



**Minutes of the City of Unley
Council Meeting
Monday, 25 September 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>	J Bonham	C Crabbe
	L Doyle	S Finos
	J Gaffey	G Hart
	P Hughes	D Palmer
	M Rabbitt	R Rogers
	J Russo	

OFFICERS PRESENT

Acting Chief Executive Officer, Mr C Malak
General Manager City Services, Ms M Berghuis
General Manager Business Support & Improvement, Ms N Tinning
Executive Assistant to the CEO & Mayor, Ms L Gregory
Manager Governance, Mr M Labaz
Manager Development & Regulatory, Mr G Brinkworth
Manager Community Connections, Ms M Smith
Manager Community & Cultural Centres, Mr R Cox
Swim Centre Lead, Mr C Solomon

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 25 September 2023, meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Nil

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, 28 AUGUST 2023

MOVED Councillor M Rabbitt

SECONDED Councillor M Broniecki

That:

1. The minutes of the Ordinary Council held on Monday, 28 August 2023 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C1134/23

1.5 DEFERRED / ADJORNED ITEMS

Nil

Councillor P Hughes joined the Meeting at 7.01pm.

2. PETITIONS/DEPUTATIONS

ITEM 2.1

ITEM 4.8 COUNCIL ACTION REPORT, 4.7 RAILWAY TERRACE SOUTH CONSULTATION OUTCOMES AND NEXT STEPS

1. Denise Tipper, Goodwood
Re. Item 4.8 Council Action Report, 4.7 Railway Terrace South
Consultation Outcomes and Next Steps.

3. REPORTS OF COMMITTEES

Nil

4. REPORTS OF OFFICERS

ITEM 4.1

DRAFT UNLEY PARKING MANAGEMENT PLAN 2023-2033

MOVED Councillor J Russo

SECONDED Councillor M Broniecki

That:

1. The report be received.
2. The Draft Unley Parking Management Plan 2023-2033, as set as in Attachment 1 to the report (Item 4.1, Council Meeting 25/09/2023) be endorsed for the purpose of community consultation.
3. The Chief Executive Officer be authorised to make minor editorial and formatting changes as required to the Draft Unley Parking Management Plan 2023-2033, in order to finalise the document for the purposes of undertaking community consultation.
4. Following the conclusion of community consultation, a further report be presented to Council for its consideration outlining a summary of the feedback to be received and a Final Plan.

CARRIED UNANIMOUSLY

Resolution No. C1135/23

ITEM 4.2

REFLECT RECONCILIATION ACTION PLAN

MOVED Councillor J Russo

SECONDED Councillor J Bonham

That:

1. The report be received.
2. The draft Reflect Reconciliation Action Plan as set out in Attachment 1 to this Report (Item 4.2, Council Meeting 25/09/2023) be endorsed and submitted to Reconciliation Australia for consideration.
3. The Chief Executive Officer be authorised to make minor editorial and formatting changes as part of the finalisation process for the Reflect Reconciliation Action Plan.

CARRIED

Resolution No. C1136/23

ITEM 4.3
CONSERVATION GRANTS POLICY REVIEW

MOVED Councillor M Broniecki
SECONDED Councillor M Rabbitt

That:

1. The report be received.
2. The Conservation Grants Policy (set out as Attachment 1 to Item 4.3, Council Meeting 25/09/2023) be endorsed.
3. The Chief Executive Officer be authorised to make amendments of a minor and/or technical nature if required as part of the finalisation of the Conservation Grants Policy.

CARRIED UNANIMOUSLY

Resolution No. C1137/23

ITEM 4.4
ANIMAL MANAGEMENT PLAN YEAR 2 ACTIONS 2022/23

MOVED Councillor L Doyle
SECONDED Councillor G Hart

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C1138/23

ITEM 4.5
FUNDING EXTENSION - COMMONWEALTH HOME SUPPORT PROGRAM (CHSP)

MOVED Councillor M Broniecki
SECONDED Councillor J Gaffey

That:

1. The report be received.
2. Council accepts a 12-month funding extension from the Commonwealth Government to continue the delivery of Council's current Commonwealth Home Support Program (CHSP) until June 2025.

CARRIED UNANIMOUSLY

Resolution No. C1139/23

**ITEM 4.6
DEVELOPMENT OF A NEW COMMUNITY PLAN**

MOVED Councillor D Palmer
SECONDED Councillor M Rabbitt

That:

1. The report be received.
2. The approach for the development of a renewed Community Plan, as outlined in this report, be endorsed.

CARRIED UNANIMOUSLY

Resolution No. C1140/23

**ITEM 4.7
VARIATION TO OPERATING HOURS FOR JANUARY 2023 – DECEMBER 2024**

MOVED Councillor C Crabbe
SECONDED Councillor J Bonham

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C1141/23

**ITEM 4.8
COUNCIL ACTION RECORDS**

MOVED Councillor J Gaffey
SECONDED Councillor L Doyle

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C1142/23

5. MOTIONS AND QUESTIONS

5.1 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

ITEM 5.1.1

NOTICE OF MOTION FROM COUNCILLOR R ROGERS RE: COMMUNITY CONSULTATION FOR AUSTRALIA DAY 2025

MOVED Councillor R Rogers

SECONDED Councillor C Crabbe

Councillor R Rogers has given notice of intention to move the following motion at the Council meeting to be held on 25 September 2023.

