



**Minutes of the City of Unley  
Council Meeting  
Monday, 22 April 2024, 7.00pm  
Council Chambers  
181 Unley Road Unley**

**PRESENT**

<i>Presiding Member</i>	<i>Mayor</i>	M Hewitson
	<i>Deputy Mayor</i>	M Broniecki
<i>Councillors</i>	J Bonham	C Crabbe
	L Doyle	S Finos
	J Gaffey	P Hughes
	D Palmer	M Rabbitt
	R Rogers	J Russo

**OFFICERS PRESENT**

Chief Executive Officer, Mr P Tsokas  
General Manager City Services, Ms M Berghuis  
General Manager City Development, Mr C Malak  
General Manager Business Support & Improvement, Ms N Tinning  
Manager Governance, Mr M Labaz  
Principal Governance & Policy Officer, Ms D Edwards  
Manager Finance and Procurement, Mr A Brown  
Manager Assets and Operations, Mr A Wood  
Manager City Design, Mr B Willsmore  
Team Leader Planning, Mr D Donaldson

**ACKNOWLEDGEMENT**

The Presiding Member opened the meeting with the Kaurua 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, and members of the gallery to the 22 April 2024, meeting of the Unley City Council.

## 1. ADMINISTRATIVE MATTERS

### 1.1 APOLOGIES

Councillor G Hart

### 1.2 LEAVE OF ABSENCE

Nil

### 1.3 CONFLICT OF INTEREST

Nil

### 1.4 MINUTES

#### ITEM 1.4.1

#### **MINUTES OF THE ORDINARY COUNCIL MEETING HELD MONDAY, 25 MARCH 2024**

MOVED Councillor D Palmer

SECONDED Councillor M Rabbitt

That:

1. The minutes of the Ordinary Council held on Monday, 25 March 2024 be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

***Resolution No. C1243/24***

### 1.5 DEFERRED / ADJORNED ITEMS

Nil

## 2. PETITIONS/DEPUTATIONS

### ITEM 2.1

#### **DEPUTATION RE: GOODWOOD STATION OVERPASS**

1. Denise Tipper, Goodwood  
Re: Goodwood Station Overpass (from March 2024 Council Meeting)

### ITEM 2.2

#### **DEPUTATION RE: CAT MANAGEMENT INVESTIGATION**

1. Stefan Gabrynowicz, Parkside  
Re: Cat Management Investigation

### ITEM 2.3

#### **DEPUTATION RE: INVESTIGATION OF A PERMANENT FENCE WITH PUBLIC ACCESS FOR UNLEY OVAL**

1. Sue Dewing, Sturt Football Club  
Re: Investigation of a permanent fence with public access for Unley Oval

#### **ITEM 2.4**

#### **DEPUTATION RE: INVESTIGATION OF A PERMANENT FENCE WITH PUBLIC ACCESS FOR UNLEY OVAL**

1. Michael King, Unley  
Re: Investigation of a permanent fence with public access for Unley Oval

#### **ITEM 2.5**

#### **DEPUTATION RE: INVESTIGATION OF A PERMANENT FENCE WITH PUBLIC ACCESS FOR UNLEY OVAL**

1. David Reynolds, Sturt Football Club  
Re: Investigation of a permanent fence with public access for Unley Oval

#### **ITEM 2.6**

#### **DEPUTATION RE: INVESTIGATION OF A PERMANENT FENCE WITH PUBLIC ACCESS FOR UNLEY OVAL**

1. Julie Mitchell, Unley  
Re: Investigation of a permanent fence with public access for Unley Oval

*The Presiding Member sought leave of the meeting to bring forward Item 5.1.3 Notice of Motion from Councillor J Russo Re: Investigation of a Permanent Fence with Public Access for Unley Oval as the next order of business, and leave was granted by a two-thirds majority.*

#### **ITEM 5.1.3**

#### **NOTICE OF MOTION FROM COUNCILLOR J RUSSO RE: INVESTIGATION OF A PERMANENT FENCE WITH PUBLIC ACCESS FOR UNLEY OVAL**

MOVED Councillor J Russo

SECONDED Councillor S Finos

#### **MOTION**

That:

1. The Administration develop a concept design and confirm cost for the installation of a permanent perimeter fence with appropriate public access for Unley Oval for Council's consideration.
2. The concept design to be developed is to be undertaken as part of the proposed redevelopment of the existing public toilet facilities located at Unley Oval, on the corner Frederick Street and Langham Terrace.
3. Elected Member briefings are to be held for the purpose of:
  - Confirming the scope of the concept design to be developed.
  - Presenting the draft concept design and costs once known.
  - Confirming community engagement on the draft concept design.
4. The final concept design is to be decided and endorsed by Council.

