

**MINUTES
OF THE COUNCIL MEETING OF THE CITY OF TEA TREE GULLY HELD ON
TUESDAY 9 APRIL 2024 AT 7.01PM IN THE COUNCIL CHAMBERS, 571
MONTAGUE ROAD, MODBURY**

1. Opening Prayer and Welcome

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

2. Attendance Record:

2.1 Present

Her Worship Mayor M Ryan, Crs B Keane, J Hawkvelt, L Jones, R Unger, I Zagladov, L Petrie, K Drozdoff, B Lawrenson, M Champion, S Keane and K Foreman.

2.2 Apologies

Cr T Sinclair.

2.3 Leave of Absence

Nil

2.4 Record of Officers in Attendance (physical or electronic)

Ryan McMahon	Chief Executive Officer
Justin Robbins	General Manager Strategy & Finance
Leisha Bond	General Manager Corporate Services
Felicity Birch	General Manager City Operations
Michael Pereira	General Manager Community Services
Deana Taglierini	Coordinator, Governance
Kristyn Barnes	Governance Administration Officer
Jessica Lewig	Lead – Urban Planning

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

Nil

3. Confirmation of Minutes to the Previous Meeting

Moved Cr Champion, Seconded Cr Foreman

That the Minutes of the Council Meeting held on 26 March 2024 be confirmed as a true and accurate record of proceedings.

Carried Unanimously (424)

4. Public Forum - Nil

5. Deputations - Nil

6. Presentations - Nil

7. Petitions - Nil

8. Adjourned Business - Nil

9. Motions Lying on the Table - Nil

10. Committee Reports

Service Review Committee - Nil

Audit & Risk Committee - Nil

Governance & Policy Committee - Nil

CEO Performance Review Committee - Nil

11. Management Reports

Office of the Chief Executive Officer

11.1 Variations to Delegations Register - Various Updates to Legislation - March 2024 Update (D24/21000)

Moved Cr Foreman, Seconded Cr B Keane

1. Delegations made under Local Government Act 1999 (Attachments 1 – 2)

That Council endorses the following variations to Council’s delegations made to Council employees in accordance with section 44(1) of the Local Government Act 1999:

1.1 – Delegations made to Council Employees

In exercise of the power contained in section 44 of the *Local Government Act 1999* the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Attachment 1-2 of the report are hereby delegated this day, 9 April 2024, to the persons occupying the positions of Chief Executive Officer, General Manager Corporate Services, General Manager City Operations, General Manager Community Services, General Manager Strategy and Finance (or person(s) ‘acting’ in the above mentioned positions) except where otherwise indicated in the Attachment, subject to the conditions and/or limitations specified herein or in the Schedule of Conditions in each proposed Instrument of Delegation:

- Local Government Act 1999 (Attachment 1)
- Environment Protection (Noise) Policy 2007

Such powers and functions may be further delegated by the persons occupying the positions of Chief Executive Officer, General Manager Corporate Services, General Manager City Operations, General Manager Community Services, General Manager Strategy and Finance (or person(s) ‘acting’ in the above mentioned positions) in accordance with section 44 and 101 of the *Local Government Act 1999* as they see fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegations.

2. Instrument of Delegation under the Planning Development and Infrastructure Act 2016 (Attachment 3)

2.1 In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of

Delegation contained in Attachment 3 of the report are hereby delegated this day 9 April 2024 to the persons occupying the positions Chief Executive Officer, General Manager Corporate Services, General Manager City Operations, General Manager Community Services, General Manager Strategy and Finance (or person(s) 'acting' in the above mentioned positions) except where otherwise indicated in the Attachment, subject to the conditions and/or limitations, if any, specified herein.

2.2 Such powers and functions may be further delegated by the persons occupying the positions Chief Executive Officer, General Manager Corporate Services, General Manager City Operations, General Manager Community Services, General Manager Strategy and Finance (or person(s) 'acting' in the above-mentioned positions) as they see fit, unless otherwise indicated herein or in each such proposed Instrument of Delegation in accordance with Section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

Carried Unanimously (425)

11.2 City of Tea Tree Gully Prayer Breakfast Sponsorship (D24/22261)

Moved Cr Hawkvelt, