



**Minutes of the City of Unley
Council Meeting
Monday, 13 December 2021, 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 City Development, Mr C. Malak
General Manager Business Support & Improvement, Ms N. Tinning
Acting Executive Manager Office of the CEO, Ms K. Goldy
Executive Assistant Office of the CEO, Ms L. Kennedy
Manager Community & Cultural Centres, Ms R. Cox
Manager Finance & Procurement, Mr A. Brown

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 13 December 2021, 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 J. Dodd declared a material conflict of interest in relation to Item 4.2 Leave of Absence Request from Councillor J. Dodd from 01/01/2022 to 30/02/2022 on the basis that the outcome may affect income derived from Council. Councillor J. Dodd advised that she would manage the conflict by leaving the meeting and not participating in the debate or voting in relation to that item.

1.4 MINUTES

ITEM 1.4.1

MINUTES OF THE ORDINARY COUNCIL MEETING HELD MONDAY, 22 NOVEMBER 2021

MOVED Councillor M. Broniecki

SECONDED Councillor S. Dewing

That:

1. The minutes of the Ordinary Council held on Monday, 22 November 2021 be taken as read and signed as a correct record, noting the correction to item 5.1.1—Notice of Motion Re: Request to Undertake a Movement Study of Glen Osmond Road.

CARRIED UNANIMOUSLY

Resolution No. C0675/21

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

ITEM 2.1A

DEPUTATION RE: FORESTVILLE HOCKEY CLUB SEEKING FINANCIAL SUPPORT

1. Peter Schembri, Kingswood

Re. The Forestville Hockey Club is relocating from Millswood to Unley High School and seeks financial support for the relocation.

ITEM 2.1B

DEPUTATION RE: REDUCTION OF LIBRARY OPERATING HOURS

1. Kate Hubmayer, Black Forest
Re. Reduction of Library operating hours.

ITEM 2.2

PETITION RE: PROPOSED CHANGES TO THE OPENING HOURS OF UNLEY LIBRARY

PRINCIPAL PETITIONER: Jonathan Lee

NUMBER OF SIGNATORIES: 82

NATURE OF PETITION: Request that the Council Rescind the Decision to Reduce the Opening Hours of Unley Library

MOVED Councillor J. Boisvert
SECONDED Councillor J. Dodd

That:

1. The petition be received, noting that the matter is listed for further consideration at Item 5.1.1 on this agenda (Council Meeting 13/12/2021).
2. Following consideration of Item 5.1.1 on this agenda (Council Meeting 13/12/2021), the principal petitioner be notified of Council's proposed actions.

CARRIED UNANIMOUSLY

Resolution No. C0676/21

The Presiding Member sought leave of the meeting to bring forward Item 5.1.1 Notice of Motion from Councillor J. Dodd Re: Motion to Rescind Resolution No: C0640/21 – Library Opening Hours, and leave was granted.

ITEM 5.1.1

NOTICE OF MOTION FROM COUNCILLOR J. DODD RE: MOTION TO RESCIND RESOLUTION NO: C0640/21 - LIBRARY OPENING HOURS

MOVED Councillor J. Dodd

SECONDED Councillor K. Anastassiadis

That:

1. The report be received.
2. The Council Resolution C0640/21 of the Council meeting of 8 November 2021 which states:

The proposed changes to opening hours for the Goodwood and Unley Libraries as set out on pages 18-19 of Item 4.1 (Council Meeting 8 November 2021) be endorsed.

be rescinded.

TIED

The Mayor exercised his CASTING VOTE and voted IN FAVOUR of the MOTION.

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, J. Boisvert, J. Dodd, D. Palmer, N. Sheehan, J. Bonham and K. Anastassiadis

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

Councillors P. Hughes, M. Rabbitt, M. Broniecki, S. Dewing, J. Russo and E. Wright

TIED

The Mayor exercised his CASTING VOTE by standing and voted IN FAVOUR of the MOTION.

