



Minutes of the Ordinary Meeting of Council Held in the Council Chamber, Glenelg Town Hall on 27 August at 7.00pm

MEMBERS PRESENT

Mayor A Wilson
Councillor R Abley
Councillor J Fleming
Councillor A Kane
Councillor C Lindop
Councillor S Lonie
Councillor W Miller
Councillor R Patton
Councillor J Smedley
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 - Councillor R Snewin, Councillor A Bradshaw

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

C270824/7852

That the minutes of the Ordinary Meeting of Council held on 13 August 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 Art Deco Heritage Review.

General Manger, Strategy and Corporate provided a response.

10.2 On Notice - Nil

11. MEMBER'S ACTIVITY REPORTS - Nil

12. MOTIONS ON NOTICE - Nil

13. ADJOURNED MATTERS - Nil

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES

14.1 **Minutes – Alwyndor Management Committee – 25 July 2024**
(Report No: 275/24)

The minutes of the Alwyndor Management Committee meeting held 25 July 2024 were provided for information.

Motion

C270824/7853

1. That the minutes of the Alwyndor Management Committee meeting held 25 July 2024 be noted.

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Attachment 2 to Report No: 275/24 Minutes - Alwyndor Management Committee – 25 July 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 Abley

Carried Unanimously

14.2 **Minutes – Jetty Road Mainstreet Committee – 7 August 2024**
(Report No: 277/24)

The Minutes of the Jetty Road Mainstreet Committee meeting held 7 August 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

C270824/7854

That Council notes the minutes of the Jetty Road Mainstreet Committee of 7 August 2024.

Moved Councillor Kane, Seconded Councillor Abley

Carried Unanimously

14.3 **Minutes – Audit and Risk Committee – 14 August 2024** (Report No: 280/24)

The minutes of the meeting of the Audit and Risk Committee held 14 August 2024 were presented to Council for information.

Motion

C270824/7855

That Council notes the minutes of the meeting of the Audit and Risk Committee of 14 August 2024, namely that the Audit and Risk Committee:

1. **advises Council it has received and considered a Standing Items Report addressing:**
 - **Monthly Financial Statements**
 - **External Audit**
 - **Public Interest Disclosures**
 - **Economy and Efficiency Audits**
 - **Council Recommendations**
 - **Audit and Risk committee meeting schedule**
2. **has received and noted a report comprising a performance review of 2023-24 municipal investments, as required under section 140 of the Local Government Act 1999;**
3. **advises Council it has considered the draft Asset Management Plans and draft Asset Management Strategy; and supports its presentation to Council for community consultation;**
4. **has received and noted the outcome of the 2023-24 desktop Asset Revaluation for Council’s Road and Kerb assets; and**

5. **has received and noted a report regarding the performance of Alwyndor's 2023-24 investments, as required under section 140 of the Local Government Act 1999 and recommends it to Council for noting.**

Leave of the meeting was sought to allow Councillor Smedley to speak to the motion for an additional three minutes. Leave of the meeting was granted by two-thirds of the members present at the meeting.

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

15. REPORTS BY OFFICERS

15.1 Items in Brief (Report No: 281/24)

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

C270824/7856

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

1. **Submission to SAPN Vegetation Management Protocol Consultation**

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

15.2 **2023-24 Preliminary Funding Statements, Budget Carried Forward and Activity Reports** (Report No: 285/24)

The report provided preliminary funding statements for the 2023-24 financial year including explanations of the interim results and major budget variations as well as detailing yet to be finalised projects to be brought forward and budgeted for in 2024-25.

The preliminary result for municipal operations shows an operating surplus of \$1,150,000 resulting in a positive budget variance of \$525,000 compared with the adopted forecast of \$625,000.

The preliminary result for Alwyndor operations shows an operating deficit of \$303,000 compared with the adopted forecast deficit of \$415,000 resulting in a positive budget variance of \$112,000.

