councillor Lonie

Carried

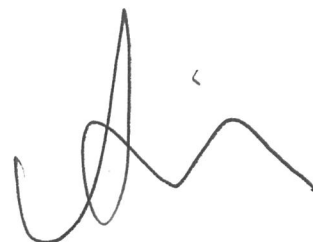
Councillors Bradshaw, Fleming and Snewin spoke to the motion. Councillor Lindop has the right of reply as the mover.

RETAIN IN CONFIDENCE - Section 91(7) Order

C140323/7384

That having considered Agenda Item 18.1 Report No: 85/23 Motion on Notice – Order of Australia Nomination – Councillor Lindop in confidence under section 90(2) and (3)(a)&(o) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the minutes be retained in confidence until the recipient is given the award or until notification is received that the application is unsuccessful, the Chief Executive Officer is delegated the authority to revoke the order in whole or part, and that this order be reviewed every 12 months (provided that nothing in this order should be taken to prevent the Chief Executive Officer from gaining further information on the nomination).

Moved Councillor Lindop, Seconded Councillor O'Donohue

Carried Unanimously

18.2 Commercial Licence Extension (Report No: 72/23)

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

C140323/7385

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: 72/23, Commercial Licence Extension 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: 72/23, Commercial Licence Extension 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.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Councillor Snewin, Seconded Councillor Lonie

Carried Unanimously

The RD Jones Group currently have a licence to operate the Moseley Beach Club on Glenelg Beach from November to March. They have formally requested an extension to trade until 16 April 2023 to take advantage of the tourism and promotional opportunities presented by AFL Gather Round taking place in Adelaide 13-16 April 2023.

Motion

1. That Council grant an extension of RD Jones Group's existing licence to operate the Moseley Beach Club until 16 April 2023, with the beach to be completely vacated by 19 April 2023.



RETAIN IN CONFIDENCE - Section 91(7) Order

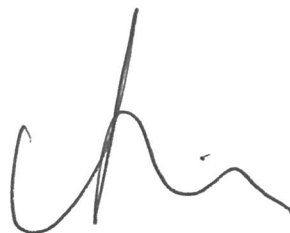
C140323/7386

2. That having considered Agenda Item 18.2 Report No: 72/23, Commercial Licence Extension, 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 six months and/or the Chief Executive Officer is authorised to release the documents when the extended dates are publicised.

Moved Councillor Patton, Seconded Councillor Kane

Carried

CONFIDENTIAL

A handwritten signature in black ink, appearing to be the initials 'CK' followed by a flourish.

18.3 Jetty Road Mainstreet Committee Nominations (Report No: 87/23)

Motion – Exclusion of the Public – Section 90(3)(a) Order**C140323/7387**

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: 87/23 Jetty Road Mainstreet Committee Nominations 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: 87/23 Jetty Road Mainstreet Committee Nominations 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: 87/23 Jetty Road Mainstreet Committee Nominations is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
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

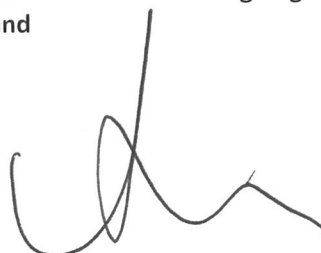
Carried Unanimously

The Jetty Road Mainstreet Committee (JRMC) comprises of up to 13 persons who are a mix of the Jetty Road Mainstreet Precinct business or commercial property owners (nine persons), Elected Members of Council (two persons) and if the Committee wishes to do so, independent members (two persons).

Business and commercial property owners within the boundaries of the Jetty Road, Glenelg precinct who contribute to the separate rate levy were invited to nominate for a position on the Jetty Road Mainstreet Committee. There were nine positions available for either a landlord or trader for the period 1 April 2023 – 31 March 2025. Nominations were open from 2 February to 15 February 2023. The selection panel met on 27 February 2023 and this report provided their recommendations for the appointment of the Committee.

Motion**That Council:**

1. Acknowledges the service and commitment of the outgoing Jetty Road Mainstreet Committee members; and



2. Endorses the appointment of the following members to the Jetty Road Mainstreet Committee:
- Ms Gilia Martin, Attitudes Boutique
 - Mr Angus Warren, Beach Burrito Company
 - Ms Bayley Millard, Yo-Chi
 - Mr Antonio (Tony) Beatrice, Cibo Espresso Glenelg
 - Mr Anthony Chhoy, Chatime
 - Mr Adoni Fotopoulos, Ikos Holdings Trust
 - Mr Chris Morley, Echelon Studio – Architecture and Design
 - Mr Damien Murphy, Glenelg Finance
 - Ms Shannon Smith, Royal Copenhagen Glenelg and Brighton

RETAIN IN CONFIDENCE - Section 91(7) Order

C140323/7388

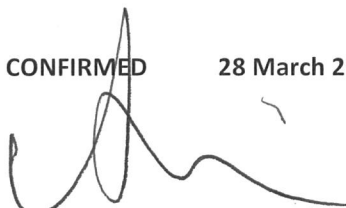
3. That having considered Agenda Item 18.3 Report no: 87/23 Jetty Road Mainstreet Committee Nominations in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and minutes relevant to this item be retained in confidence for a period of six (6) months or the Chief Executive Officer is authorised to release the documents when all applicants have been advised of the outcome of the nomination process.

Moved Councillor Kane, Seconded Councillor Patton

Carried Unanimously

CONFIRMED

28 March 2023



MAYOR