The MOTION was declared **CARRIED**

Resolution No. C0677/21

3. REPORTS OF COMMITTEES

Nil

Councillor J. Dodd left the Chambers at 7:54pm.

Councillor J. Dodd returned to the Chambers at 7:56pm.

4. REPORTS OF OFFICERS

ITEM 4.1

PROPOSED ACTIVE PARTICIPATION FRAMEWORK

MOVED Councillor J. Boisvert

SECONDED Councillor J. Bonham

That:

1. The report be received.
2. The Unley Active Participation Framework contained in Attachment 1 to this report (Item 4.1, Council Meeting 13/12/2021) be adopted.
3. The Unley Active Participation Framework be endorsed as the community engagement approach for the development of the On Street Parking Strategy.

CARRIED UNANIMOUSLY

Resolution No. C0678/21

In accordance with her declared conflict of interest Councillor J. Dodd left the Chambers at 8:14pm.

ITEM 4.2

LEAVE OF ABSENCE REQUEST FROM COUNCILLOR J. DODD FROM 01/01/2022 TO 20/03/2022

MOVED Councillor S. Dewing

SECONDED Councillor P. Hughes

That:

1. The report be received.
2. Councillor J. Dodd be granted a leave of absence for the period of 1 January 2022 until 20 March 2022 inclusive.

Councillor S. Dewing with the leave of the meeting and consent of the seconder VARIED the MOTION as follows:

That:

1. The report be received.
2. Councillor J. Dodd be granted a leave of absence for the period of 1 January 2022 until the declaration of the State Election result.

CARRIED UNANIMOUSLY

Resolution No. C0679/21

Councillor J. Dodd returned to the Chambers at 8.16pm.

ITEM 4.3
PERFORMANCE REPORT CEO KPIS
MOVED Councillor P. Hughes
SECONDED Councillor J. Russo

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0680/21

ITEM 4.4
LGA CALL FOR NOMINATIONS - DOG AND CAT MANAGEMENT BOARD
MOVED Councillor J. Russo
SECONDED Councillor S. Dewing

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0681/21

ITEM 4.5
LGA CALL FOR NOMINATIONS - STORMWATER MANAGEMENT AUTHORITY
MOVED Councillor J. Dodd
SECONDED Councillor K. Anastassiadis

That:

1. The report be received.
2. Senior Assets and Engineering Lead Russell King be put forward in response to the call for nominations by the LGA for the vacancy: for a local government representative on the Stormwater Management Authority.

CARRIED UNANIMOUSLY

Resolution No. C0682/21

ITEM 4.6

LGA CALL FOR NOMINATIONS - SA POWER NETWORKS COMMUNITY ADVISORY BOARD

MOVED Councillor M. Broniecki

SECONDED Councillor M. Rabbitt

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0683/21

ITEM 4.7

COUNCIL ACTION RECORDS

Councillor N. Sheehan left the Chambers at 8:29pm.

MOVED Councillor J. Bonham

SECONDED Councillor K. Anastassiadis

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C0684/21

Councillor N. Sheehan returned to the Chambers at 8:31pm.

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

Nil

5.4 QUESTIONS WITHOUT NOTICE

ITEM 5.4.1

QUESTIONS WITHOUT NOTICE FROM COUNCILLOR D. PALMER RE: ADMINISTRATION TO CLARIFY WHETHER THE MAYOR HAS A COUNCIL PROVIDED VEHICLE AS PART OF HIS ROLE

The following Questions without Notice were received from Councillor D. Palmer and the answers will be provided at the Council Meeting 31 January 2022:

QUESTIONS

1. Can Administration clarify whether the Mayor has a Council provided vehicle as part of his role?
2. What role does Administration have on correcting errors that may have been identified in the personal blogs of members?
3. Can the answers to these questions be recorded in the upcoming Agenda?

