



**Minutes of the City of Unley
Council Meeting
Monday, 24 July 2023, 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>	C Crabbe	L Doyle
	S Finos	G Hart
	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
Manager Finance & Procurement, Mr A Brown
Manager Governance, Mr M Labaz
Executive Assistant to the CEO & Mayor, Ms L Gregory

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, and members of the gallery to the 24 July 2023 meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Councillor J Gaffey
Councillor J Bonham

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, 26 JUNE 2023

MOVED Councillor M Broniecki
SECONDED Councillor S Finos

That:

1. The minutes of the Ordinary Council held on Monday, 26 June 2023 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C1088/23

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

Nil

3. REPORTS OF COMMITTEES

Nil

4. REPORTS OF OFFICERS

ITEM 4.1

EMPLOYEE CODE OF CONDUCT

MOVED Councillor M Broniecki

SECONDED Councillor D Palmer

That:

1. The report be received.
2. The Employee Code of Conduct policy as set out in Attachment 3 to this report (Item 4.1, Council Meeting 24/07/2023) be adopted.
3. The Chief Executive Officer be authorised to make minor editorial amendments to the Employee Code of Conduct policy as part of the finalisation of the document.

CARRIED UNANIMOUSLY

Resolution No. C1089/23

ITEM 4.2

2023-24 FEES AND CHARGES AMENDMENT

MOVED Councillor M Rabbitt

SECONDED Councillor J Russo

That:

1. The report be received.
2. The 2023-24 Fees and Charges Schedule be updated to include the fees described below:
 - 2.1 Request for Copies of Development Plans and Reports held by Council (excluding SA Plan portal documents) \$27.30.
 - 2.2 Photocopying B&W large Plans A2, A1 or A0 (per Page) \$6.50.
 - 2.3 Photocopying Colour large Plans A2, A1 or A0 (per Page) \$13.00.

CARRIED UNANIMOUSLY

Resolution No. C1090/23

ITEM 4.3

DISCRETIONARY RATE REBATE APPLICATIONS

MOVED Councillor P Hughes

SECONDED Councillor R Rogers

That:

1. The report be received.
2. The application from the Chinese Association of South Australian Inc. (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(b)(c)(d)(j) of the Local Government Act 1999 be granted a 50% rate rebate commencing 1 July 2023, until the end of the Council term.
3. The application from the Maharishi Foundation Australia Ltd (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(d) of the Local Government Act 1999 be granted a 50% rate rebate commencing 1 July 2023, until the end of the Council term.
4. The application from SA Council of Social Service (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(j) of the Local Government Act 1999 be granted a 75% rate rebate commencing 1 July 2023 until the end of the Council term.
5. The application from Bible College SA (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(d) of the Local Government Act 1999 be granted a 75% rate rebate commencing 1 July 2023, until the end of the Council term.
6. The application from Tabor College Inc (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(d) of the Local Government Act 1999 be granted a 75% rate rebate commencing 1 July 2023, until the end of the Council term.
7. The application from Parkside Community Child Care Centre Inc. (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(d)(g) of the Local Government Act 1999 be granted a 75% rate rebate commencing 1 July 2023, until the end of the Council term.
8. The application from Unley Community Child Care Centre Inc. (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(b)(d)(g)(j) of the Local Government Act 1999 be granted a 75% rate rebate commencing 1 July 2023, until the end of the Council term.

9. The application from Unley Early Learning Centre Inc. (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(b)(d)(g)(j) of the Local Government Act 1999 be granted a 75% rate rebate commencing 1 July 2023, until the end of the Council term.
10. The application from Latvian Co-operative Trust (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(b)(c)(d)(g)(j) of the Local Government Act 1999 be granted a 25% rate rebate commencing 1 July 2023, until the end of the Council term.
11. The application from The Uniting Church in Australia Property Trust at 2 Carlton Street, Highgate (netball courts) (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(j) of the Local Government Act 1999 be granted a 75% rate rebate commencing 1 July 2023, until the end of the Council term.
12. The application from The Uniting Church in Australia Property Trust at 1A Carlton Street, Highgate (carpark) (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(j) of the Local Government Act 1999 be granted a 50% rate rebate commencing 1 July 2023, until the end of the Council term.
13. The application from The Unley RSL Sub-branch (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(c)(d)(g)(j) of the Local Government Act 1999 be granted a 75% rate rebate commencing 1 July 2023, until the end of the Council term.
14. The application from St John Ambulance Australia SA (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(j) of the Local Government Act 1999 be granted a 75% rate rebate commencing 1 July 2023, until the end of the Council term.
15. The application from SA Ambulance Service (Item 4.3, Council Meeting 24/07/2023) for a discretionary rate rebate under section 166(1)(j) of the Local Government Act 1999 be granted a 75% rate rebate commencing 1 July 2023, until the end of the Council term.
16. The Administration advise the discretionary rate rebate applicants of the outcome of their Application.