MOTION

That:

1. Council commits to consulting with its community regarding Australia Day events in 2025 (26 January 2025).
2. Administration will undertake community consultation in regards to Australia Day events in 2025 and provide a report to Council advising the outcome of this consultation.

CARRIED

DIVISION

A Division was requested by Mayor M Hewitson 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, J Bonham, C Crabbe, L Doyle, S Finos, J Gaffey, G Hart, 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:

Nil

The MOTION was declared **CARRIED UNANIMOUSLY**

Resolution No. C1143/23

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 2023

MOVED Councillor J Gaffey

SECONDED Councillor D Palmer

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C1144/23

6.2 DEPUTY MAYORS REPORT

ITEM 6.2.1

DEPUTY MAYOR'S REPORT FOR MONTH OF SEPTEMBER 2023

MOVED Councillor L Doyle

SECONDED Councillor S Finos

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C1145/23

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1

REPORTS OF MEMBERS FOR SEPTEMBER 2023

Council noted attached reports from Members:

1. Councillor D Palmer

6.4 CORRESPONDENCE

Nil

7. CONFIDENTIAL ITEMS

ITEM 7.1

CONFIDENTIALITY MOTION FOR 7.2 - TOUR DOWN UNDER MEMORANDUM OF UNDERSTANDING

MOVED Councillor D Palmer

SECONDED Councillor P Hughes

That:

1. Pursuant to section 90(2) and (3)(b)(i) and (d)(i) 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 Tour Down Under Memorandum of Understanding, except for the following persons:

- Claude Malak, Acting CEO
- Megan Berghuis, General Manager City Services
- Nicola Tinning, General Manager Business Support & Improvement
- Mark Labaz, Manager Governance
- Lara Gregory, Executive Assistant to the CEO & Mayor
- Mandy Smith, Manager Community Connections
- Rebecca Cox, Manager Community & Cultural Centres
- Craig Solomon, Swim Centre Lead

To enable the Council to consider Item 7.2 Tour Down Under Memorandum of Understanding 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 Tour Down Under Memorandum of Understanding.

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council.
- 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.

CARRIED UNANIMOUSLY

Resolution No. C1146/23

The Meeting moved into confidence, the gallery was cleared and the doors to the Council Chamber were closed at 8.35pm.

Item 7.2, page(s) 9, is confidential and has been removed from the public agenda/minutes

ITEM 7.3

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.2 - TOUR
DOWN UNDER MEMORANDUM OF UNDERSTANDING**

MOVED Councillor P Hughes

SECONDED Councillor J Gaffey

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 Tour Down Under Memorandum of Understanding, 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) (b)(i) and (d)(i).
 - Minutes
 - Report
 - Attachment
 - information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council.
 - 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.
2. This order shall operate:
 - Until execution of contract.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 the power to revoke this order in whole or in part.

CARRIED UNANIMOUSLY

Resolution No. C1148/23

ITEM 7.4

**CONFIDENTIALITY MOTION FOR 7.5 - UNLEY SWIMMING POOL
TEMPORARY EXTENSION OF SWIM SEASON**

MOVED Councillor D Palmer

SECONDED Councillor M Broniecki

That:

1. Pursuant to section 90(2) and (3)(d)(i) 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 7.5 Unley Swimming Pool Temporary Extension of Swim Season, except for the following persons:

- Claude Malak, Acting CEO
- Megan Berghuis, General Manager City Services
- Nicola Tinning, General Manager Business Support & Improvement
- Mark Labaz, Manager Governance
- Lara Gregory, Executive Assistant to the CEO & Mayor
- Rebecca Cox, Manager Community & Cultural Centres
- Craig Solomon, Swim Centre Lead

To enable the Council to consider Item 7.5 Unley Swimming Pool Temporary Extension of Swim Season 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 7.5 Unley Swimming Pool Temporary Extension of Swim Season.

- 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.

CARRIED UNANIMOUSLY

Resolution No. C1149/23

The Meeting moved into confidence, the gallery was cleared and the doors to the Council Chamber were closed at 8.53pm.

Item 7.5, page(s) 12, is confidential and has been removed from the public agenda/minutes

ITEM 7.6

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.5 - UNLEY SWIMMING POOL TEMPORARY EXTENSION OF SWIM SEASON

MOVED Councillor G Hart

SECONDED Councillor M Rabbitt

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 Unley Swimming Pool Temporary Extension of Swim Season, 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).
 - 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.
2. This order shall operate:
 - Until execution of contract.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 the power to revoke this order in whole or in part.

CARRIED UNANIMOUSLY

Resolution No. C1151/23

The doors to the Council Chambers were opened at 9.08pm.

NEXT MEETING

Monday 23 October 2023 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 9.08pm.

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PRESIDING MEMBER