



**Minutes of the City of Unley
Council Meeting
Tuesday, 27 April 2021, 7.00pm
Council Chambers
181 Unley Road Unley**

PRESENT

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

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
Executive Manager Office of the CEO, Ms T Norman
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, and members of the gallery to the 27 April 2021, meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Councillor J. Russo

1.2 LEAVE OF ABSENCE

Nil

1.3 CONFLICT OF INTEREST

Councillor S. Dewing declared a perceived conflict of interest in relation to Item 4.1 Animal Management Plan on the basis of her employment with Sturt Football Club and noted that she would remain in the meeting when that item was discussed and vote in the best interests of the community.

Councillor S Dewing declared a perceived conflict of interest in relation to Item 4.6 Draft 2021-22 Annual Business Plan and Budget for Public Consultation on the basis of her employment with Sturt Football Club and noted that she would remain in the meeting when that item was 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 MARCH 2021

MOVED Councillor D. Palmer

SECONDED Councillor M Broniecki

That:

1. The minutes of the Ordinary Council held on Monday, 22 March 2021 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C0486/21

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

ITEM 2.1

DEPUTATION REQUESTS REFUSED RE: 22 MARCH 2021 COUNCIL MEETING

MOVED Councillor K Anastassiadis

SECONDED Councillor J. Bonham

Two Deputation Requests were received in March 2021, seeking to be heard at the 22 March 2021 Council Meeting, and after due consideration one request was refused.

CARRIED UNANIMOUSLY

Resolution No. C0487/21

ITEM 2.2

DEPUTATION REQUESTS RE: ITEM 4.1 ANIMAL MANAGEMENT PLAN

1. Toulia Tsamandanis, Malvern
Re. Unley Oval and dogs off-leash
2. Denise Tipper, Goodwood
Re. Concerns and corrections needed to ensure transparency and accurate data for the community to consider
3. Laura Culshaw, Unley
Re. On-lead trial recommendation for Unley Oval and concerns with the process

3. REPORTS OF COMMITTEES

Nil

4. REPORTS OF OFFICERS

ITEM 4.1

ANIMAL MANAGEMENT PLAN FOR ENDORSEMENT

MOVED Councillor S. Dewing

SECONDED Councillor J. Boisvert

That:

1. The report be received.
2. The Animal Management Plan 2021-2026 as set out in the Attachment 1 to this report (Item 4.1, Council Meeting, 27/04/2021) be endorsed for presentation to the Dog and Cat Management Board subject to the following amendments:
 - Remove from page 32 of the Animal Management Plan “to consider a trial of dog on leash times at Unley Oval from 3.30pm to 5.30pm”.
3. The CEO be authorised to make minor editorial and formatting changes if required to finalise the Animal Management Plan 2021-2026 for presentation to the Dog and Cat Management Board.

DIVISION

A Division was requested by Councillor S. Dewing 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 J. Boisvert, M Broniecki, K Anastassiadis, S. Dewing, J. Dodd, N. Sheehan and J. Bonham

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

Councillors P. Hughes, M Rabbitt, D. Palmer, E. Wright

The MOTION was declared

CARRIED

Resolution No. C0488/21

Councillor J. Dodd left the Chambers at 8:01pm.

Councillor J. Dodd returned to the Chambers at 8:05pm.

ITEM 4.2

KING WILLIAM ROAD BIKEWAY (MIKE TURTUR BIKEWAY / GREENHILL ROAD) CONSULTATION RESULTS

MOVED Councillor M Broniecki

SECONDED Councillor J. Bonham

That:

1. The report be received.
2. The preferred King William Road (Mike Turtur Bikeway / Greenhill Road) Streetscape Design 'Option 2 – Off-Road Shared Path', as set out in Attachment 3 to this report (Item 4.2, Council Meeting, 27/4/2021) be endorsed as the final concept design and the project be progressed to detailed design and documentation.