**CARRIED**

## **DIVISION**

A Division was requested by Councillor J Russo and the previous decision was set aside. The following members responded to the Mayor's call as having voted IN FAVOUR of the MOTION:

Councillors M Broniecki, S Finos, P Hughes, D Palmer, M Rabbitt, R Rogers and J Russo

The following members responded to the Mayor's call as having voted AGAINST THE MOTION:

Councillors J Bonham, C Crabbe, L Doyle and J Gaffey

The MOTION was declared **CARRIED**

**Resolution No. C1244/24**

*The Presiding Member sought leave of the meeting to bring forward Item 5.1.1 Notice of Motion from Councillor L Doyle Re: Cat Management Investigation as the next order of business, and leave was granted by a two-thirds majority.*

### **ITEM 5.1.1**

#### **NOTICE OF MOTION FROM COUNCILLOR L DOYLE RE: CAT MANAGEMENT INVESTIGATION**

MOVED Councillor L Doyle

SECONDED Councillor C Crabbe

That:

1. Administration facilitates an Elected Member Workshop, to take place in 3 months' time, which investigates the issue of cat management by local government including:
  - a. Reviewing the various cat by-laws implemented by South Australian councils.
  - b. The process required to be undertaken by Council in order to enact and implement a cat by-law.
  - c. The cost involved with introducing a cat by-law (excluding implementation costs such as education, enforcement).
  - d. Issues relating to enforcement; how this varies depending on whether the by-law includes all cats or is restricted to cats born or registered after the by-law start date.
  - e. Costs of enforcement; comparative annual enforcement figures obtained from other SA councils with cat by-laws in place.
  - f. Lessons learnt from SA councils relating to introducing and implementing cat by-laws.

Councillor J Russo MOVED an Amendment, SECONDED by Councillor P Hughes.

That:

1. Administration facilitates an Elected Member Workshop, to take place as part of the review of the Animal Management Plan, which investigates the issue of cat management by local government including:
  - a. Reviewing the various cat by-laws implemented by South Australian councils.
  - b. The process required to be undertaken by Council in order to enact and implement a cat by-law.
  - c. The cost involved with introducing a cat by-law (excluding implementation costs such as education, enforcement).
  - d. Issues relating to enforcement; how this varies depending on whether the by-law includes all cats or is restricted to cats born or registered after the by-law start date.
  - e. Costs of enforcement; comparative annual enforcement figures obtained from other SA councils with cat by-laws in place.
  - f. Lessons learnt from SA councils relating to introducing and implementing cat by-laws.

The AMENDMENT was **LOST**

The MOTION was **LOST**  
**Resolution No. C1245/24**

### **3. REPORTS OF COMMITTEES**

Nil

### **4. REPORTS OF OFFICERS**

#### **ITEM 4.1**

#### **SHAPING UNLEY - TREE CANOPY COVER ON PRIVATE LAND**

MOVED Councillor J Bonham

SECONDED Councillor P Hughes

That:

1. The report be received.
2. The recommendations as set out in Attachment 1 to this report (Item 4.1, Council Meeting 22/04/24), be endorsed.
3. Council notes that the recommendations listed in the Financial/Budget Implications of this report form part of the Draft 2024-25 Annual Business Plan and Budget, with the remainder of initiatives to be investigated in the future.
4. The Chief Executive Officer be authorised to make minor edits as required to finalise the document.

