

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF TEA TREE GULLY
HELD ON TUESDAY 14 DECEMBER 2021 AT 7.02PM
IN THE COUNCIL CHAMBERS, 571 MONTAGUE ROAD, MODBURY**

1. Opening Prayer and Welcome

The Mayor read the Opening Prayer and Acknowledgement of Country Statement.

The Mayor congratulated Ms Kristianne Foreman who has been provisionally elected as the new Hillcott Ward Councillor following a supplementary election.

2. Attendance Record:

2.1 Present

His Worship Mayor K Knight, Crs B Rankine, B Keane, J Lintvelt, L Jones, O Savvas, R Unger, D Wyld, L Petrie, R Coleman, P Field and S Keane.

2.2 Apologies

Nil

2.3 Leave of Absence

Nil

2.4 Record of Officers in Physical Attendance onsite

Mr J Moyle	Chief Executive Officer
Mr R McMahon	Director Organisation Services & Excellence
Mrs C Neil	Director Community & Cultural Development
Mr G D'Aloia	Acting Director Assets & Environment
Ms I Cooper	Manager Governance and Policy
Mrs D Taglierini	Governance Advisor
Mrs I Wilkshire	Manager City Strategy
Mrs V Masterman	Team Leader Planning Strategy
Ms R Gagetti	Property & Projects Facilitator
Mr T Amato	Team Leader Communications, Marketing & Events
Mr J Robbins	Manager Finance & Rating Operations
Mrs F Birch	Manager Recreation & Leisure Services
Ms C Oborn	Recreation Planning & Facility Coordinator
Mrs L Watson	Community Safety Leader

Mr A Moylan	Environmental Projects Officer
Mr R Hutchison	Team Leader Park Assets
Mr J Foong	Group Coordinator Water, Waste & Environment

Record of Officers in Attendance via Electronic Means (audio-visual link)

Nil

2.5 Record of Number of Persons in the Public Gallery – Physical Attendance

5 Attendees

2.6 Record of Media in Physical Attendance

Nil

3. Confirmation of Minutes to the Previous Meeting

Moved Cr S Keane, Seconded Cr Petrie

That the Minutes of the Council Meeting held on 23 November 2021 be confirmed as a true and accurate record of proceedings.

Carried Unanimously (1054)

4. Mayor's Report - Nil

5. Public Forum

Ms Gianna Vapore spoke in relation to the management report titled “Lease over Portion of Reserve – 68 Valley Road, Hope Valley – Proposed Telecommunications Tower – Community Engagement Outcomes”.

Mr Brian Maunder spoke in relation to Cat by-laws and the potential introduction of this in the City.

6. Deputations - Nil

7. Presentations - Nil

8. Petitions - Nil

9. Declaration of Conflicts of Interests

Cr Wyld indicated he would be declaring a conflict of interest in the management reports titled:

- ‘Lease over Portion of Reserve – 68 Valley Road, Hope Valley – Proposed Telecommunications Tower – Community Engagement Outcomes’
- ‘13 Australia Avenue – Disposal of Land’.

10. Adjourned Business - Nil

11. Motions Lying on the Table - Nil

12. Committee Reports

Service Review Committee - Nil

Audit Committee

12.1 Recommendations from the Audit Committee Meeting held on 24 November 2021

Draft Long Term Financial Plan FYE 2023-2032 (D21/89592)

Moved Cr Field, Seconded Cr Unger

That Council adopts the updated Long-Term Financial Plan for the Financial years from 2023-2032 as detailed in Attachment 1 of the report entitled “Draft Long-Term Financial Plan FYE 2023-2032” and dated 24 November 2021.

Carried Unanimously (1055)

Governance and Policy Committee - Nil

CEO Performance and Remuneration Review Committee - Nil

Traffic Management Safety Committee - Nil

13. Management Reports

Office of the Chief Executive Officer

13.1 Lease over Portion of Reserve - 68 Valley Road, Hope Valley - Proposed Telecommunications Tower - Community Engagement Outcomes (D21/98030)

Pursuant to sections 75 and 75A of the Local Government Act 1999, Cr Wyld declared an actual conflict of interest in relation to this matter on the basis of his personal obligation to comply with the Development Assessment Panel's Member's Code of Conduct, which arises by virtue under the Planning, Development and Infrastructure Act 2016. Participation in this item would be at odds with his obligations under that Code. Cr Wyld left the meeting and its close vicinity at 7.17pm while this matter was being discussed and voted on.