CARRIED UNANIMOUSLY

Resolution No. C0489/21

ITEM 4.3

2020-21 THIRD QUARTER CORPORATE PERFORMANCE REPORT

MOVED Councillor M Broniecki

SECONDED Councillor M. Rabbitt

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0490/21

ITEM 4.4

2020-21 QUARTER 3 FINANCIAL PERFORMANCE REPORT

MOVED Councillor M Broniecki

SECONDED Councillor J. Dodd

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0491/21

ITEM 4.5

2020-21 QUARTER 3 BUDGET REVIEW

MOVED Councillor M Broniecki

SECONDED Councillor M. Rabbitt

1. The report be received.
2. The budget variations totalling (\$25K) (as set out in Attachment 1 to this Report, Item 4.5, Council Meeting 27/04/2021), for the 2020-21 Quarter 3 Budget Review, be approved.
3. The revised budgeted Uniform Presentation of Finances reflecting a change in the estimated Operating Surplus to \$512K, and estimated Borrowings for the year of \$3.358M be adopted.

CARRIED UNANIMOUSLY

Resolution No. C0492/21

ITEM 4.6

DRAFT 2021-22 ANNUAL BUSINESS PLAN AND BUDGET FOR PUBLIC CONSULTATION

MOVED Councillor M. Rabbitt

SECONDED Councillor J. Boisvert

That:

1. The report be received.
2. The proposed list of net Operating Projects for 2021-22 of \$1.053M (Attachment 2, Item 4.6, Council Meeting, 27/04/2021) be endorsed for community consultation.
3. The proposed list of New Capital Projects for 2021-22 of \$2.963M (Attachment 3, Item 4.6, Council Meeting, 27/04/2021) be endorsed for community consultation.
4. The proposed list of Capital Renewal for 2021-22 of \$7.691M (Attachment 4, Item 4.6, Council Meeting, 27/04/2021) be endorsed for community consultation.

5. The Draft 2021-22 Annual Business Plan and Budget (Attachment 5, Item 4.6, Council Meeting, 27/04/2021) (incorporating any consequential amendments from other items considered at the meeting of 27 April 2021) be endorsed for the purpose of community consultation, to be conducted between 30 April and 21 May 2021.
6. The Chief Executive Officer be authorised to make any necessary minor edits required for consistency or clarity to the Draft 2021-22 Annual Business Plan and Budget, if required.
7. The community consultation process comprising a notice in the Adelaide East Herald, online consultation via Your Say Unley, notifications on Council's website and social media channels, and two public meetings to be held 11 and 13 May be endorsed.

CARRIED UNANIMOUSLY

Resolution No. C0493/21

ITEM 4.7

FOUR YEAR DELIVERY PLAN 2021 - 2025: FINAL FOR ENDORSEMENT

MOVED Councillor D. Palmer

SECONDED Councillor E. Wright

That:

1. The report be received.
2. The Four Year Delivery Plan 2021-2025 as set out in Attachment 2 to this report (Item 4.7, Council Meeting 27/04/2021) be endorsed.
3. The CEO be authorised to make minor editorial and formatting changes if required to finalise the Four Year Delivery Plan 2021-2025.

CARRIED UNANIMOUSLY

Resolution No. C0494/21

ITEM 4.8

LGA CALL FOR NOMINATIONS - ENVIRONMENT PROTECTION AUTHORITY BOARD

MOVED Councillor M. Rabbitt

SECONDED Councillor S. Dewing

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0495/21

ITEM 4.9
COUNCIL ACTION REPORT
MOVED Councillor M Broniecki
SECONDED Councillor J. Boisvert

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C0496/21

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: COMMUTER PARKING

MOVED Councillor P. Hughes
SECONDED Councillor S. Dewing

That:

1. An Elected Member workshop be convened this financial year (2020/21) on the topic of commuter parking in the City of Unley with the content to include:
 - Known locations where commuter parking has been reported as a matter of concern.
 - Solutions that have previously been successfully implemented within the City to reduce the impact of commuter parking.
 - Details of the proposed City-Wide Parking Strategy which is to commence in the 2021/22 financial year and how dealing with the impacts of commuter or all day parking fits into the considerations moving forward.
 - The opportunity for Elected Members to provide details of known problem streets and to suggest potential strategies to alleviate problems.
2. As part of the City-Wide Parking Strategy development, which is to commence in 2021/22, staff undertake an analysis of commuter or all day parking which exists within the City and identify locations where intervention is recommended.

