



**Minutes of the City of Unley
Council Meeting
Monday, 28 November 2022, 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

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 Manager Governance, Ms K. Goldy
Executive Assistant to CEO and Mayor, Ms L. Kennedy
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, Media and members of the gallery to the 28 November 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

Mayor M. Hewitson declared a material conflict of interest in relation to Item 4.11 Council Member Allowances and Benefits Policy – Facilities and Support Specific to the Mayor on the basis that the item related to determination of facilities and support specifically for the office of Mayor and that he 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, 24 OCTOBER 2022

MOVED Councillor J. Bonham

SECONDED Councillor M. Broniecki

That:

1. The minutes of the Ordinary Council held on Monday, 24 October 2022 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C0904/22

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

Nil

3. REPORTS OF COMMITTEES

ITEM 3.1

MINUTES OF AUDIT COMMITTEE

MOVED Councillor M Broniecki

SECONDED Councillor J. Bonham

That:

1. The minutes of the Audit Committee meeting held on Monday 14 November 2022, be received and the following recommendations contained therein be received by Council:

- (a) Item 2.1 - Proposed Financial Targets for the Long Term Financial Plan 2023-33

That:

1. The report be received.
2. The Long-Term Financial Plan 2023-2033 key financial targets as set out below, be received.

Indicator	Key Financial Target
Operating Surplus Ratio (excluding equity accounts businesses)	4%
Net Financial Liabilities Ratio	Less than 80%
Asset Renewal Funding Ratio 10 Year average based on the Asset Management Plans	Equal or greater than 100%

- (b) Item 2.2 - Proposed Corporate Purchase Card Policy - November 2022

That:

1. The report be received.

- (c) Item 2.3 - Quarterly Risk Report - November 2022

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0905/22

4. REPORTS OF OFFICERS

ITEM 4.1

2022 LOCAL GOVERNMENT ELECTION RESULTS

MOVED Councillor J. Russo

SECONDED Councillor P. Hughes

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0906/22

ITEM 4.2

APPOINTMENT OF DEPUTY MAYOR

MOVED Councillor P. Hughes

SECONDED Councillor J. Gaffey

That:

1. The report be received.
2. Pursuant to Section 51 (3) and (4) of the *Local Government Act 1999*, that a position of Deputy Mayor for the Council term November 2022 to November 2026 be endorsed.
3. A Deputy Mayor be appointed for the period commencing 28 November 2022 and concluding 30 November 2023.

CARRIED UNANIMOUSLY

Resolution No. C0907/22

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 7.18pm for up to 10 minutes to facilitate an informal discussion of the matter.

The following nominations were accepted for consideration of appointment to the position of Deputy Mayor:

Councillor J. Russo

Councillor M. Broniecki

The Presiding Member sought leave of the meeting for each nominee to provide a 3 minute speech in support of their nomination, and leave was granted.

Councillor J. Russo left the Chambers at 7.20pm.

Councillor M. Broniecki left the Chambers at 7.22pm.

Councillor J. Russo returned to the Chambers at 7.22pm.

Councillor M. Broniecki returned to the Chambers at 7.26pm.

Councillor C. Crabbe left the Chambers at 7.26pm.

Councillor C. Crabbe returned to the Chambers at 7.27pm.

Formal meeting procedures resumed at 7.27pm.

A ballot process was undertaken to determine the preferred candidate for the position of Deputy Mayor.

The Presiding Member sought leave of the meeting to bring forward Item 4.3 Questions Laying On The Table, and leave was granted.

ITEM 4.3

QUESTIONS LAYING ON THE TABLE

MOVED Councillor D. Palmer

SECONDED Councillor J. Bonham

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0908/22

The results of the ballot process for Deputy Mayor was communicated to the Presiding Member and the results announced.

Councillor M. Broniecki declared a material conflict of interest in relation to Item 4.2.2 Appointment Of Deputy Mayor on the basis that a financial benefit would be derived from the appointment and that she would manage the conflict by leaving the meeting and not participating in the debate or voting in relation to that item. Councillor M. Broniecki left the Chambers at 7.29pm.

ITEM 4.2.2
APPOINTMENT OF DEPUTY MAYOR

MOVED Councillor P. Hughes
SECONDED Councillor J Gaffey

That:

1. Councillor M. Broniecki be appointed to the position of Deputy Mayor for the period 28 November 2022 to 30 November 2023.

CARRIED UNANIMOUSLY

Resolution No. C0909/22

Councillor M. Broniecki returned to the Chambers at 7.30pm.

ITEM 4.4
2021-22 GENERAL PURPOSE FINANCIAL STATEMENTS

MOVED Councillor M. Broniecki
SECONDED Councillor J. Gaffey

That:

1. The report be received.
2. The Audited 2021-22 General Purpose Financial Statements contained in Attachment 1 to this report (Item 4.4, Council Meeting 28/11/2022) be adopted.
3. The Audited 2021-22 Financial Results compared to Budget contained in Attachment 2 to this report (Item 4.4, Council Meeting 28/11/2022) be noted.