Moved Cr Savvas, Seconded Cr Field

That Council, having undertaken public consultation in accordance with Section 202 of the Local Government Act 1999 and considered responses, in accordance with Section 201 of the Act does not grant a ten year lease to Telstra Corporation Ltd for portion of land described as Allotment 3 Filed Plan 131691, Certificate of Title Volume 5861 Folio 387, located at 68 Valley Road, Hope Valley to construct a 30 metre shrouded monopole and associated infrastructure for telecommunication purposes.

Lost

Cr Wyld was not present for the vote.

Moved Cr Coleman, Seconded Cr B Keane

1. That Council, having undertaken public consultation in accordance with Section 202 of the Local Government Act 1999 and considered responses, in accordance with Section 201 of the Act grants a ten year lease with the option of granting a further two five-year consecutive terms to Telstra Corporation Ltd for portion of land described as Allotment 3 Filed Plan 131691, Certificate of Title Volume 5861 Folio 387, located at 68 Valley Road, Hope Valley to construct a 30 metre shrouded monopole and associated infrastructure for telecommunication purposes.
2. That the lease fee be set at \$20,000 per annum (exclusive of GST) with an annual rent review of three percent per annum in accordance with the Heads of Agreement in Attachment 2 to the Report titled "Lease Over Portion of

Reserve – 68 Valley Road, Hope Valley – Proposed Telecommunications Tower – Community Engagement Outcomes” and dated 14 December 2021 with additional terms and conditions deemed appropriate for this agreement by the Chief Executive Officer, including provision of additional landscaping adjacent residential areas to the east and south of the proposed lease site.

3. That Council adopts the amendment to the Hope Valley Sports Area Community Land Management Plan provided as Attachment 8 to the Report titled “Lease Over Portion of Reserve – 68 Valley Road, Hope Valley – Proposed Telecommunications Tower – Community Engagement Outcomes” and dated 14 December 2021 reflecting the approval of the lease to Telstra Corporation Ltd to construct a 30 metre shrouded monopole and associated infrastructure for telecommunication purposes.

Carried (1056)

Cr Wyld was not present for the vote.

Cr Wyld re-entered the meeting at 7.52pm.

13.2 Open Spaces and Places for People Grant Funding - Dawson Reserve, Modbury and Deed of Agreement (D21/99794)

Moved Cr Unger, Seconded Cr Savvas

- 1 That having considered the report titled “Open Spaces and Places for People Grant Funding – Dawson Reserve Modbury and Deed of Agreement” and dated 14 December 2021, Council accepts the grant funding offer of \$500,000 from the Minister for Planning and Local Government.
- 2 That Council allocates \$500,000 from Round 3 of the “Local Roads and Community Infrastructure Projects Program 21-22” grant funding in the 2021-22 financial year budget as detailed in table 1 of this report to match \$500,000 funding from the Open Space and Places for People Grant for Dawson Reserve in accordance with Attachment 2 of the abovementioned report which is the project concept plan upon which the grant application was based.
- 3 That Council authorises the Grant Deed to be signed and sealed as necessary as to execute the Deed with the Department for Planning and Land Use Services for \$500,000 as set out in Attachment 3 of the abovementioned report.

Carried Unanimously (1057)

13.3 Updated Modbury Precinct Landscape Style Guide (D21/100257)

Moved Cr Savvas, Seconded Cr Petrie

That Council having considered the report titled “Updated Modbury Precinct Landscape Style Guide” and dated 14 December 2021:

- a. Endorses the updated *Modbury Precinct Landscape Style Guide – 2021* as provided in Attachment 1;
- b. Authorises the Chief Executive Officer to make any minor grammatical or other changes to the *Modbury Precinct Landscape Style Guide – 2021* provided that the changes made do not alter the intent of the principles or elements contained within the document;
- c. Authorises the Chief Executive Officer to review and update *the Modbury Precinct Landscape Style Guide Technical Specifications* as and when required in the future to align with the Modbury Precinct Landscape Style Guide.

Carried Unanimously (1058)

13.4 Discharge of Encumbrance - 645 Milne Road, Tea Tree Gully (D21/101215)

Moved Cr Jones, Seconded Cr Lintvelt

1. That Council resolves to no longer administer the Memorandum of Encumbrance No. 8955459 as detailed in Attachment 1 in the report titled “Discharge of Encumbrance – 645 Milne Road Tea Tree Gully” and dated 14 December 2021.
2. That Council endorses the request to fully discharge the Memorandum of Encumbrance No. 8955459 registered on Certificate of Title Volume 5268 Folio 593 and that all costs associated with the discharge to be met by the property owner.
3. That the Mayor and Chief Executive Officer be authorised to sign and seal all relevant documents to give effect to this decision.

