



**Minutes of the City of Unley
Council Meeting
Monday, 26 September 2022, 7.00pm
Council Chambers
181 Unley Road Unley**

PRESENT

<i>Presiding Member</i>	<i>Mayor</i>	M. Hewitson
	<i>Deputy Mayor</i>	D. Palmer
<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 Services, Ms M. Berghuis
General Manager Business Support & Improvement, Ms N. Tinning
Acting Manager Governance, Ms K. Goldy
Executive Assistant Office of the CEO, Ms L. Kennedy
Manager Community Connections, Ms M. Smith
Manager Development & Regulatory, Mr G. Brinkworth
Manager Economic Development & Strategic Projects, Mr E. Scanlon

ACKNOWLEDGEMENT

The Presiding Member opened the meeting with the Kaurna Acknowledgement.

REMEMBRANCE OF HER MAJESTY QUEEN ELIZABETH II

The City of Unley gives thanks for the life of Her Majesty Queen Elizabeth II. We pass on our sincere sympathies to the Royal Family and all who are feeling her loss across the United Kingdom, Australia, and the world. Our Queen committed herself to a lifetime of service to the people, her country, and her Commonwealth, and she will be remembered for her diligence, her faith, and her hope for the future. For more than 70 years of service, we give thanks.

Members stood in silence in memory of Her Majesty Queen Elizabeth II.

The City of Unley would also like to acknowledge the proclamation of His Majesty King Charles III and wish our new monarch best wishes for his future and reign.

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 26 September 2022, meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Nil

1.2 LEAVE OF ABSENCE

Nil

1.3 CONFLICT OF INTEREST

Councillor D. Palmer declared a perceived conflict of interest in Item 4.8 LGA – Election of East Regional Grouping Representatives to GAROC on the basis that his name appears on the Ballot Paper and would remain in the meeting when the item is discussed and vote in the best interests of the community.

1.4 MINUTES

ITEM 1.4.1

MINUTES OF THE ORDINARY COUNCIL MEETING HELD MONDAY, 22 AUGUST 2022

MOVED Councillor M Rabbitt

SECONDED Councillor J. Dodd

That:

1. The minutes of the Ordinary Council Meeting held on Monday, 22 August 2022 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C0877/22

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

ITEM 2.1

DEPUTATION RE: HISTORY OF UNLEY PUBLICATION – PROJECT SCOPE UPDATE

1. Rufus Salaman, Unley

Re. Item 4.2 History of Unley Publication – Project Scope Update

The Presiding Member sought leave of the meeting to bring forward item 4.2 History of Unley Publication, and leave was granted

ITEM 4.2

HISTORY OF UNLEY PUBLICATION - PROJECT SCOPE UPDATE

MOVED Councillor D. Palmer

SECONDED Councillor J. Russo

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0878/22

3. REPORTS OF COMMITTEES

Nil

4. REPORTS OF OFFICERS

ITEM 4.1

ANIMAL MANAGEMENT PLAN YEAR 1 ACTIONS 2021/22

MOVED Councillor J. Dodd

SECONDED Councillor J. Boisvert

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0879/22

ITEM 4.3

TRADER ASSOCIATION QUARTER 4 REPORTS 1 APRIL - 30 JUNE 2022

MOVED Councillor D. Palmer

SECONDED Councillor K. Anastasiadis

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0880/22

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 7.21pm for up to 10 minutes to facilitate an informal discussion of the matter.

Formal meeting procedures resumed at 7.26pm.

ITEM 4.4

LOCAL GOVERNMENT FINANCE AUTHORITY - ELECTION FOR REPRESENTATION MEMBERS OF THE BOARD OF TRUSTEES

MOVED Councillor J. Dodd

SECONDED Councillor K. Anastassiadis

That:

1. The report be received.
2. The Ballot Paper for the election for Local Government Finance Authority of South Australia, Representative Board Member be marked to indicate the City of Unley's vote for the following two candidates:

Ms Annette Martin

Mr Michael Sedgman

CARRIED

Resolution No. C0881/22

ITEM 4.5

LGA CALL FOR NOMINATIONS - STATE RECORDS COUNCIL

MOVED Councillor K. Anastassiadis

SECONDED Councillor J. Dodd

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0882/22

ITEM 4.6

**LGA CALL FOR NOMINATIONS - LOCAL GOVERNMENT FINANCE
AUTHORITY BOARD OF TRUSTEES**

MOVED Councillor J. Dodd

SECONDED Councillor M. Broniecki

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0883/22

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 7.31pm for up to 10 minutes to facilitate an informal discussion of the matter.

Formal meeting procedures resumed at 7.35pm.