CARRIED UNANIMOUSLY

Resolution No. C0910/22

ITEM 4.5
2022-23 QUARTER 1 FINANCIAL PERFORMANCE REPORT

MOVED Councillor M. Rabbitt
SECONDED Councillor J. Bonham

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0911/22

ITEM 4.6
2022-23 QUARTER 1 BUDGET REVIEW

MOVED Councillor M. Broniecki
SECONDED Councillor D. Palmer

That:

1. The report be received.
2. The proposed budget variations increasing the net funding requirement by \$296K as set out in Attachment 1 to this Report, (Item 4.6. Council Meeting 28/11/2022,) for the 2022-23 Quarter 1 Budget Review, be endorsed.
3. Council notes the \$556K favourable adjustment to the budgeted forecast for the Equity Accounted Business.
4. The revised budgeted Uniform Presentation of Finances reflecting a change in the estimated Operating Surplus to \$2.19M, and estimated borrowings at 30 June 2023 of \$6.1M be adopted.

CARRIED UNANIMOUSLY

Resolution No. C0912/22

ITEM 4.7
FIRST QUARTER 2022-23 CORPORATE PERFORMANCE REPORT

MOVED Councillor J. Russo
SECONDED Councillor J. Bonham

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0913/22

ITEM 4.8
QUARTERLY REPORT - CENTENNIAL PARK CEMETERY AUTHORITY
SEPTEMBER 2022

MOVED Councillor M. Rabbitt
SECONDED Councillor J. Bonham

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0914/22

ITEM 4.9

DETERMINATION OF TIME AND PLACE OF ORDINARY MEETINGS OF COUNCIL FOR 2023

MOVED Councillor P. Hughes

SECONDED Councillor C. Crabbe

That:

1. The report be received.
2. The Council meet on the fourth Monday of every month (excepting December 2023) in the Council Chambers, 181 Unley Road, Unley, with appropriate adjustments to accommodate public holidays, in accordance with the meeting schedule outlined below:

Monday	23 January 2023
Monday	27 February 2023
Monday	27 March 2023
Monday	24 April 2023
Monday	22 May 2023
Monday	26 June 2023
Monday	24 July 2023
Monday	28 August 2023
Monday	25 September 2023
Monday	23 October 2023
Monday	27 November 2023
Monday	11 December 2023

3. Council Meetings commence at 7.00pm in the Council Chambers, 181 Unley Road, Unley.
4. The Council meet, when required, on the second Monday of the month, as determined by the Chief Executive Officer.
5. The Chief Executive Officer be delegated authority to amend the date and time of Council Meetings should the need arise, with advice provided to Elected Members as soon as practicable when a need for change is identified, and formal notification provided in accordance with the requirements of section 83(1) of the *Local Government Act 1999*.

CARRIED UNANIMOUSLY

Resolution No. C0915/22

ITEM 4.10

COUNCIL MEMBER ALLOWANCES AND BENEFITS POLICY

MOVED Councillor J. Russo

SECONDED Councillor J. Bonham

That:

1. The report be received.
2. In accordance with Section 78 of the *Local Government Act 1999*, that the provisions of facilities and support set out in the Council Members Allowances and Benefits Policy are necessary or expedient to the performance or discharge of official functions and duties by Council Members (as set out in Attachment 1, Item 4.10, Council Meeting 28/11/22) be resolved.
4. The Council Member Allowances and Benefits Policy (as set out in Attachment 1, Item 4.10, Council Meeting 28/11/22) be adopted.
5. The Council Member allowance provided under Section 79 (1) of the *Local Government Act 1999* be paid 3 months in advance.

CARRIED UNANIMOUSLY

Resolution No. C0916/22

Mayor M. Hewitson declared a material conflict of interest in Item 4.11 Council Member Allowances and Benefits Policy – Facilities and Support Specific to the Mayor on the basis that the item related to determination of facilities and support specifically for the office of Mayor. In accordance with his declared conflict of interest Mayor M. Hewitson vacated the Chair and left the Chambers at 8.00pm.

Deputy Mayor M. Broniecki resumed the Chair as Presiding Member.

ITEM 4.11

COUNCIL MEMBER ALLOWANCES AND BENEFITS POLICY - FACILITIES AND SUPPORT SPECIFIC TO THE MAYOR

MOVED Councillor P. Hughes

SECONDED Councillor D. Palmer

That:

1. The report be received.
2. In accordance with Section 78 of the *Local Government Act 1999*, Council resolves that the provision of facilities and support specific to the Mayor as set out in Schedule 3 to the Council Member Allowances and Benefits Policy (Attachment 1, Item No 4.11, Council Meeting 28/11/2022) are necessary or expedient to the performance or discharge of official functions and duties by the Mayor.

3. Schedule 3 to the Council Member Allowances and Benefits Policy as set out in Attachment 1 to this report (Item No 4.11, Council Meeting 28/11/2022) be adopted.