Carried Unanimously (1059)

Assets & Environment

13.5 Replacement of Council's existing Playspace Guide 2012-2030 with the new Playground Guide (D21/98034)

Moved Cr Field, Seconded Cr Savvas

1. That Council revokes the existing Playspace Guide 2012-2030, provided as Attachment 2 of the report titled “Replacement of Council’s existing Playspace Guide 2012-2030 with the new Playground Guide” and dated 14 December 2021.
2. That Council endorses the new Playground Guide provided as Attachment 1 of the report titled “Replacement of Council’s existing Playspace Guide 2012-2013 with the new Playground Guide” and dated 14 December 2021, subject to any modifications identified in the report.

Carried Unanimously (1060)

13.6 Outcomes of Community Engagement for the Proposed Development of a New Playground on Kaplan Reserve, St Agnes (D21/98858)

Moved Cr Savvas, Seconded Cr Unger

That having considered the report titled “Outcomes of the Community Engagement for the Proposed Developed a New Playground on Kaplan Reserve, St Agnes” and dated 14 December 2021 that Council resolves to:

1. Construct a new local playground and associated park improvements at Kaplan Reserve, St Agnes.
2. Amend the St Agnes Community Land Management Plan, as described in Attachment 5 of the report titled “Outcomes of community engagement for the inclusion of a playground on Kaplan Reserve, St Agnes” and dated 14 December 2021.

Carried Unanimously (1061)

Organisational Services & Excellence - Nil

Community & Cultural Development

13.7 Tea Tree Gully BMX Club Incorporated - Request to Enter into a 5 year lease - St Agnes Recreation Area, St Agnes (D21/96736)

Moved Cr Unger, Seconded Cr Savvas

That Council grants a lease to Tea Tree Gully BMX Club Incorporated for the portion of land described as St Agnes Recreation Area, St Agnes (Certificate of Title - Volume 6077/Folio 720) and as outlined in the report titled "Tea Tree Gully BMX Club Incorporated - Request to enter into a 5 year lease - St Agnes Recreation Area, St Agnes" and dated 14 December 2021, with the following terms and conditions:

- a. The term of the lease shall be for a period of five (5) years
- b. The lease fee shall be initially \$1 per annum with annual CPI increases on the yearly anniversary date which is consistent with the criteria in Council's "Leases and Licences to Sporting and Community Organisations Policy"
- c. Other terms and conditions as set out in accordance with Council's "Leases and Licences to Sporting and Community Organisations Policy"
- d. A sum of \$5,000 be added to Councils ongoing operational budget as a 50% annual contribution towards the BMX track maintenance
- e. Any other terms and conditions as deemed necessary by Council's Chief Executive Officer that are required for this specific lease and site.

Carried Unanimously (1062)

13.8 Memorial Oval, Tea Tree Gully - Dogs On/Off Leash and Associated Licence Agreement (D21/97387)

Moved Cr Jones, Seconded Cr Lintvelt

1. That Council having considered the report titled "Memorial Oval, Tea Tree Gully – Dogs On/Off Leash and Associated Licence Agreement" and dated 14 December 2021, supports a trial of up to six (6) months of dogs on or off leash permitted at all times on Memorial Oval, Tea Tree Gully subject to the following conditions:
 - a. The trial period commences 1 January 2022 and concludes 30 June 2022 subject to Council being formally advised by the Minister of acceptance of this proposal, noting that if the Minister's approves the proposal after 1 January 2022, Council's Chief Executive Officer be authorised to set the commencement and 6 month conclusion dates of the trial.
 - b. Dogs are to be permitted on or off leash when
 - i. the oval is not being used by the Tea Tree Gully Primary School or Kathleen Mellor Preschool Kindergarten and children are not present or