**CARRIED UNANIMOUSLY**

**Resolution No. C1246/24**

**ITEM 4.2**

**DRAFT 2024-25 ANNUAL BUSINESS PLAN AND BUDGET FOR  
COMMUNITY CONSULTATION**

MOVED Councillor J Gaffey

SECONDED Councillor M Broniecki

That:

1. The report be received.
2. The proposed list of net Operating Projects for 2024-25 of \$1.69M (pages 34-37 of Attachment 1, Item 4.2, Council Meeting 22/04/2024) be endorsed for community consultation.
3. The proposed list of New Capital Projects for 2024-25 of \$4.32M (pages 38-40 of Attachment 1, Item 4.2, Council Meeting 22/04/2024) be endorsed for community consultation.
4. The proposed Capital Renewal Program for 2024-25 of \$12.31M (pages 42-45 of Attachment 1, Item 4.2, Council Meeting 22/04/2024) be endorsed for community consultation.
5. The proposed General Rate rise of 3.75% (before additional income from new developments and capital improvements), and operating surplus ratio of 4.3%, be endorsed for community consultation.
6. The Draft 2024-25 Annual Business Plan and Budget (Attachment 1, Item 4.2, Council Meeting 22/04/2024) (incorporating any consequential amendments from other items considered at the meeting of 22 April 2024) be endorsed for the purpose of community consultation, to be conducted between 29 April and 20 May 2024.
7. The Chief Executive Officer be authorised to make any necessary minor edits required for consistency or clarity to the Draft 2024-25 Annual Business Plan and Budget, if required.

**CARRIED**

***Resolution No. C1247/24***

### ITEM 4.3

## DRAFT 2024-25 TO 2033-34 LONG-TERM FINANCIAL PLAN FOR COMMUNITY CONSULTATION

MOVED Councillor M Broniecki

SECONDED Councillor J Gaffey

That:

1. The report be received.
2. The Audit and Risk Committee's recommendation for the key financial targets, as set out below, for the Draft 2024-25 to 2033-34 Long-Term Financial Plan be noted.
  - The *Operating Surplus Ratio* target be an annual range of 4% to 6% with a 5% average over the life of the Plan (excluding equity accounted businesses).
  - The *Net Financial Liabilities Ratio* target be set at less than 80%
  - The *Asset Renewal Funding Ratio* target be set at equal to 100% year average over the life of the Plan.
3. The Audit and Risk Committee's recommendation that the Draft 2024-25 to 2033-34 Long-Term Financial Plan be endorsed for community consultation be noted.
4. The Draft 2024-25 to 2033-34 Long-Term Financial Plan, as set out in Attachment 1 to this report (Item 4.3, Council Meeting 22/04/2024), be endorsed for the purpose of community consultation.
5. The key financial targets, as set out below, for the Draft 2024-25 to 2033-34 Long-Term Financial Plan be endorsed.
  - The *Operating Surplus Ratio* target be an annual range of 4% to 6% with a 5% average over the life of the Plan (excluding equity accounted businesses).
  - The *Net Financial Liabilities Ratio* target be set at less than 80%.
  - The *Asset Renewal Funding Ratio* target be set at equal to 100% year average over the life of the Plan
6. The Chief Executive Officer be authorised to make minor editorial and formatting changes as required to finalise the document for consultation.

**CARRIED UNANIMOUSLY**

***Resolution No. C1248/24***

*Councillor J Bonham left the Chambers at 9:05pm.*

*Councillor J Bonham returned to the Chambers at 9:06pm.*

**ITEM 4.4  
EASTERN WASTE MANAGEMENT AUTHORITY DRAFT 2024-25 ANNUAL  
BUSINESS PLAN**

MOVED Councillor J Russo

SECONDED Councillor L Doyle

That:

1. The report be received.
2. The Eastern Waste Management Authority (East Waste) be advised that pursuant to Clause 52 of its Charter, the City of Unley has considered and approves its Draft 2024-25 Annual Business Plan, as set out in Attachment 1 of this report (Item 4.4, Council Meeting 22/04/2024).

