



## **Minutes of the Ordinary Meeting of Council Held in the Council Chamber, Glenelg Town Hall on 9 July 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 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

**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 - Nil

**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**

**C090724/7806**

**That the minutes of the Ordinary Meeting of Council held on 25 June 2024 be taken as read and confirmed.**

Moved Councillor Lonie, Seconded Councillor Patton

**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 **Art Deco Heritage Review**

Councillor Miller asked for an update on the status of the Art Deco Heritage Review.

General Manager, Strategy and Corporate provided a response.

10.1.2 **Debris at Mawson Oval**

Councillor Fleming asked a question in relation to the tree debris at Mawson Oval.

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

10.1.3 **Patawalonga Toilet Block**

Councillor Kane asked a question in relation to the Patawalonga toilet block.

General Manager, Assets and Delivery provided a response.

10.1.4 **Burnham Road Bench**

Councillor Lindop asked a question in relation to the bench on Burnham Road, Kingston Park.

General Manager, Assets and Delivery provided a response.

10.2 **On Notice** - Nil

**11. MEMBER'S ACTIVITY REPORTS** - Nil

## 12. MOTIONS ON NOTICE

- 12.1 **Motion on Notice – Path in Bowker Oval - Councillor Fleming**  
(Report No: 224/24)

**Motion**

**C090724/7807**

**That Administration design and cost a compliant path within the Bowker Oval facility that allows access from the northern and southern carparks to the BBQ area that provides access to the Community Garden and playspace. That a report be brought back to Council with the design options and associated costings.**

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

## 13. ADJOURNED MATTERS - Nil

## 14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES

- 14.1 **Minutes – Executive Committee – 18 June 2024** (Report No: 222/24)

The minutes of the meeting of the Executive Committee held 18 June 2024 were presented to Council for information.

**Motion**

**C090724/7808**

**That Council:**

1. **notes the minutes of the meeting of the Executive Committee of 18 June 2024;**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

2. **That having considered Agenda Item 14.3 222/24 – Minutes – Executive Committee – 18 June 2024 in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, Council, pursuant to section 91(7) of that 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 Patton, Seconded Councillor Lonie **Carried Unanimously**

### **Conflict of Interest**

Councillor Fleming declared a general conflict of interest for Item 14.2 – **Minutes – Transforming Jetty Road Committee – 19 June 2024** (Report No: 207/24) (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 and leaving the chamber at 7.08pm.

14.2 **Minutes – Transforming Jetty Road Committee – 19 June 2024**  
(Report No: 207/24)

The minutes of the meeting of the Transforming Jetty Road Committee held 19 June 2024 were presented to Council for information.

**Motion**

**C090724/7809**

**That Council:**

1. **notes the minutes of the meeting of the Transforming Jetty Road Committee of 19 June 2024.**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

2. **That having considered Agenda Item 14.2 207/24 – Minutes – Transforming Jetty Road Committee – 19 June 2024 in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, Council, pursuant to section 91(7) of that 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 Kane, Seconded Councillor Lonie

**Carried**

Councillor Fleming re-joined the chamber at 7.09pm.

**15. REPORTS BY OFFICERS**

15.1 **Items in Brief** (Report No: 216/24)

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**

**C090724/7810**

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

1. **Update on the future of e-scooters and other personal devices in South Australia**
2. **Glenelg Bowling Club Discounted Parking**

3. **Minister Scriven MLC correspondence on Sharks and Stingrays**
4. **Southern Region Waste Resource Authority Charter 2024**

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

15.2 **Brighton Croquet Club Lease Extension** (Report No: 220/24)

The Brighton Croquet Club lease at Brighton Oval expired on 30 June 2023 with a right of extension for a further five-years. The report sought Council's endorsement for a five-year extension to the lease between Council and the Brighton Croquet Club at Brighton Oval.

**Motion** **C090724/7811**

**That Council:**

1. **enters into a Deed of Extension of Lease with Brighton Croquet Club Incorporated over a portion of land contained within Certificate of Title Volume 5750 Folio 187 for a period of five (5) years backdated to 1 July 2023; and**
2. **authorises the Mayor and Chief Executive Officer to execute and seal the Deed required to give effect to the extension.**

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

15.3 **Holdfast Bay Community Centre – New Lease** (Report No: 221/24)

The lease with Spinal Cord Injuries Australia at the Holdfast Bay Community Centre expired on 30 June 2024 without a right of extension. The report sought Council's endorsement for a new one-year lease between Council and Spinal Cord Injuries Australia at the Holdfast Bay Community Centre, with the option for a further one-year extension.

**Motion** **C090724/7812**

**That Council:**

1. **enters into a Lease with Spinal Cord Injuries Australia over a portion of land contained within Certificate of Title Volume 5933 Folio 501 for a period of one year commencing 1 July 2024, with the option for a further one-year extension; and**
2. **authorises the Mayor and Chief Executive Officer to execute and seal the Deed required to give effect to the Lease.**

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

15.4 **Deaccession of Planets Sculpture** (Report No: 217/24)

The Planets sculpture created by sculptor Rod Manning is located on the Somerton Park Esplanade and is part of public artworks that add interest and vibrancy along the coast path.