- ii. the oval is not being used under a formal hire agreement to a sporting club.
 - c. The requirement for dogs to be put on a leash and to move immediately off the oval would come into effect when the School's staff and students move onto or cross the oval and when school children are present between 8am and 4pm Monday to Friday, school terms; or when sporting clubs are accessing the oval under a formal hire agreement.
 - d. The matter be returned to Council earlier if the trial arrangements are adversely impacting the licence agreement, School or a hire agreement with a sporting club.
2. The Council request the Chief Executive Officer to write to the Minister for Education (or their delegate), with a copy to be provided to the Tea Tree Gully Primary School Principal and Kathleen Mellor Preschool Kindergarten Director to confirm the trial and associated conditions seeking the Minister's formal approval of the trial as a variation to the current licence agreement.
 3. That Council in relation to [Council's By-Law No. 4 – Dog's](#) amend the following condition to the Dogs off Leash Areas and in relation to the Tea Tree Gully Sports Area (Memorial Oval), Tea Tree Gully:

Dogs off leash are permitted at all times with the requirement for dogs to be put on a leash and to move immediately off the oval when Tea Tree Gully Primary School or Kathleen Mellor Preschool Kindergarten staff and students move onto or cross the oval and when are present between 8.00am and 4.00pm Monday to Friday, during school terms or when sporting clubs are accessing the oval under a formal hire agreement.
 4. That Council erect signage at the Tea Tree Gully Sports Area notifying of the ability for Dogs off Leash on Memorial Oval and communicating the requirement for shared usage, as per the above condition stated in Item 3 above.
 5. That a sum of \$4k be added to the relevant 2021-22 Financial Year operating budget for the purpose of amending signage at the Tea Tree Gully Sports Area and development of education flyers in relation to dogs being permitted off leash and the associated access conditions for Memorial Oval, Tea Tree Gully.
 6. That the Chief Executive Officer be requested to bring a report to Council prior to the conclusion of the trial period that reports on the outcomes of the trial and any recommended future proposal of dogs being permitted on and/or off leash at Memorial Oval, Tea Tree Gully.

Leave of the meeting was sought with the consent of the mover and seconder to vary the motion to remove the words “and children are not present” at the end of section 1.b.i. Leave was granted.

Motion as varied

1. That Council having considered the report titled “Memorial Oval, Tea Tree Gully – Dogs On/Off Leash and Associated Licence Agreement” and dated 14 December 2021, supports a trial of up to six (6) months of dogs on or off leash permitted at all times on Memorial Oval, Tea Tree Gully subject to the following conditions:
 - a. The trial period commences 1 January 2022 and concludes 30 June 2022 subject to Council being formally advised by the Minister of acceptance of this proposal, noting that if the Minister’s approves the proposal after 1 January 2022, Council’s Chief Executive Officer be authorised to set the commencement and 6 month conclusion dates of the trial.
 - b. Dogs are to be permitted on or off leash when
 - i. the oval is not being used by the Tea Tree Gully Primary School or Kathleen Mellor Preschool Kindergarten or
 - ii. the oval is not being used under a formal hire agreement to a sporting club.
 - c. The requirement for dogs to be put on a leash and to move immediately off the oval would come into effect when the School’s staff and students move onto or cross the oval and when school children are present between 8am and 4pm Monday to Friday, school terms; or when sporting clubs are accessing the oval under a formal hire agreement.
 - d. The matter be returned to Council earlier if the trial arrangements are adversely impacting the licence agreement, School or a hire agreement with a sporting club.
2. The Council request the Chief Executive Officer to write to the Minister for Education (or their delegate), with a copy to be provided to the Tea Tree Gully Primary School Principal and Kathleen Mellor Preschool Kindergarten Director to confirm the trial and associated conditions seeking the Minister’s formal approval of the trial as a variation to the current licence agreement.
3. That Council in relation to [Council’s By-Law No. 4 – Dog’s](#) amend the following condition to the Dogs off Leash Areas and in relation to the Tea Tree Gully Sports Area (Memorial Oval), Tea Tree Gully:

Dogs off leash are permitted at all times with the requirement for dogs to be put on a leash and to move immediately off the oval when Tea Tree Gully Primary School or Kathleen Mellor Preschool Kindergarten staff and students move onto or cross the oval and when are present between

8.00am and 4.00pm Monday to Friday, during school terms or when sporting clubs are accessing the oval under a formal hire agreement.

4. That Council erect signage at the Tea Tree Gully Sports Area notifying of the ability for Dogs off Leash on Memorial Oval and communicating the requirement for shared usage, as per the above condition stated in Item 3 above.
5. That a sum of \$4k be added to the relevant 2021-22 Financial Year operating budget for the purpose of amending signage at the Tea Tree Gully Sports Area and development of education flyers in relation to dogs being permitted off leash and the associated access conditions for Memorial Oval, Tea Tree Gully.
6. That the Chief Executive Officer be requested to bring a report to Council prior to the conclusion of the trial period that reports on the outcomes of the trial and any recommended future proposal of dogs being permitted on and/or off leash at Memorial Oval, Tea Tree Gully.