ITEM 4.7

LGA - ELECTION OF LGA PRESIDENT 2022-2024

MOVED Councillor K. Anastassiadis

SECONDED Councillor N. Sheehan

That:

1. The report be received.
2. The Ballot Paper for the election for LGA President 2022-2024 be marked to indicate the City of Unley's vote for the following candidate:

Mayor Keith Parkes

CARRIED UNANIMOUSLY

Resolution No. C0884/22

Councillor D. Palmer declared a perceived conflict of interest in Item 4.8 LGA – Election of East Regional Grouping Representatives to GAROC on the basis that his name appears on the Ballot Paper. Councillor D. Palmer advised that as there is no financial remuneration or conflict of duties, he will remain in the meeting and will vote in the best interests of the community.

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 7.37pm for up to 10 minutes to facilitate an informal discussion of the matter.

Formal meeting procedures resumed at 7.40pm.

ITEM 4.8

LGA - ELECTION OF EAST REGIONAL GROUPING REPRESENTATIVES TO GAROC

MOVED Councillor J. Russo

SECONDED Councillor J. Dodd

That:

1. The report be received.
2. The Ballot Paper for the election for GAROC Regional Grouping Metro East 2022-2024 be marked to indicate the City of Unley's vote for the following two candidates:

Don Palmer – City of Unley

Anna Leombruno – Campbelltown City Council

CARRIED UNANIMOUSLY

Resolution No. C0885/22

ITEM 4.9

VARIATION TO OPERATING HOURS FOR FESTIVE SEASON 2022-23

MOVED Councillor D. Palmer

SECONDED Councillor J. Boisvert

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0886/22

ITEM 4.10
COUNCIL ACTION RECORDS
MOVED Councillor J. Dodd
SECONDED Councillor M. Broniecki

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C0887/22

5. MOTIONS AND QUESTIONS

5.1 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

ITEM 5.1.1

**NOTICE OF MOTION FROM COUNCILLOR P. HUGHES RE:
ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT USING BEST
PRACTICE PRINCIPLES**

MOVED Councillor P. Hughes
SECONDED Councillor J. Bonham

That:

1. The concept of developing Environmentally Sustainable Development using Best Practice Principles is supported.
2. The Mayor raises the topic of environmentally sustainable development at the next Eastern Regional Alliance (ERA) Mayors and CEOs meeting, seeking agreement for a joint project to be undertaken using ERA funds to create Best Practice Principles for Environmentally Sustainable Development with the intention to:
 - be a guide for developments being proposed in ERA Councils;
 - advocate for commensurate changes to the Planning and Design Code; and
 - advocate for better construction standards.

CARRIED UNANIMOUSLY

Resolution No. C0888/22

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 SEPTEMBER 2022

MOVED Councillor M. Broniecki

SECONDED Councillor P. Hughes

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0889/22

6.2 DEPUTY MAYORS REPORT

ITEM 6.2.1

DEPUTY MAYOR'S REPORT FOR MONTH OF SEPTEMBER 2022

MOVED Councillor M. Rabbitt

SECONDED Councillor K. Anastassiadis

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0890/22

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1

REPORTS OF MEMBERS SEPTEMBER 2022

Council noted the attached reports from Members:

1. Councillor K. Anastassiadis

6.4 CORRESPONDENCE

ITEM 6.4.1 CORRESPONDENCE

The correspondence from:

- Hon Tom Koutsantonis MP – Re. Glen Osmond Road and Fullarton Road Intersection Upgrade Project
- Cr Linda Scott ALGA President – Re. City of Unley Packaging and Product Recycling Motion Submitted to the ALGA National General Assembly of Local Government
- John Rothwell CEO Royal Agricultural & Horticultural Society of SA – Re. Appreciation for Council's Ongoing Involvement and Support in the Royal Show

was noted.

7. CONFIDENTIAL ITEMS

ITEM 7.1

CONFIDENTIALITY MOTION FOR 7.2 - UNLEY CENTRAL LITIGATION - LEGAL EXPENDITURE APPROVAL SOUGHT

MOVED Councillor J. Dodd

SECONDED Councillor M Broniecki

That:

1. Pursuant to Section 90(2) and (3)(h) 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 information the disclosure of which:
 - pertains to legal advice received in relation to this matter.
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 retain matters in confidence that are still the subject to potential Court determination.

On that basis, the public's interest is best served by not disclosing 4.2 Unley Central Litigation - Legal Expenditure Approval Sought, 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. C0891/22

The Meeting moved into confidence at 7.54pm.

Item 7.2, page(s) 10, 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 LITIGATION - LEGAL EXPENDITURE APPROVAL SOUGHT

MOVED Councillor J. Dodd

SECONDED Councillor K. Anastassiadis

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 4.2 Unley Central Litigation - Legal Expenditure Approval Sought, considered at the Council Meeting on 26 September 2022:

- Report
- Attachment
- Minutes

remain confidential until legal action is completed in relation to Unley Central Litigation and not available for public inspection until the cessation of that period.

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. C0893/22

NEXT MEETING

Monday 24 October 2022 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 8.13pm.

.....
PRESIDING MEMBER