CARRIED UNANIMOUSLY

Resolution No. C0497/21

ITEM 5.1.2

NOTICE OF MOTION FROM COUNCILLOR P. HUGHES RE: COUNCIL INVOLVEMENT IN THE FUTURE OF HIGHGATE PARK

MOVED Councillor P. Hughes

SECONDED Councillor J. Dodd

That:

1. The Chief Executive Officer urgently liaise with the State Government (and/or the relevant Agency) regarding the proposed sale of Highgate Park and explore opportunities for potential involvement of Council in the future of the site.

CARRIED UNANIMOUSLY

Resolution No. C0498/21

5.2 MOTIONS WITHOUT NOTICE

Nil

5.3 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

ITEM 5.3.1

QUESTION ON NOTICE FROM COUNCILLOR J. RUSSO AND COUNCILLOR S. DEWING RE: 2020/21 RATE RELIEF MEASURES

The following Questions on Notice were received from Councillor J. Russo and Councillor S. Dewing and the answers are provided.

During 2020, Council agreed to a number of rate relief measures to assist businesses (including those properties owned by the City of Unley) across the City of Unley as a direct result of the COVID19 pandemic.

QUESTIONS

1. Do we know what the total cost of this rate relief has been?
2. Do we know if landlords actually passed this rate relief on to tenants?
3. Where tenants of business properties made aware of Council's rate relief decisions?
4. Was information about rate relief communicated directly to the tenants?
5. Do we know whether this had an impact on businesses in particular the four Main Street associations?

ANSWERS

1. **Do we know what the total cost of this rate relief has been?**

In addition to the zero rate rise for the 2020/21 rating period Council provided \$648.8K rate relief to businesses during 2020.

2. **Do we know if landlords actually passed this rate relief on to tenants?**

No, we do not know if landlords actually passed on this rate relief to tenants. If a tenant is responsible to pay for the rates directly (i.e. listed in the property data base) they would have directly receive the benefit.

In accordance with Federal Government directives during the first few months of the pandemic, landlords were to pass on any rate and tax relief to their tenants. This direction relied on the fact that landlords would do the right thing.

3. **Were tenants of business properties made aware of Council's rate relief decisions?**

A letter about the rate relief was sent to the adress attached to the property for rating purposes. This could have been the landlord or business operating at the property. This information forms part of Council's property database.

Adminstration issued a media release, and a number of Facebook and Twitter posts were used to increase awareness of Council's support to local businesses.

During 2020, twentyfour hardship applications were processed. Council granted extensions to payment due dates with no penalty incurred.

4. **Was information about rate relief communicated directly to the tenants?**

Email correspondence was sent to individual businesses by the Coordinator Business and Economic Development.

5. **Do we know whether this had an impact on businesses in particular the four Main Street associations?**

This data is not availble and therefore impact is unknown.

However, a review of outstanding rates debtors (residential and business) over the past 12 months shows that the impact of the pandemic is marginal compared to outstanding rates debtors in previous years. Whilst there was a small delay in payments for the third and final quarter for the 2019/20 rating period this is now not evident for the second and third quarter instalments for the 2020/21 rating period.

Further to this information we are aware that between 1 April 2020 and 25 March 2021, 179 Australian Business Numbers were cancelled and 284 were established. These numbers do not include trusts, superannuation funds or businesses not registered for GST.

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 2021

MOVED Councillor J. Dodd

SECONDED Councillor S. Dewing

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0499/21

6.2 DEPUTY MAYORS REPORT

Nil

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1

REPORTS OF MEMBERS FOR MONTH OF APRIL 2021

Council noted the attached reports from Members:

1. Councillor M. Broniecki
2. Councillor M. Rabbitt

6.4 CORRESPONDENCE

ITEM 6.4.1

CORRESPONDENCE

The correspondence from:

- Michael Lennon, Chair, State Planning Commission – Response to Phase Three (Urban Areas) Planning and Design Code Amendment Submission
- The Hon Rob Lucas MLC – LGIPP Grant Funding for Edmund Avenue Cottages Redevelopment
- Sandy Verschoor, Lord Mayor – City of Unley's E-Scooter Trial
- The Hon Rob Lucas MLC – Pedestrian Rail Crossings at Clarence Park Railway Station
- The Hon Vickie Chapman MP – Initiatives to Improve Tree Canopy Cover

- Matt Pinnegar, CEO, LGA – Local Government Infrastructure Partnership Program funding for the Edmund Avenue Cottages Redevelopment

was noted.