Carried Unanimously (1063)

14. Notice(s) of Motions - Nil

15. Motions without Notice - Nil

16. Questions on Notice - Nil

17. Questions without Notice - Nil

18. Council Delegates and Activities Report

Cr Jones provided a Deputy Mayor's Report from 1 November until 14 December 2021. Leave of the meeting was sought for this report to be tabled in the minutes. Leave was granted.

19. Information Reports

The following Information reports were received at the meeting:

19.1 Gallery 1855 - Valley View Secondary School Exhibition (D21/94291)

19.2 Call for Nominations - SA Power Networks Community Advisory Board (D21/95218)

Pursuant to sections 73 and 74 of the Local Government Act 1999, Cr Petrie declared a material conflict of interest in relation to matter on the basis that she is the nominee and if appointed to the position would receive a pecuniary benefit as a result of an annual allowance. Cr Petrie left the meeting and its close vicinity while the matter was being discussed and voted on at 8.36pm.

Moved Cr Wyld, Seconded Cr Jones

That Council nominates Cr Lyn Petrie for the position of member of the SA Power Networks Community Advisory Board.

Carried Unanimously (1064)

Cr Petrie re-entered the meeting at 8.39pm.

19.3 Call for Nominations - Stormwater Management Authority (D21/95262)

Moved Cr Wyld, Seconded Cr Coleman

That Council nominates Jonathan Foong, Council's Group Coordinator, Water Waste and Environment, for the position of member of the Stormwater Management Authority.

Carried Unanimously (1065)

19.4 Community Wastewater Management System (CWMS) Quarter 1 Report 2022 (D21/98239)

19.5 Tea Tree Gully Red Cross SA Branch (D21/100046)

Moved Cr Jones, Seconded Cr Lintvelt

1. That the City of Tea Tree Gully Council acknowledges the significant contribution of the Tea Tree Gully Red Cross to residents across the City.
2. That Council notes that after 107 years of Service to the local community they have decided to close.
3. That Council formally thanks all members past and present of the Tea Tree Gully Red Cross for their service to the local communities.

Carried Unanimously (1066)

19.6 Scouts South Australia Incorporated Modbury West - Amendment to Lease Agreement (D21/98994)

Cr Brett Rankine left the remainder of the meeting at 8.49pm.

19.7 Planning, Development and Infrastructure (Exceptional Tree Register) Amendment Bill 2021 (D21/99764)

Moved Cr Wyld, Seconded Cr S Keane

That having considered the information report titled “Planning, Development and Infrastructure (Exceptional Tree Register) Amendment Bill 2021” and dated 14 December 2021, Council endorses these comments and provides feedback to the LGA as outlined in the report.

Carried Unanimously (1067)

19.8 Report on Fire Prevention Petition Range Road North (D21/99930)

Moved Cr Jones, Seconded Cr Lintvelt

1. That Council requests approval from the Chief Executive Officer of the Country Fire Service (CFS) for clearance of native and vegetation and for this to be done in consultation with the property owners who own the area which is subject of the Petition.
2. If applicable, notify the Native Vegetation Council of any clearance works.
3. That a report be provided back to Council advising of the outcome.

Carried Unanimously (1068)

19.9 Local Government Periodic Elections for 2022 - Timetable (D21/100324)

19.10 Cloth Nappy and Sanitary Items Rebate Program Update (D21/101322)

Cr Field left the meeting at 9.09pm and re-entered the meeting at 9.11pm.

Cr Wyld left the meeting at 9.10pm.

**19.11 Notice of Intention to Acquire - portion of Allotment (Reserve) 1002 in
Deposited Plan 115188 - Golden Grove Park N Ride Facility, The Grove Way,
Golden Grove (D21/101515)**

20. Status Report on Resolutions

20.1 Status Report on Council Resolutions (D21/91418)

Council received the Status Report on Council Resolutions

21. Other Business – Nil

22. Section 90(2) Local Government Act 1999 – Confidential Items

22.1 13 Australia Avenue - Disposal of Land (D21/81926)