**CARRIED UNANIMOUSLY**

***Resolution No. C1249/24***

*Councillor C Crabbe left the Chambers at 9:11pm.*

**ITEM 4.5  
ASSET MANAGEMENT PLANS**

MOVED Councillor M Broniecki

SECONDED Councillor M Rabbitt

That:

1. The report be received.
2. The community consultation summary and detailed responses on the draft Asset Management Plans, as contained in Attachments 6 and 7 to this report, be noted.
3. The Asset Management Plans 2023, as contained in Attachments 1 to 4 to this report (Item 4.5, Council Meeting 22/04/24), be adopted.
4. The financial implications and projections, as contained in the adopted Asset Management Plans 2023, be incorporated within Council's Long Term Financial Plan.
5. The Chief Executive Officer be authorised to make minor editorial and formatting changes as part of the finalisation process for the adoption of the Asset Management Plans 2023.

**CARRIED UNANIMOUSLY**

***Resolution No. C1250/24***



**ITEM 4.6  
EASTERN REGIONAL ALLIANCE COUNCILS POWER PURCHASING  
AGREEMENT**

MOVED Councillor P Hughes  
SECONDED Councillor J Bonham

That:

1. The report be received.
2. Council approves the Administration partnering with the Eastern Region Alliance councils and the City of Tea Tree Gully to form a buying group of councils to conduct a procurement process for a long-term renewable electricity Retail Power Purchasing Agreement (PPA).
3. Council approves the development and signing of a Memorandum of Understanding between the participating councils, documenting the group procurement process.
4. Council delegates authority to the Chief Executive Officer to sign a contractual agreement for a PPA, with the preferred supplier, following the group procurement process.

**CARRIED UNANIMOUSLY**

***Resolution No. C1251/24***

*Councillor C Crabbe returned to the Chambers at 9:13pm.*

**ITEM 4.7  
DISABILITY ACCESS AND INCLUSION PLAN 2022-2026 UPDATE**

MOVED Councillor L Doyle  
SECONDED Councillor R Rogers

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

***Resolution No. C1252/24***

**ITEM 4.8  
REQUEST TO FLY ITALIAN FLAG ON 2 JUNE 2024**

MOVED Councillor J Gaffey  
SECONDED Councillor L Doyle

That:

1. The report be received.
2. The request to fly the National Flag of Italy at the Unley Civic Centre in recognition of Italian National Day (2 June 2024), be approved with the flag to be raised in the morning on Friday 31 May 2024 and lowered in the morning on Monday 3 June 2024.

**CARRIED UNANIMOUSLY**

**ITEM 4.9**

**CODE OF PRACTICE - ACCESS TO COUNCIL AND COMMITTEE MEETINGS AND DOCUMENTS - REVIEW FOR PUBLIC CONSULTATION**

MOVED Councillor M Rabbitt

SECONDED Councillor M Broniecki

That:

1. The report be received.
2. The revised Code of Practice – Access to Council and Committee Meetings and Documents as set out in Attachment 2 to this Report (Item 4.9, Council Meeting 22/04/2024), be endorsed for public consultation pursuant to Section 92(5) of the Local Government Act 1999.
3. The Chief Executive Officer be authorised to make amendments of a minor editorial, formatting and/or technical nature to the revised Code of Practice – Access to Council and Committee Meetings and Documents prior to release for public consultation.

**CARRIED UNANIMOUSLY**

**Resolution No. C1254/24**

**ITEM 4.10**

**COUNCIL ACTION RECORDS**

MOVED Councillor D Palmer

SECONDED Councillor C Crabbe

That:

1. The report be noted.

**CARRIED UNANIMOUSLY**

**Resolution No. C1255/24**

**5. MOTIONS AND QUESTIONS**

**5.1 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

*Item 5.1.1 Notice of Motion from Councillor L Doyle Re: Cat Management Investigation was brought forward in the Agenda to immediately follow Item 5.1.3.*

**ITEM 5.1.2**

**NOTICE OF MOTION FROM COUNCILLOR J BONHAM RE: PARKING MANAGEMENT PLAN AMENDMENT**

MOVED Councillor J Bonham

SECONDED Councillor J Gaffey

**MOTION**

That:

1. Section 10 of the Unley Parking Management Plan 2023-2033 be amended as follows:
  - Resident Only Parking Permits are only issued to residents who do not have off-street parking AND who currently hold a Resident Only Parking Permit.
  - Resident Only Parking Permits are not issued to current residents who do not have off-street parking AND who do not hold a Resident Only Parking Permit.
  - Resident Only Parking Permits are not issued to new residents who move into properties without off-street parking.