Motion

C270824/7857

That Council:

1. **notes the provisional unaudited 2023-24 funding statements and carried forward budgets;**
2. **notes the 2023-24 Annual Business Plan activity summary;**

3. notes the 2023-24 external grant funding summary;
4. approves the carried forward amounts from the 2023-24 budget to the current year 2024-25 budget of \$413,267 operating expenditure, \$25,000 operating income, \$17,315,600 capital expenditure and \$3,180,955 capital income;
5. approves the carried forward amounts from the 2023-24 Alwyndor budget to the current year 2024-25 budget of \$720,457 capital expenditure;
6. approves the carried forward loan borrowing amount from the 2023-24 budget to the current year 2024-25 budget of \$17,320,000 to be negotiated in accordance with Council's treasury policy; and
7. the Mayor and the Chief Executive Officer be authorised to execute any relevant documentation in relation to new borrowings on behalf of Council and affix the common seal thereto.

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

15.3 **Draft Asset Management Plans** (Report No: 287/24)

The *Local Government Act (1999)* requires Council to review its Asset Management Plans prior to November 2024.

The Asset Management Plans have been reviewed and updated to include the latest asset condition and inventory data for community consultation in line with legislative requirements. The Asset Management Strategy will also be distributed for consultation as it is a new organisational document.

The draft Asset Management Plans and Asset Management Strategy were presented to the Audit and Risk Committee on 14 August 2024 and supported for community consultation.

Motion

C270824/7858

That Council:

1. approves the draft Asset Management Plans and draft Asset Management Strategy for community consultation from 29 August to 19 September 2024; and
2. notes a further report be provided to the Audit and Risk Committee and Council once community consultation has occurred and prior to Council's adoption of the Asset Management Plans.

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

15.4 **Holdfast Bay Bowls and Croquet Club Lease** (Report No: 284/24)

The Holdfast Bay Bowls and Croquet Club holds a lease over the land located at 583 Anzac Highway, Glenelg North. The current lease for the property expired on 30 June 2022 and has been held over pending separate negotiations with the sub-tenant, Bowls SA. The Holdfast Bay Bowls and Croquet Club is now seeking a new agreement to continue its tenure. As the Holdfast Bay Bowls and Croquet Club has proven to be a worthwhile tenant over many years, the report recommended that Council enters into a new Lease Agreement with the Holdfast Bay Bowls and Croquet Club for a period of five (5) years.

Motion

1. **That Council enters into a new Lease Agreement with the Holdfast Bay Bowls and Croquet Club for a term of five (5) years commencing 1 July 2024 over the whole of the land contained within Certificate of Title Volume 5582 Folio 871 at 583 Anzac Highway, Glenelg North.**
2. **That a commencing annual rent of \$3,550 (plus GST) be charged to the Holdfast Bay Bowls and Croquet Club for its tenancy over the whole of the land contained within Certificate of Title Volume 5582 Folio 871 at 583 Anzac Highway, Glenelg North.**
3. **That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to the lease for the Holdfast Bay Bowls and Croquet Club provided as Attachment 1 to this report.**

Moved Councillor Abley, Seconded Councillor Kane

Adjournment

C270824/7859

That the report be adjourned to allow Administration to seek further information on the management and revenue of signage located around the Holdfast Bowls Club, with a report to come back to Council within the next two meetings.

*Councillors Abley and Kane spoke to the motion.
Councillor Abley has the right of reply as the mover.*

Moved Councillor Fleming, Seconded Councillor Venning

Carried

15.5 **Draft Dog and Cat Management (Cat Management) Amendment Bill 2024**
(Report No: 278/24)

The draft *Dog and Cat Management (Cat Management) Amendment Bill 2024* is currently open for consultation. Council has until 18 September 2024 to respond.

This report discussed the proposed changes and provided recommended positions on each of the changes.

Motion

C270824/7860

It is recommended that Council:

- 1. notes the current consultation regarding the Dog and Cat Management (Cat Management) Amendment Bill 2024; and**
- 2. endorses the proposed responses in this report, which will be fed back to the State Government as Council's formal response.**

Moved Councillor Fleming, Seconded Councillor Lonie

Carried Unanimously

15.6 Revocation of Policies (Report No: 282/24)

The periodic review of policies is both good practice and a requirement of Council's Policy Development Policy. Reviews identify the need to revoke policies, which is a critical part of ensuring the ongoing relevance of policies.