Recommendation for Moving into Camera

Moved Cr S Keane, Seconded Cr Field

1. That pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that the public (except staff on duty and the new provisionally elected member for Hillcott Ward Ms Kristianne Foreman) be excluded from the meeting to enable discussion on the 13 Australia Avenue - Disposal of Land.
2. That the Council is satisfied that pursuant to section 90(3)(b)(i), (b)(ii) and (k) of the Act, the information be received, discussed or considered in relation to this item is:
 - 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 information the disclosure of which would, on balance, be contrary to the public interest; AND
 - o on the basis that that the public release of this information would have the potential to impact the capacity for Council to negotiate the best value for money for Council.
 - tenders for the supply of goods, the provision of services or the carrying out of works .
 - o on the basis that release of this information would compromise Council's ability to obtain the best outcome for Council and the community.
3. In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in the public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances on the basis that that the public release of this information would compromise Council's ability to obtain the best outcome for Council and the community.

Carried Unanimously (1069)

Cr Wyld was not present for the vote.

The following staff members on duty remained at the meeting for the following item:

Mr J Moyle, Mr G D'Aloia, Mr R McMahon, Mrs C Neil, Ms I Cooper, Mrs D Taglierini, Mrs F Birch, Mrs L Watson, Mrs I Wilkshire, Ms R Gaggi, Mr J Robbins, Mr J Foong, Mr T Amato, Mr A Moylan and Ms K Foreman.

22.1 13 Australia Avenue - Disposal of Land (D21/81926)

During the debate, Cr Jones left the meeting at 9.15pm.

Moved Cr Unger, Seconded Cr Savvas

That having considered the report titled "13 Australia Avenue – Disposal of Land" and dated 14 December 2021, Council approves the outcome of the tender evaluation report for the Disposal of 13 Australia Avenue, Modbury and approves staff to directly negotiate with the preferred tenderer to establish a preferred proposal and that this final proposal be presented to Council for approval.

Carried Unanimously (1)

Crs Wyld and Jones were not present for the vote.

Retention of confidential documents:

Moved Cr S Keane, Seconded Cr Coleman

1. That having considered the agenda item titled 13 Australia Avenue - Disposal of Land and dated 14 December 2021 in confidence under section 90(2) & (3) (b)(i), (b)(ii) and (k) and Section 91(7) of the Local Government Act 1999:
 - 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
 - information the disclosure of which would, on balance, be contrary to the public interest; AND
 - tenders for the supply of goods, the provision of services or the carrying out of works

the Council pursuant to section 91(7) of the Act orders that the report, attachments and minutes relevant to this item be retained in confidence until the tender is awarded and contract signed by all parties or Upon appointment of the successful tenderer or unless Council resolves otherwise. and that this order be reviewed every 12 months at a minimum (if the confidentiality period is longer than 12 months in duration) or until the Council resolves otherwise, whichever occurs first.
2. That the Council gives the power pursuant to Section 91 of the Local Government Act 1999 to the Chief Executive Officer to revoke the order made under Section 91 (7) of the Local Government Act 1999 subject to the Chief Executive Officer consulting with the Mayor and reporting to the Elected Members of the revocation.

Carried Unanimously (1071)

Crs Wyld and Jones were not present for the vote.

Cr Wyld re-entered the meeting at 9.17pm.

Cr Jones re-entered the meeting at 9.17pm.

22.2 2022 City of Tea Tree Gully Australia Day Awards (D21/101572)

Recommendation for Moving into Camera

Moved Cr Field, Seconded Cr Lintvelt

1. That pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that the public (except staff on duty and new provisionally elected member for Hillcott Ward Ms Kristianne Foreman) be excluded from the meeting to enable discussion on the 2022 City of Tea Tree Gully Australia Day Awards.
2. That the Council is satisfied that pursuant to section 90(3)(o) of the Act, the information be received, discussed or considered in relation to this item is:
 - information relating to a proposed award recipient before the presentation of the award.
 - o On the basis that it details proposed award recipients before the Australia Day Ceremony and that it should not be released outside the official ceremony that recognises their contribution to the City.
3. In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in the public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances on the basis that this information should not be disclosed before the official Australia Day ceremony.

Carried Unanimously (1072)

Cr Wyld left for the remainder of the meeting at 9.18pm.

The following staff members on duty remained at the meeting for the following item:

Mr J Moyle, Mr G D'Aloia, Mr R McMahon, Mrs C Neil, Ms I Cooper, Mrs D Taglierini, Mrs F Birch, Mrs L Watson, Mrs I Wilkshire, Ms R Gagetti, Mr J Robbins, Mr J Foong, Mr T Amato, Mr A Moylan and Ms K Foreman.