The condition of the sculpture has deteriorated and needs to be removed and deaccessioned from our Public Art assets register.

**Motion**

**C090724/7813**

**That Council:**

1. **notes the removal of the Planets sculpture from the public realm; and**
2. **endorses removal of the artwork from the Council's Assets Register.**

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

15.5 **Tourism Recovery Plan 2023 – Outcomes and Achievements** (Report No: 218/24)

The Tourism Recovery Plan 2023 was adopted by Council in February 2021, confirming an ongoing commitment of Council to see the City of Holdfast Bay go from strength to strength as a tourism destination. The main aim of the Tourism Recovery Plan 2023 was to return visitation and expenditure to pre-COVID-19 levels, with a target of 1.4 million visitors and \$265 million in tourism expenditure annually. Over the last three years, Council has fulfilled the majority of the actions outlined in the Tourism Recovery Plan 2023. Although visitation numbers have not quite returned to pre-COVID levels, in terms of spend the City of Holdfast Bay's visitor economy has now fully recovered.

**Motion**

**C090724/7814**

**That Council notes the report.**

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

15.6 **Call for Nominations – Greater Adelaide Regional Organisation of Councils**  
(Report No: 219/24)

The Local Government Association (LGA) is calling for nominations to fill the two positions allocated to each Regional Grouping of Councils on the Greater Adelaide Regional Organisation of Councils (eight positions in total). These positions will commence office from the conclusion of the 2024 LGA Annual General Meeting (AGM) and will remain in office until the conclusion of the 2026 AGM, unless otherwise extended following a change to the LGA's Constitution of GAROC Terms of Reference.

Council was asked to determine if a nomination is to be made for the Greater Adelaide Regional Organisation of Council to represent the Western region of councils: Charles Sturt, Holdfast Bay, Port Adelaide Enfield and West Torrens.

**Motion**

**C090724/7815**

**Deputy Mayor Susan Lonie be nominated for the Greater Adelaide Regional Organisation of Councils to represent the Western region.**

Moved Councillor Smedley, Seconded Councillor Miller

**Carried Unanimously**

16. **RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**
17. **URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil**
18. **ITEMS IN CONFIDENCE**

**Conflict of Interest**

Councillor Fleming declared a general conflict of interest for Item 18.1 – **Transforming Jetty Road Concept Plan – City Zone** (Report No: 210/24) (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 and leaving the chamber at 7.28pm.

- 18.1 **Transforming Jetty Road Concept Plan – City Zone** (Report No: 210/24)

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

**C090724/7816**

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: 210/24 Transforming Jetty Road Concept Plan- City Zone 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: 210/24 Transforming Jetty Road Concept Plan - City Zone 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. This information would prejudice the commercial position of Council.
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**

#### **Short Term Suspension of Meeting Procedures**

Her Worship the Mayor with the approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* for a period of 25 minutes to allow for informal discussions and questions.

Leave of the meeting was granted.

The meeting procedures were suspended at 7.30pm.

With two thirds of the members present extended the suspension of the meeting procedures for an additional 20 minutes to continue the information discussions and questions.

The meeting resumed at 8.12pm.

#### **RETAIN IN CONFIDENCE – Section 91(7) Order**

**C090724/7817**

**That having considered Agenda 18.1 Transforming Jetty Road Concept Plan - City Zone 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 relevant to this item be retained in confidence for a period of 12 Months and/or the Chief Executive Officer is authorised to release the documents when the City Zone procurement activity is completed and that this order be reviewed every 12 months.**

Moved Councillor Smedley, Seconded Councillor Kane

**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, Miller, O'Donohue, Smedley (10)

Those voting against:

Councillor Bradshaw (1)

The Mayor declared the motion

**Carried**

Councillor Fleming returned to the chamber at 8.15pm

18.2      **2023-24 Performance Review – Chief Executive Officer (Report No: 223/24)**

**Motion - Exclusion of the Public – Section 90(3)(a) Order                      C090724/7818**

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 General Manager, Assets and Delivery and staff minute taker in attendance at the meeting in order to consider Report No: 223/24 – 2023-24 Performance Review – Chief Executive Officer 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: 223/24 – 2023-24 Performance Review – Chief Executive Officer 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: 223/24 – 2023-24 Performance Review – Chief Executive Officer is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Chief Executive Officer, Mr Roberto Bria, in that details of his performance review will be discussed, which are sensitive and are details only known to those who have participated in the discussion.**

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 Smedley, Seconded Councillor Snewin

Carried

RETAIN IN CONFIDENCE – Section 91(7) Order

C090724/7819

That having considered Agenda Item 18.2 223/24 - 2023-24 Performance Review – Chief Executive Officer 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, attachment and minutes be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

Moved Councillor Lonie, Seconded Councillor Patton

Carried Unanimously

## CLOSURE

The Meeting closed at 8.16pm.

CONFIRMED 23 July 2024

MAYOR