CARRIED UNANIMOUSLY

Resolution No. C1091/23

ITEM 4.4

**REQUEST TO FLY PRIDE FLAG - CELEBRATING DIVERSITY MONTH
NOVEMBER 2023**

MOVED Councillor L Doyle

SECONDED Councillor C Crabbe

That:

1. The report be received.
2. The Progress Pride Flag be flown from the fifth flagpole situated at the Civic Centre on Unley Road for the month of November 2023 (excluding 10am 17 November to 10am 20 November as per Council's approval to fly the Latvian Flag) in support of the "Pridevember" initiative of the Feast Festival.

CARRIED UNANIMOUSLY

Resolution No. C1092/23

ITEM 4.5

COUNCIL ACTION RECORDS

MOVED Councillor D Palmer

SECONDED Councillor M Broniecki

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C1093/23

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

ITEM 5.3.1

QUESTION ON NOTICE FROM COUNCILLOR L. DOYLE RE: OPENING UNLEY POOL THROUGH THE WINTER SEASON

The following Questions on Notice have been received from Councillor L Doyle and the answers are provided:

QUESTIONS

1. What would be the additional cost to keep the Unley Swimming Centre (Centre) open through the winter season (ie all year round)? Please provide an estimated break down of :
 - pool running costs (heating, maintenance, cleaning)
 - staffing costs
2. Operating the Centre during the winter season may require upgrades to certain facilities; for example, heaters in change rooms. What would be the estimated costs for such upgardes if required?
3. If there was a trial to extend the pool opening season by an extra eight (8) weeks, how much additional cost would this incur in respect to pool running and staffing costs?

ANSWERS

1. **What would be the additional cost to keep the Unley Swimming Centre (Centre) open through the winter season (ie all year round)? Please provide an estimated break down of:**
 - **pool running costs (heating, maintenance, cleaning)**
 - **staffing costs**

With consideration to both pool running and staff costs, the total additional cost of operating the Unley Swimming Centre year-round (i.e. an additional 16 weeks) is approximately \$200K.

Forecasted income for the Centre over the Winter months, based on income received in May 2023, is estimated at \$15K per month. This is predominantly attributed to casual entry and kiosk sales, as Swimming Clubs have ongoing arrangements at indoor facilities over Winter.

The additional budget required to open the Centre for an additional 16 weeks (i.e. year round) is therefore approximately **\$140K**.

It should be noted that these costs are based on operating the reduced opening hours during the winter months that are currently in place in May each year (reduced from 103.25 to 55.25 staffed hours per week).

Currently the Unley Swimming Centre is open for a 36 week season (i.e. 2022/23 season ran from 17 September 2022 to 28 May 2023). It has been the practice for many years now to decrease the opening hours of the pool in May due to reduced demand arising from the cooler weather. In-season, the pool is staffed 103.25 hours per week. For the month of May this is reduced to 55.25 hours per week. A break down of associated costs and implications is provided below:

Pool running costs (heating, maintenance, cleaning)

Maintenance

Associated costs with maintenance is unknown and untested. The additional workload required by the heaters, filters and pumps may result in additional maintenance and breakdown, given that the plant equipment was not designed to operate year round.

The impact of this would potentially be pool closure to enable servicing if required, however, this is untested.

By opening all year round, there would be no opportunity to undertake maintenance on the pool (currently undertaken in the off-season), such as tiling or control joints replacement.

Gas Consumption

The cost of gas usage in May 2023 was approximately \$12,500.

Total increase in gas usage is estimated to cost \$55K for the June-August quarter, noting an expected increased use required to counter the cooler weather, and the expected increase to gas prices.

Electricity

The cost of electricity usage for May 2023 was \$5,779.