6. MEMBER'S COMMUNICATION

6.1 MAYORS REPORT

ITEM 6.1.1

MAYOR'S REPORT FOR MONTH OF DECEMBER 2021

MOVED Councillor E. Wright

SECONDED Councillor M. Broniecki

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0685/21

6.2 DEPUTY MAYORS REPORT

Nil

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1

REPORTS OF MEMBERS

Council noted the attached reports from Members:

1. Councillor M. Broniecki

6.4 CORRESPONDENCE

ITEM 6.4.1 CORRESPONDENCE

The correspondence from:

- Minister for Environment & Water David Speirs – Water Sustainability Grants Round
- Her Excellency the Honourable Frances Adamson AC – Appreciation for Visit and Tour of City of Unley
- Mayor Anne Monceaux City of Burnside – Request for Joint Meeting with City of Burnside and Minister for Infrastructure and Transport Corey Wingard

be noted.

7. CONFIDENTIAL ITEMS

ITEM 7.1

CONFIDENTIALITY MOTION FOR 7.2 - GOODWOOD COMMUNITY CENTRE MANAGEMENT MODEL

MOVED Councillor M Broniecki

SECONDED Councillor J. Dodd

That:

1. Pursuant to Section 90(2) and (3)(b)(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
 - 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 the lease arrangement 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 Goodwood Community Centre Management Model, 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. C0686/21

The meeting moved into confidence, the gallery was cleared and the doors to the Council Chamber were closed at 8.33pm.

Item 7.2 Ex Confidential 15 December 2021

ITEM 7.2

GOODWOOD COMMUNITY CENTRE MANAGEMENT MODEL

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 8.34pm for up to 15 minutes to facilitate an informal discussion of the matter.

Formal meeting procedures resumed at 8.49pm.

MOVED Councillor P. Hughes

SECONDED Councillor M. Rabbitt

That:

1. The report be received.
2. A tender for management of Goodwood Community Centre for a 2+3 year term is prepared with the outcomes returned to Council prior to negotiating a Lease Agreement and Service Agreement.

CARRIED UNANIMOUSLY

Resolution No. C0687/21

The meeting moved out of confidence at 9.04pm.

ITEM 7.3

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.2 -
GOODWOOD COMMUNITY CENTRE MANAGEMENT MODEL**

MOVED Councillor J. Dodd

SECONDED Councillor M. Broniecki

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.2 Goodwood Community Centre Management Model, considered at the Confidential Council Meeting on 13 December 2021:

- Minutes
- Report
- Attachment

remain confidential until 30 June 2023 or until arrangements for the operating model for the Goodwood Community Centre have been fully implemented, whichever is the earlier, 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 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. C0688/21

ITEM 7.4

**CONFIDENTIALITY MOTION FOR 7.5 - WASTE MANAGEMENT SERVICES
PRUDENTIAL AND PROBITY REVIEW TO FINALISE TENDER
ASSESSMENT**

MOVED Councillor M. Broniecki

SECONDED Councillor J. Dodd

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.
 - information the disclosure of which 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 the Prudential and Probity Review including preferred tenders, without comprising the commercial position of Council or whom Council is proposing on conducting business with.

On that basis, the public's interest is best served by not disclosing 7.5 Waste Management Services Prudential and Probity Review to Finalise Tender Assessment 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. C0689/21

The meeting moved into confidence, the gallery was cleared and the doors to the Council Chamber were closed at 9.05pm.

Item 7.5, page(s) 13, is confidential and has been removed from the public agenda/minutes

ITEM 7.6

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.5 - WASTE MANAGEMENT SERVICES PRUDENTIAL AND PROBITY REVIEW TO FINALISE TENDER ASSESSMENT

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 7.5 Waste Management Services Prudential and Probity Review to Finalise Tender Assessment, considered at the Confidential Council Meeting on 13 December 2021:

- Minutes
- Report
- Attachment

remain confidential until such time as the new Waste Management Collection and Processing Contract has been executed.

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. C0691/21

The doors to the Council Chambers were opened at 9.14pm.

NEXT MEETING

Monday 31 January 2022 - 7pm

CLOSURE

The Presiding Member closed the meeting at 9.14pm.

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PRESIDING MEMBER