



**Minutes of the City of Unley
Council Meeting
Monday, 11 July 2022, 7.00pm
Council Chambers
181 Unley Road Unley**

PRESENT

<i>Presiding Member</i>	<i>Mayor</i>	M. Hewitson
<i>Councillors</i>	K. Anastassiadis	J. Boisvert
	J. Bonham	M. Broniecki
	S. Dewing	J. Dodd
	P. Hughes	M. Rabbitt
	J. Russo	N. Sheehan
	E. Wright	

OFFICERS PRESENT

Chief Executive Officer, Mr P. Tsokas
General Manager City Development, Mr C. Malak
Acting Manager Governance, Ms K. Goldy
Executive Assistant Office of the CEO, Ms L. Kennedy

ACKNOWLEDGEMENT

The Presiding Member opened the meeting with the Kaurna Acknowledgement.

PRAYER AND SERVICE ACKNOWLEDGEMENT

Members stood in silence in memory of those who had made the Supreme Sacrifice in the service of their country, at sea, on land and in the air.

WELCOME

The Presiding Member welcomed Members of the Council, Senior Staff, Media and members of the gallery to the 11 July 2022, meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Deputy Mayor D. Palmer

1.2 LEAVE OF ABSENCE

Nil

1.3 CONFLICT OF INTEREST

Councillor S. Dewing declared a perceived conflict of interest in Item 7.2 Unley Central Project – Variation to Development Deed and Project Update on the basis of her employment with Sturt Football Club.

1.4 MINUTES

ITEM 1.4.1

MINUTES OF THE ORDINARY COUNCIL MEETING HELD MONDAY, 27 JUNE 2022

MOVED Councillor J. Boisvert

SECONDED Councillor E. Wright

That:

1. The minutes of the Ordinary Council held on Monday, 27 June 2022 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C0817/22

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

Nil

3. REPORTS OF COMMITTEES

Nil

4. REPORTS OF OFFICERS

Nil

5. MOTIONS AND QUESTIONS

5.1 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

5.2 MOTIONS WITHOUT NOTICE

Nil

5.3 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

5.4 QUESTIONS WITHOUT NOTICE

Nil

6. MEMBER'S COMMUNICATION

6.1 MAYORS REPORT

Nil

6.2 DEPUTY MAYORS REPORT

Nil

6.3 ELECTED MEMBERS REPORTS

Nil

6.4 CORRESPONDENCE

Nil

7. CONFIDENTIAL ITEMS

ITEM 7.1

CONFIDENTIALITY MOTION FOR 7.2 - UNLEY CENTRAL PROJECT - VARIATION TO DEVELOPMENT DEED AND PROJECT UPDATE

MOVED Councillor J. Dodd

SECONDED Councillor M. Broniecki

That:

1. Pursuant to Section 90(2) and (3)(d)(i), (d)(ii) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because it relates to:
 - 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.
 - commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.
2. In weighing up the factors related to disclosure:
 - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations; and

- non-disclosure of this item at this time will enable Council to consider information relating to commercial arrangements set out within the Unley Central Project Development Deed On that basis, the public's interest is best served by not disclosing Unley Central Project - Variation to Development Deed and Project Update, Report and discussion at this point in time.
3. Pursuant to Section 90(2) of the *Local Government Act 1999* it is recommended the Council orders that all members of the public be excluded, with the exception of staff of the City of Unley on duty in attendance.

CARRIED UNANIMOUSLY

Resolution No. C0818/22

The Meeting moved into confidence, the gallery was cleared and the doors to the Council Chamber were closed at 7.03pm.

Councillor S. Dewing declared a perceived conflict of interest in Item 7.2 Unley Central Project – Variation to Development Deed and Project Update on the basis of her employment with Sturt Football Club. Councillor S. Dewing remained in the meeting and will vote in the best interests of the community.

Item 7.2, page(s) 5, is confidential and has been removed from the public agenda/minutes

ITEM 7.3

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.2 - UNLEY CENTRAL PROJECT - VARIATION TO DEVELOPMENT DEED AND PROJECT UPDATE

MOVED Councillor M. Rabbitt

SECONDED Councillor J. Dodd

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.2 Unley Central Project - Variation to Development Deed and Project Update, considered at the Confidential Council Meeting on 11 July 2022:

- Minutes
- Report
- Attachment

remain confidential as follows:

- Minutes and Report: until 5 January 2024.
 - Attachment: until the revised concept plans have been lodged for Development Approval.
2. The Chief Executive Officer be authorised to provide details of the decision to relevant parties if required, in order to enable implementation of the decision.
 3. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the power to revoke the order under Section 91(7) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

CARRIED UNANIMOUSLY

Resolution No. C0820/22

ITEM 7.4

CONFIDENTIALITY MOTION FOR 7.5 - WASTE MANAGEMENT SERVICES CONTRACT

MOVED Councillor M. Broniecki

SECONDED Councillor K. Anastassiadis

That:

1. Pursuant to Section 90(2) and (3)(d)(i) and (d)(ii) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because it relates to:
 - 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.
 - commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.
2. In weighing up the factors related to disclosure:
 - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations; and
 - non-disclosure of this item at this time will enable Council to consider and decide upon the way forward to deliver its waste management services, without compromising the commercial position of Council or the position of the person whom council is proposing to conduct business with.

On that basis, the public's interest is best served by not disclosing Waste Management Contract, Report and discussion at this point in time.

3. Pursuant to Section 90(2) of the *Local Government Act 1999* it is recommended the Council orders that all members of the public be excluded, with the exception of staff of the City of Unley on duty in attendance.

CARRIED UNANIMOUSLY

Resolution No. C0821/22

The Meeting moved into confidence at 7.15pm.

Item 7.5, page(s) 8, is confidential and has been removed from the public agenda/minutes

ITEM 7.6

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.5 - WASTE MANAGEMENT SERVICES CONTRACT

MOVED Councillor J. Dodd

SECONDED Councillor S. Dewing

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.5 Waste Management Contract, considered at the Council Meeting on 11 July 2022:

- Minutes
- Report
- Attachment

remain confidential as follows:

- Minutes: remain confidential until such time as Council's waste management services delivery is confirmed on a final basis.
- Report & Attachment: remain confidential until the CEO determines that there is no longer any requirement to maintain confidentiality for the benefit of the commercial interests of the parties by Council in this Item. Noting the confidential orders for this Item will be reviewed every 12 months.

and not available for public inspection until the cessation of those periods.

2. The Chief Executive Officer be authorised to provide details of the decision to relevant parties if required, in order to enable implementation of the decision.
3. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the power to revoke the order under Section 91(7) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

CARRIED UNANIMOUSLY

Resolution No. C0823/22

The doors to the Council Chamber were opened at 7.23pm.

NEXT MEETING

Monday 25 July 2022 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 7.23pm.

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PRESIDING MEMBER