Working with the same figures, with an expected increase (i.e. running flood lighting) it could be expected that electricity will total approximately \$24K for the additional 16 weeks, noting that this doesn't include change room heating requirements or potential power price increases.

Chemical and other

The Centre would require approximately \$10K for chemical supply for the 16 week period, based on monthly averages.

Testing discs, used to measure and manage water quality, are expected to cost approximately \$3K.

Estimated total cost of anticipated chemicals for the 16 week period is \$13K.

Cleaning

Cleaning of the site is undertaken by Swimming Centre staff. This task is considered within the staff costs noted below and requires no additional budget.

Staffing

For safe operation of the Centre, a minimum of three (3) qualified staff members must be on site at all times. This must consist of one (1) Duty Supervisor (Pool Operator Qualified) and two (2) Pool Attendants.

Further recruitment and training of these positions would need to occur to increase the number of staff to deliver these roles. To employ casual staff to undertake these roles for the 16 weeks of the current off-season would cost a total of \$109K. To utilise contract staff would impact the FTE numbers of the Centre and may also have industrial complications due to the current compressed hours arrangements for staff over the 9-month period.

It should also be noted that the cost above does not reflect the overhead costs associated with management of these staff, or corporate support such as Payroll, Finance, HR and WHS over this period.

- 2. Operating the Centre during the winter season may require upgrades to certain facilities; for example, heaters in change rooms. What would be the estimated costs for such upgrades if required?**

Heaters in change rooms would provide some level of improved comfort, noting the change rooms are required to have open air-flow.

A quote provided indicates that seven (7) radiant heaters (total) should be hung from the ceilings in the two large and three smaller change rooms, at a cost of \$1,500 installed (per unit), totalling **\$10.5K**, noting that this does not include the impact on the electricity prices outlined above or servicing.

- 3. If there was a trial to extend the pool opening season by an extra eight (8) weeks, how much additional cost would this incur in respect to pool running and staffing costs?**

With consideration to both pool running and staff costs, the total additional operating cost to extend the Unley Swimming Centre season for an additional eight (8) weeks is \$108,500.

Forecasted income for the Centre over the winter months, based on income received in May 2023, is estimated at \$15K per month. This is predominantly attributed to casual entry and kiosk sales, as Swimming Clubs that have ongoing arrangements at indoor facilities over winter.

The additional budget required to open the Centre for an additional eight (8) weeks (i.e. 27 May -21 July) is approximately **\$78,500**.

Currently the Unley Swimming Centre is open for a 36 week season (i.e. 2022/23 season ran from 17 September 2022 to 28 May 2023). The information below relates to an additional eight (8) weeks of operation (i.e. 27 May – 21 July).

Pool Running Costs

Gas Consumption

It is expected that gas costs for June and July would be approx \$15K and \$20K respectively, totalling approximately \$35K for the eight (8) week period.

Electricity

Based on May 2023 usage, it could be assumed that electricity will be approximately \$6K per month, totalling \$12K for the eight (8) week period.

Chemical and other

Based on current usage, it is expected that chemical and testing equipment required for the eight (8) week period will total \$6,500.

Staffing Costs

To employ casual staff to undertake the required roles for eight (8) weeks would cost \$55K, noting as above that this does not consider the impact on staffing required for management of these staff, or corporate support such as Payroll, Finance, HR and WHS over this period.

5.4 QUESTIONS WITHOUT NOTICE

Nil

6. MEMBER'S COMMUNICATION

6.1 MAYORS REPORT

ITEM 6.1.1

MAYOR'S REPORT FOR MONTH OF JULY 2023

MOVED Councillor G Hart

SECONDED Councillor M Rabbitt

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C1094/23

6.2 DEPUTY MAYORS REPORT

ITEM 6.2.1

DEPUTY MAYOR'S REPORT FOR MONTH OF JULY 2023

MOVED Councillor L Doyle

SECONDED Councillor D Palmer

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C1095/23

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1

REPORTS OF MEMBERS FOR JULY 2023

Council noted the attached reports from Members:

1. Councillor D Palmer

6.4 CORRESPONDENCE

ITEM 6.4.1

CORRESPONDENCE

The correspondence from:

- Mayor Hewitson, City of Unley – Letter to The Hon Peter Malinauskas – Re. Expressing Council's Interest in Hosting an AFL Game as Part of the Gather Rounds for 2025 and 2026

was noted.