22.2 2022 City of Tea Tree Gully Australia Day Awards (D21/101572)

Suspension of Formal Meeting Procedures at 9.18pm

Moved Cr S Keane, Seconded Cr Jones

That Council temporarily suspend the formal meeting procedures to allow free and open discussion on the applicants for 2022 City of Tea Tree Gully Australia Day Awards until they have been selected.

Carried Unanimously (1073)

Following the informal discussion the Mayor determined that the period of suspension should be brought to an end and formal meeting procedures were resumed at 9.34pm.

Moved Cr Petrie, Seconded Cr Field

1. 2022 City of Tea Tree Gully Outstanding Citizen Award

That Council awards the City of Tea Tree Gully's 2022 Outstanding Citizen Award to Samuel Weavers.

2. 2022 City of Tea Tree Gully Outstanding Community Group Award

That Council awards the City of Tea Tree Gully's 2022 Outstanding Community Group Award to Pioneer Court Community Garden.

Carried Unanimously (1074)

Retention of confidential documents:

Moved Cr S Keane, Seconded Cr Field

1. That having considered the agenda item titled 2022 City of Tea Tree Gully Australia Day Awards and dated 14 December 2021 in confidence under section 90(2) & (3)(o) and Section 91(7) of the Local Government Act 1999:
 - information relating to a proposed award recipient before the presentation of the award.the Council pursuant to section 91(7) of the Act orders that that the report, attachments and minutes relevant to this item be retained in confidence until the award winners are publicly announced on Australia Day 2022 or until the Council resolves otherwise, whichever occurs first.
2. That the Council gives the power pursuant to Section 91 of the Local Government Act 1999 to the Chief Executive Officer to revoke the order made under Section 91 (7) of the Local Government Act 1999 subject to the Chief Executive Officer consulting with the Mayor and reporting to the Elected Members of the revocation.

Carried Unanimously (1075)

22.3 Joint Use Animal Pound with City of Salisbury (D21/104489)

Recommendation for Moving into Camera

Moved Cr S Keane, Seconded Cr B Keane

1. That pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that the public (except staff on duty and new provisionally elected member for Hillcott Ward Ms Kristianne Foreman) be excluded from the meeting to enable discussion on the Joint Use Animal Pound with City of Salisbury.
2. That the Council is satisfied that pursuant to section 90(3) (d)(i) and (d)(ii) of the Act, the information be received, discussed or considered in relation to this item 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
 - the disclosure of which would, on balance, be contrary to the public interest .
 - o It relates to information the disclosure of which could reasonably be expected to confer a commercial advantage to a person with who the third party is conducting or proposing to conduct, business with as the report contains information relating to costs.
3. That the Council is satisfied that the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter by the need to keep the discussion of this matter confidential because release of this information could jeopardise the commercial position of the third party.

Carried Unanimously (1076)

The following staff members on duty remained at the meeting for the following item:

Mr J Moyle, Mr G D'Aloia, Mr R McMahon, Mrs C Neil, Ms I Cooper, Mrs D Taglierini, Mrs F Birch, Mrs L Watson, Mrs I Wilkshire, Ms R Gagetti, Mr J Robbins, Mr J Foong, Mr T Amato, Mr A Moylan and Ms K Foreman.

22.3 Joint Use Animal Pound with City of Salisbury (D21/104489)

Moved Cr B Keane, Seconded Cr Coleman

That Council, having considered the report titled “Joint Use Animal Pound with City of Salisbury” and dated 14 December 2021 allocates an additional \$88,703.21 funding which will be included in the 2021-22 Financial year budget bringing the City of Tea Tree Gully’s contribution to the Joint Use Animal Compound to \$488,703.21 noting that with the City of Salisbury contributions the total budget will be \$1,333,429.50 provided:

1. The value management of the project against the available budget will continue
2. Grant funding opportunities will be actively pursued with a view to further reducing Council’s financial contribution to the project if and where possible, and
3. The Chief Executive Officer is authorised to increase the budget for storage to accommodate any additional costs required to store the kennels ordered for the new facility if required, and
4. Any cost impacts of enacting this decision of Council be addressed at the next available quarterly budget review.