CARRIED UNANIMOUSLY

Resolution No. C0917/22

Deputy Mayor M. Broniecki vacated the Chair at 8.02pm.

Mayor M. Hewitson returned to the Chambers at 8.02pm and resumed the Chair.

ITEM 4.12

ACTING CHIEF EXECUTIVE OFFICER - APPOINTMENT OF SUITABLE PERSON

MOVED Councillor D. Palmer

SECONDED Councillor M. Rabbitt

That:

1. The report be received.
2. The following persons be endorsed as suitable persons as per section 102 of the *Local Government Act 1999* to be appointed by the Chief Executive Officer to act in the office of Chief Executive Officer during periods of leave of absence:
 - 2.1 General Manager Business Support and Improvement – Nicola Tinning
 - 2.2 General Manager City Development – Claude Malak
 - 2.3 General Manager City Services – Megan Berghuis

CARRIED UNANIMOUSLY

Resolution No. C0918/22

ITEM 4.13

COUNCIL ACTION RECORDS

MOVED Councillor M. Broniecki

SECONDED Councillor J. Russo

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C0919/22

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 P. HUGHES RE: COUNCIL'S SECURITY PROTOCOLS

The following Questions without Notice were asked by Councillor P. Hughes at the Council Meeting on 24 October 2022. At that time the questions were taken on notice. The answers are now provided:

QUESTIONS

1. Has there been a comprehensive penetration test conducted on the Council systems (both internal and public facing)?
2. Is two factor authentication implemented for both consumers and administrators of the systems?
3. Is the minimum password complexity 10+ characters with special characters, numbers and letters with mixed case?
4. Is all data encrypted at rest and in transit to a secure standard such as AES256?
5. When were the ICT Security policies and procedures last updated?
6. What actions will be undertaken when a breach is detected?
7. Has consideration occurred about getting a security assessment undertaken (for example IRAP or ISO27001)?

ANSWERS

1. **Has there been a comprehensive penetration test conducted on the Council systems (both internal and public facing)?**

Throughout the lifecycle of the current infrastructure environment regular, in-depth penetration tests of our public facing networks and systems via third-party vendors has occurred. Internal penetration testing is not required. A sophisticated real-time monitoring solution has been employed that continuously monitors, investigates, and responds to internal threats and vulnerabilities. These are monitored through dashboard alerts.

2. **Is two factor authentication implemented for both consumers and administrators of the systems?**

Yes, a policy enforced multi-factor authentication requirement for all system users is in use.

3. **Is the minimum password complexity 10+ characters with special characters, numbers and letters with mixed case?**

The password passphrase requirements do not have a minimum 10+ complexity but are in-line with the adopted cyber-framework and meet associated industry standards.

4. **Is all data encrypted at rest and in transit to a secure standard such as AES256?**

Specific information about the handling of long-term storage of data is operationally sensitive, but broadly speaking, at-rest data is encrypted and transferred securely out-of-band.

5. **When were the ICT Security policies and procedures last updated?**

ICT Security policies and procedures are regularly reviewed. Administration has recently commenced a new cycle of review to ensure alignment with the recently endorsed cyber framework.

6. **What actions will be undertaken when a breach is detected?**

Incident response is operationally sensitive; however, our Operational Risk Plan includes a 24/7 response plan to incidents and Administration is notified of threats and vulnerabilities as they occur. If a data breach occurs that discloses Personally Identifiable Information, we follow the Office of the Australian Information Commissioner Notifiable Data Breach response procedure.

7. **Has consideration occurred about getting a security assessment undertaken (for example IRAP or ISO27001)?**

Administration engaged an external provider, CyberCX to undertake a comprehensive assessment against the ASD Essential 8 in July 2022. Administration require, assess and ensures our external system vendors who hold sensitive data comply with relevant industry standards.

5.4 QUESTIONS WITHOUT NOTICE

Nil

6. MEMBER'S COMMUNICATION

6.1 MAYORS REPORT

ITEM 6.1.1

MAYOR'S REPORT FOR MONTH OF NOVEMBER 2022

MOVED Councillor M. Rabbitt

SECONDED Councillor P. Hughes

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0920/22

6.2 DEPUTY MAYORS REPORT

ITEM 6.2.1

DEPUTY MAYOR'S REPORT FOR MONTH OF NOVEMBER 2022

MOVED Councillor J. Gaffey

SECONDED Councillor P. Hughes

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0921/22

6.3 ELECTED MEMBERS REPORTS

Nil

6.4 CORRESPONDENCE

ITEM 6.4.1

CORRESPONDENCE

The correspondence from:

- Hon Tom Koutsantonis MP – Approval of Council's Request to Extend E-Scooter Trial
- Hon Nick Champion MP – The State Planning Commission's Review of Tree Protection Regulations and Policy, and Council's Proposed Tree Offset Scheme

was noted.

7. CONFIDENTIAL ITEMS

Nil

NEXT MEETING

Monday 12 December 2022 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 8.09pm.

.....
PRESIDING MEMBER