The Presiding Member adjourned the meeting for a 5 minute break at 8.56pm.

The meeting resumed at 9.01pm.

7. CONFIDENTIAL ITEMS

ITEM 7.1

CONFIDENTIALITY MOTION FOR 7.2 - CONFIDENTIAL MINUTES OF STRATEGIC PROPERTY COMMITTEE

MOVED Councillor M Broniecki

SECONDED Councillor M Rabbitt

That:

1. Pursuant to Section 90(2) and and (3)(b)(i) and (b)(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 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; and
 - 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 potential disposal of an existing property without compromising the commercial position of Council.

On that basis, the public's interest is best served by not disclosing 7.2 Confidential Minutes of Strategic Property Committee, 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. C0500/21

The meeting moved into confidence, the gallery was cleared and the doors to the Council Chambers were closed at 9.04pm.

ITEM 7.2

CONFIDENTIAL MINUTES OF STRATEGIC PROPERTY COMMITTEE

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 9.20pm for up to 15 minutes to facilitate an informal discussion of the matter.

Formal meeting procedures resumed at 9.33pm.

MOVED Councillor D. Palmer

SECONDED Councillor M. Rabbitt

That:

1. The minutes of the Confidential Strategic Property Committee meeting held on Tuesday 13 April 2021, be received and the following recommendations contained therein be adopted by Council:

(a) **Item 4.2 – Potential Property Disposal, Goodwood**

That:

1. The report be received.
2. The property located at 31 Rosa Street, Goodwood, be retained and at the conclusion of the current lease period a new lease be provided to the Goodwood Community Childcare Centre for a period of up to two years in accordance with Council's Lease Policy.
3. Following formalisation of the new lease with the Goodwood Community Childcare Centre (GCCC), the GCCC be provided the first right of refusal to purchase the property at 31 Rosa Street, Goodwood with written advice to be provided to Council not less than six months prior to the conclusion of the lease.
4. In the event that the Goodwood Community Childcare Centre does not exercise the first right of refusal to purchase the property at 31 Rosa Street, Goodwood, the property be placed on the market for sale at the conclusion of the lease.

Councillor J. Dodd MOVED an AMENDMENT

SECONDED Councillor K. Anastassiadis

That:

1. The report be received.

2. The property located at 31 Rosa Street, Goodwood, be retained and at the conclusion of the current lease period a new lease be provided to the Goodwood Community Childcare Centre for a period of up to two years in accordance with Council's Lease Policy.
3. Following formalisation of the new lease with the Goodwood Community Childcare Centre (GCCC), the GCCC be provided the first right of refusal to purchase the property at 31 Rosa Street, Goodwood with written advice to be provided to Council not less than six months prior to the conclusion of the lease.
4. In the event that the Goodwood Community Childcare Centre does not exercise the first right of refusal to purchase the property at 31 Rosa Street, Goodwood, the property may be placed on the market for sale at the conclusion of the lease.

The AMENDMENT was PUT and CARRIED

(b) **Item 4.3 – Confidentiality Motion to Remain in Confidence for 4.2 - Potential Property Disposal, Goodwood**

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 4.2 Potential property disposal, Goodwood, considered at the Confidential Strategic Property Committee Meeting Meeting on 13 April 2021:

- Minutes
- Report

remain confidential until the matter is presented to Council for a decision.

2. The Chief Executive Officer be authorised to provide details of Council's decision to relevant parties 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.

The MOTION as AMENDED was

CARRIED
Resolution No. C0501/21

The meeting moved out of confidence and the doors to the Council Chambers were opened at 10.01pm.

EXTENSION TO MEETING

MOVED Councillor J. Dodd

SECONDED Councillor N. Sheehan

That:

In accordance with Clause UADJ – Code of Practice: Procedures at Meetings an extension of 30 minutes to the conclusion time of the meeting be approved.