**CARRIED**

**Resolution No. C1256/24**

*Item 5.1.3 Notice of Motion from Councillor J Russo Re: Investigation of a Permanent Fence with Public Access for Unley Oval was brought forward in the Agenda to immediately follow Item 2 Petitions/Deputations.*

**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**

**ITEM 6.1.1**

**MAYOR'S REPORT FOR MONTH OF APRIL 2024**

MOVED Councillor P Hughes

SECONDED Councillor M Rabbitt

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**Resolution No. C1257/24**

## **6.2 DEPUTY MAYORS REPORT**

### **ITEM 6.2.1**

#### **DEPUTY MAYOR'S REPORT FOR MONTH OF APRIL 2024**

MOVED Councillor L Doyle

SECONDED Councillor J Bonham

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

***Resolution No. C1258/24***

## **6.3 ELECTED MEMBERS REPORTS**

### **ITEM 6.3.1**

#### **REPORTS OF MEMBERS FOR APRIL 2024**

Council noted attached reports from Members:

1. Councillor D Palmer

## **6.4 CORRESPONDENCE**

### **ITEM 6.4.1**

#### **CORRESPONDENCE**

The correspondence from:

- Jack Batty MP Member for Bragg – Re. Support for City of Burnside for the Truro Bypass Project and Progressing the Greater Adelaide Freight Bypass (GAFB) Project
- Mayor Michael Hewitson to the Hon Tom Koutsantonis MP Minister for Infrastructure & Transport – Re. Support for Goodwood Station Overpass
- Mayor Michael Hewitson to Jayne Stinson, Member for Badcoe – Re. Support for Goodwood Station Overpass
- Mayor Michael Hewitson to Jon Whelan, Chief Executive Officer, Department for Infrastructure & Transport – Re. Support for Goodwood Station Overpass

was noted.

## 7. CONFIDENTIAL ITEMS

### ITEM 7.1

#### CONFIDENTIALITY MOTION FOR 7.2 - UNLEY CENTRAL - REVISED DEVELOPMENT PROPOSAL

MOVED Councillor M Broniecki

SECONDED Councillor J Bonham

That:

1. Pursuant to section 90(2) and (3)(d)(i) and (d)(ii) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at the part of the meeting relating to Agenda item 7.2, except for the following persons:

- Chief Executive Officer, Mr Peter Tsokas
- General Manager City Services, Ms Megan Berghuis
- General Manager City Development, Mr Claude Malak
- General Manager Business Support & Improvement, Ms Nicola Tinning
- Manager Governance, Mr Mark Labaz
- Principal Governance & Policy Officer, Ms Danielle Edwards
- Team Leader Planning, Mr Don Donaldson
- Manager Assets and Operations, Mr Aaron Wood
- Manager City Design, Mr Ben Willsmore

To enable the Council to consider Item 7.2 in confidence on the basis that Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 7.2.

- 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

**CARRIED UNANIMOUSLY**

***Resolution No. C1259/24***

The doors to the Council Chambers were closed at 9:31pm.

Item 7.2, page 15 is confidential and has been removed from the public minutes

**ITEM 7.3  
CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.2 -  
UNLEY CENTRAL - REVISED DEVELOPMENT PROPOSAL**

MOVED Councillor M Rabbitt  
SECONDED Councillor C Crabbe

That:

1. Pursuant to section 91(7) of the *Local Government Act 1999* the Council orders that the following document(s) relating to Agenda Item 7.2 Unley Central - Revised Development Proposal, shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3) (d)(i) and (d)(ii)
  - Minutes
  - Report
  - Attachment
  - 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. This order shall operate:
  - Until the application is made publicly available by the State Commission Assessment Panel (SCAP)and be reviewed every 12 months (if the confidentiality period is longer than 12 months in duration)
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer (or insert other officer title) the power to revoke this order in whole or in part.

**CARRIED UNANIMOUSLY**

***Resolution No. C1261/24***

The doors to the Council Chambers were opened at 9:41pm.

**NEXT MEETING**

Monday 27 May 2024 – 7:00pm

**CLOSURE**

The Presiding Member closed the meeting at 9:41pm.

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**PRESIDING MEMBER**