Following comprehensive review and consultations with relevant subject matter experts, managers and the Senior Leadership Team, six Council policies + one procedure were recommended for revocation.

Motion

C270824/7861

It is recommended that Council revokes the following council policies:

- 1. Development Application Policy**
- 2. Privately Funded Development Plan Amendments Policy**
- 3. Privately Funded Development Plan Amendments Procedure**
- 4. Document Development and Management Policy**
- 5. Heatwave Response Policy**
- 6. Healthy Catering Policy**
- 7. Social Development Policy**

Moved Councillor Miller, Seconded Councillor Abley

Carried Unanimously

15.7 Southern Region Waste Resource Authority – Appointment of Board Member (Report No: 288/24)

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the "Constituent Councils"), pursuant to section 43 of *the Local Government Act 1999*.

The SRWRA Charter 2024 provides for Council to appoint two members to its Board (one of which must be an officer of Council) along with one specific deputy for each Board member or one non-specific deputy for both such Board members.

SRWRA has recommended that two Deputy Members (one Elected Member and one Council Officer) be appointed to ensure business continuity across Board meetings.

The current Council Officer Board Member is the CEO who is retiring on the 30 August 2024 and therefore leaves a vacancy on the SRWRA Board. The report sought for Council to appoint another Council Officer to the Board Member position.

Motion

C270824/7862

That Council appoints Manager Finance, Mr Cadel Blunt to the Board of SRWRA until 31 March 2027.

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

16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

17. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING

- 17.1 Councillor Smedley sought to bring forward an urgent motion without notice - Farewell to the Chief Executive Officer.

Motion

C270824/7863

Councillor Smedley acknowledged that tonight’s Council meeting marked the final meeting of the Chief Executive Officer. He expressed his gratitude and appreciation for the CEO’s dedicated service. Additionally, Councillor Smedley recognised that this meeting was also the last for the Executive Officer and Assistant to the Mayor, extending thanks for their contribution.

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

18. ITEMS IN CONFIDENCE

- 18.1 **Confidential Minutes – Audit and Risk Committee (Report No: 286/24)**

Motion - Exclusion of the Public – section 90(3)(d) Order **C270824/7864**

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: 286/24 Confidential Minutes – Audit and Risk Committee – 14 August 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: 286/24 Confidential Minutes – Audit and Risk Committee – 14 August 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 Miller, Seconded Councillor Lonie

Carried Unanimously

Motion

C270824/7865

That having considered Agenda Item 18.1 – Confidential Minutes – Audit and Risk Committee – 14 August 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, 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 Lonie

Carried Unanimously

18.2 **Alwyndor Update** (Report No: 274/24)

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

C270824/7866

1. That pursuant to section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 274/24 - Alwyndor Update in confidence.
2. That in accordance with section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 274/24 - z

- 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 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

Motion

C270824/7867

That having considered Agenda Item 18.2 Alwyndor Update 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 18 months and that this order be reviewed every 12 months.

Moved Councillor Miller, Seconded Councillor Lonie

Carried Unanimously

Conflict of Interest

Councillor Abley declared a general conflict of interest for Item 18.3 - **Glenelg Football Club Loan Update** (Report No: 289/24) (pursuant to sections 74 and 75A of the *Local Government Act 1999*), on the basis that she is in discussions with the club about a future event. Councillor Abley dealt with the general conflict of interest by making it known to the meeting and remaining in the chamber as she was acting in the interests of the community. Councillor Abley voted in favour of the motion.

- 18.3 **Glenelg Football Club Loan Update** (Report No: 289/24)

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

C270824/7868

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: 289/24 – Glenelg Football Club Loan Update 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: 289/24 – Glenelg Football Club Loan Update 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

Motion

C270824/7869

That having considered Agenda Item 18.3 – Glenelg Football Club Loan Update 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 the Chief Executive Officer is authorised to release the documents when the Audited Financial Statements are presented to Council.

Moved Councillor Smedley, Seconded Councillor Lonie

Carried Unanimously

CLOSURE

The Meeting closed at 8.21pm.

CONFIRMED 10 September 2024

MAYOR