Carried Unanimously (1077)

Retention of confidential documents:

Moved Cr B Keane, Seconded Cr Coleman

1. That having considered the agenda item titled Joint Use Animal Pound with City of Salisbury and dated 14 December 2021 in confidence under section 90(2) & (3) (d)(i) and (d)(ii) and Section 91(7) of the Local Government Act 1999:
 - 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
 - the disclosure of which would, on balance, be contrary to the public interest

the Council pursuant to section 91(7) of the Act orders that the report, attachments and minutes relevant to this item be retained in confidence with the exception of releasing this information to the City of Salisbury Council until awarding of the contract has been signed by all relevant parties with the exception of this information being released to the City of Salisbury.

2. That the Council gives the power pursuant to Section 91 of the Local Government Act 1999 to the Chief Executive Officer to revoke the order made under Section 91 (7) of the Local Government Act 1999 subject to the Chief Executive Officer consulting with the Mayor and reporting to the Elected Members of the revocation.

Carried Unanimously (1078)

22.4 Potential Property Acquisition - 70 Valley Road, Hope Valley (D21/104720)

Recommendation for Moving into Camera

Moved Cr S Keane, Seconded Cr Petrie

1. That pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that the public (except staff on duty and new provisionally elected member for Hillcott Ward Ms Kristianne Foreman) be excluded from the meeting to enable discussion on the Potential Property Acquisition - 70 Valley Road, Hope Valley.
2. That the Council is satisfied that pursuant to section 90(3) (b)(i) and (b)(ii) of the Act, the information be received, discussed or considered in relation to this item is:
 - 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
 - information the disclosure of which would, on balance, be contrary to the public interest .
 - o On the basis that the public release of this information would compromise Council's ability to bid a purchase price that is in the best interest of Council.).
3. In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in the public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances on the basis that on the basis that the public release of this information would compromise Council's ability to bid a purchase price that is in the best interest of Council.

Carried Unanimously (1079)

The following staff members on duty remained at the meeting for the following item:

Mr J Moyle, Mr G D'Aloia, Mr R McMahon, Mrs C Neil, Ms I Cooper, Mrs D Taglierini, Mrs F Birch, Mrs L Watson, Mrs I Wilkshire, Ms R Gaggiotti, Mr J Robbins, Mr J Foong, Mr T Amato and Ms K Foreman.

22.4 Potential Property Acquisition - 70 Valley Road, Hope Valley (D21/104720)

Moved Cr Savvas, Seconded Cr Petrie

Option A – Not to Acquire the land

That Council having considered the report titled “Potential Property Acquisition – 70 Valley Road, Hope Valley” and dated 14 December 2021 Council resolves not to pursue the option of seeking to acquire this parcel of land.

Carried Unanimously (2080)

23. Date of Next Ordinary Meeting

18 January 2022

The Mayor declared the meeting closed at 9.54pm.

Confirmed.....
Mayor 18 January 2022

Deputy Mayor's Report - 1 November 2021 - December 2021



DEPUTY MAYOR LUCAS JONES

1 November 2021	I, along with Cr Jessica Lintvelt, attended a meeting with the Tea Tree Gully CFS.
3 November 2021	I conducted a Citizenship Ceremony at Sfera's Park Suites and Convention Centre.
10 November 2021	I hosted a Community Grants Presentation Evening where I presented the Certificates to the Community Group Members.
11 November 2021	I, along with the CEO and other staff met with the Minister for Sport Corey Wingard at the Modbury Tennis Club and Modbury Jets Soccer Club.
15 November, 2021	I along with Cr's Lintvelt and Petrie attended a CWMS community forum hosted by the Leader of the Opposition.
18 November 2021	I represented the City of Tea Tree Gully at the Golden Grove High School Year 12 Graduation Assembly and donated a gift to a student.
25 November 2021	I represented the City of Tea Tree Gully at the Banksia Park High School Valedictory Service at the Adelaide Town Hall and jointly with Cr Lintvelt donated a gift to a student.
3 December 2021	I, along with the CEO, attended a meeting with a representative from the Department for Health and Wellbeing to discuss the COVID-19 Vaccination program and its rollout across the City of Tea Tree Gully.
7 December 2021	I met with the new President of the Tea Tree Gully Football Club, David Crisanti at their club rooms.
9 December 2021	I visited Wandana Primary School and spoke with Year 6 students about the role of local government in our Community. Later that day, I along with the CEO, met with the Greens Candidate for Newland Adla Mattiske.

14 December 2021

I attended the Tea Tree Gully Red Cross lunch at the Grand North.

I later presented certificates at the Youth Leadership Graduation Ceremony in the Community Learning Centre.

I want to give a special thanks to Cr Sandy Keane for stepping in and representing me at a number of events at short notice.