CARRIED UNANIMOUSLY

Resolution No. C0502/21

ITEM 7.3

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.2 -
CONFIDENTIAL MINUTES OF STRATEGIC PROPERTY COMMITTEE**

MOVED Councillor K Anastassiadis

SECONDED Councillor D. Palmer

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.2 Confidential Minutes of Strategic Property Committee, considered at the Confidential Council Meeting on 27 April 2021:
 - Minutes
 - Report

remain confidential until 22 September 2023 and not available for public inspection until the cessation of that period.

2. The CEO be authorised to provide details of Council's decision to relevant parties 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. C0503/21

ITEM 7.4

CONFIDENTIALITY MOTION FOR 7.5 - EDMUND AVENUE COTTAGES LEASE

MOVED Councillor M Broniecki

SECONDED Councillor K Anastassiadis

That:

1. Pursuant to Section 90(2) and (3)(b)(i) and (b)(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 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
 - 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, and determine its preferred course of action for, the Edmund Avenue Cottages lease.

On that basis, the public's interest is best served by not disclosing 7.5 Edmund Avenue Cottages Lease, 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.

The meeting moved into confidence, the gallery was cleared and the doors to the Council Chambers were closed at 10.02pm.

ITEM 7.5
EDMUND AVENUE COTTAGES LEASE

MOVED Councillor P. Hughes

SECONDED Councillor J. Boisvert

That:

1. The report be received.
2. The Chief Executive Officer be authorised to enter into negotiations to execute a five-year lease, with an option for a further five years, with Little City for the Edmund Cottages located at 72, 74 and 76 Edmund Avenue.
3. The lease fee shall be structured as follows:
 - (a) First four-months rent-free.
 - (b) Rate of \$230/m² (plus CPI) from fifth month to the end of year one, of the initial five-year lease period.
 - (c) From the thirteenth month until the end of the lease agreement, a stepped rate increase of \$5/m² plus any applicable CPI be applied on the anniversary of the signing of the initial five-year lease.

CARRIED UNANIMOUSLY

Resolution No. C0504/21

The meeting moved out of confidence and the doors to the Council Chambers were opened at 10.02pm

ITEM 7.6

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.5 - EDMUND AVENUE COTTAGES LEASE

MOVED Councillor M. Rabbitt

SECONDED Councillor D. Palmer

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.5 Edmund Avenue Cottages Lease, considered at the Council Meeting on 27 April 2021:

- Minutes
- Report
- Attachment

remain confidential until such time as a fully executed lease is in place for the Edmund Avenue Cottages and not available for public inspection until the cessation of that period.

2. The CEO be authorised to disclose information as required within lease discussions with relevant parties in order to enable implementation of Council's 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. C0505/21

ITEM 7.7

CONFIDENTIALITY MOTION FOR 7.8 - BROWN HILL KESWICK CREEKS - WILBERFORCE WALK LAND ACQUISITION

MOVED Councillor J. Dodd

SECONDED Councillor M Broniecki

That:

1. Pursuant to Section 90(2) and (3)(b)(i), (b)(ii) and (d)(i) and (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 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; and
 - is 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; and
 - 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 land acquisition associated with Wilberforce Walk without compromising its commercial position.

On that basis, the public's interest is best served by not disclosing 7.8 Brown Hill Keswick Creeks - Wilberforce Walk Land Acquisition, 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. C0506/21

The meeting moved into confidence, the gallery was cleared and the doors to the Council Chambers were closed at 10.03pm.

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 - BROWN HILL KESWICK CREEKS - WILBERFORCE WALK LAND ACQUISITION

MOVED Councillor M Broniecki

SECONDED Councillor J. Dodd

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.8 Brown Hill Keswick Creeks - Wilberforce Walk Land Acquisition, considered at the Confidential Council Meeting on 27 April 2021:

Minutes

Report

remain confidential until such time as all relevant land acquisitions relating to Wilberforce Walk have been finalised and not available for public inspection until the cessation of that period.

2. The CEO be authorised to provide details of Council's decision to the Brown Hill Keswick Creek Board 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. C0508/21

NEXT MEETING

Monday 24 May 2021 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 10.04pm.

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PRESIDING MEMBER