7. CONFIDENTIAL ITEMS

ITEM 7.1

CONFIDENTIALITY MOTION FOR 7.2 - APPOINTMENT OF MEMBERS TO THE BROWN HILL AND KESWICK CREEKS STORMWATER BOARD

MOVED Councillor P Hughes

SECONDED Councillor D Palmer

That:

1. Pursuant to section 90(2) and (3)(a), (j)(i) and (j)(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 Appointment of Members to the Brown Hill and Keswick Creeks Stormwater Board, except for the following persons:
 - Peter Tsokas, CEO
 - Megan Berghuis, General Manager City Services
 - Claude Malak, General Manager City Development
 - Alex Brown, Manager Finance & Procurement
 - Mark Labaz, Manager Governance
 - Lara Gregory, Executive Assistant to the CEO & Mayor

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.

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
- information the disclosure of which would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council).
- information the disclosure of which would, on balance, be contrary to the public interest.

CARRIED UNANIMOUSLY

Resolution No. C1096/23

The Meeting moved into confidence, the gallery was cleared and the doors to the Council Chamber were closed at 7.30pm.

Item 7.2, page(s) 13, is confidential and has been removed from the public agenda/minutes

ITEM 7.3

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.2 -
APPOINTMENT OF MEMBERS TO THE BROWN HILL AND KESWICK
CREEKS STORMWATER BOARD**

MOVED Councillor D Palmer

SECONDED Councillor S Finos

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 Appointment of Members to the Brown Hill and Keswick Creeks Stormwater Board, 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) (a), (j)(i) and (j)(ii).

Minutes

Report

- information the disclosure of which would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council)
- information the disclosure of which would, on balance, be contrary to the public interest

remain confidential until such time as endorsement of the appointment is resolved by the five (5) Constituent Councils to the Brown Hill and Keswick Creek Stormwater Subsidiary, with the CEO authorised to provide advice to the Subsidiary regarding Council's decision on this matter.

Attachment

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

remain confidential for the period of the Member's appointment to the Board, and not available for public inspection until the cessation of that period.

2. 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. C1098/23

ITEM 7.4

**CONFIDENTIALITY MOTION FOR 7.5 - DETAILED DESIGN BUDGET 78-84
EDMUND AVENUE, UNLEY**

MOVED Councillor J Russo

SECONDED Councillor C Crabbe

That:

1. Pursuant to section 90(2) and (3)(d)(i) and (k) 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 7.4 Detailed Design Budget 78-84 Edmund Avenue, Unley, except for the following persons:

- Peter Tsokas, CEO
- Megan Berghuis, General Manager City Services
- Claude Malak, General Manager City Development
- Alex Brown, Manager Finance & Procurement
- Mark Labaz, Manager Governance
- Lara Gregory, Executive Assistant to the CEO & Mayor
- Rebecca Cox, Manager Community & Cultural Centres

To enable the Council to consider Item 7.4 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 7.4.

- 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.
- tenders for the supply of goods, the provision of services or the carrying out of works.

CARRIED UNANIMOUSLY

Resolution No. C1099/23

The Meeting moved into confidence, the gallery was cleared and the doors to the Council Chamber were closed at 7.33pm.

Item 7.5, page(s) 16, is confidential and has been removed from the public agenda/minutes

ITEM 7.6

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.5 -
DETAILED DESIGN BUDGET 78-84 EDMUND AVENUE, UNLEY**

MOVED Councillor L Doyle

SECONDED Councillor M Broniecki

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 7.5 Detailed Design Budget 78-84 Edmund Avenue, Unley, 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 (k).

Minutes

Report

- 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.
- tenders for the supply of goods, the provision of services or the carrying out of works.

2. This order shall operate:

- For a period of 12 months: OR
- Until execution of a contract.

3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or in part.

CARRIED UNANIMOUSLY

Resolution No. C1101/23

ITEM 7.7

CONFIDENTIALITY MOTION FOR 7.8 - COUNCIL LEGAL PROCEEDINGS UPDATE

MOVED Councillor D Palmer

SECONDED Councillor M Rabbitt

That:

1. Pursuant to section 90(2) and (3)(h) 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 7.8 Council Legal Proceedings Update, except for the following persons:

- Peter Tsokas, CEO
- Megan Berghuis, General Manager City Services
- Claude Malak, General Manager City Development
- Alex Brown, Manager Finance & Procurement
- Mark Labaz, Manager Governance
- Lara Gregory, Executive Assistant to CEO & Mayor

To enable the Council to consider Item 7.8 Council Legal Proceedings Update 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 7.8.

- legal advice

CARRIED UNANIMOUSLY

Resolution No. C1102/23

The Meeting moved into confidence, the gallery was cleared and the doors to the Council Chamber were closed at 7.40pm.

Item 7.8, page(s) 19, is confidential and has been removed from the public agenda/minutes

ITEM 7.9

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.8 -
COUNCIL LEGAL PROCEEDINGS UPDATE**

MOVED Councillor G Hart

SECONDED Councillor D Palmer

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 7.8 Council Legal Proceedings Update, 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) (h).
 - Minutes
 - Report
 - Attachment
 - legal advice on the grounds that the document(s) (or part) relates to legal advice.
2. This order shall operate until Council Legal Proceedings Duke Group have ceased and be reviewed every twelve (12) months.
3. 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.
4. Pursuant to section 91(7)) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or in part.

CARRIED UNANIMOUSLY

Resolution No. C1104/23

ITEM 7.10

CONFIDENTIALITY MOTION FOR 7.11 - ASSESSMENT OF CHIEF EXECUTIVE OFFICER'S 2022/23 PERFORMANCE REVIEW

MOVED Councillor P Hughes

SECONDED Councillor C Crabbe

That:

1. Pursuant to section 90(2) and (3)(a) 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 7.11 Assessment of Chief Executive Officer's 2022/23 Performance Review, except for the following persons:

- Richard Altman, Richard Altman Consulting
- Lara Gregory, Executive Assistant to the CEO & Mayor

To enable the Council to consider Item 7.11 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 7.11.

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

CARRIED UNANIMOUSLY

Resolution No. C1105/23

The Meeting moved into confidence, the gallery was cleared and the doors to the Council Chamber were closed at 7.59pm.

The Presiding Member with approval of two-thirds of the members present adjourned the meeting at 8.00pm for up to 5 minutes to provide time for the external consultant to join the meeting.

SUSPENSION OF FORMAL MEETING PROCEDURES

The Presiding Member with approval of two-thirds of the members present suspended meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* at 8.03pm for up to 15 minutes to facilitate an informal discussion of the matter.

The Presiding Member with approval of two-thirds of the members present, called for an extension of time for the suspension of formal meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* at 8.19pm for 5 minutes to facilitate further informal discussion on the matter.

Formal meeting procedures resumed at 8.24pm.

ITEM 7.11

ASSESSMENT OF CHIEF EXECUTIVE OFFICER'S 2022/23 PERFORMANCE REVIEW

MOVED Councillor P Hughes

SECONDED Councillor C Crabbe

That:

1. The report be received.
2. The 2022/23 CEO Performance and Remuneration Review Report prepared by Richard Altman Consulting be received.
3. The total remuneration of the CEO be increased by 7.9% (CPI) to \$349,975 as required by the CEO Employment Agreement, also ensuring that the CEO's total remuneration is above the minimum for Band 3 as determined by the SA Remuneration Tribunal.
4. Based on his high-performance rating, and to provide some continuity for the implementation of several strategic projects, the CEO be offered an extension of 2 years in his Employment Agreement, resulting in a new expiry date of 2 September 2027.

CARRIED UNANIMOUSLY

Resolution No. C1106/23

The Meeting moved out of confidence at 8.38pm.

ITEM 7.12

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.11 - ASSESSMENT OF CHIEF EXECUTIVE OFFICER'S 2022/23 PERFORMANCE REVIEW

MOVED Councillor J Russo

SECONDED Councillor D Palmer

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 7.11 Assessment of Chief Executive Officer's 2022/23 Performance Review, 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) (a).
 - Report
 - Attachment
 - information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
2. This order shall remain confidential for the duration of the employment of the CEO, and not available for public inspection until the cessation of that period.
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or in part.

CARRIED UNANIMOUSLY

Resolution No. C1107/23

The doors to the Council Chambers were opened at 8.39pm.

NEXT MEETING

Monday 28 August 2023 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 8.39pm.

.....
PRESIDING MEMBER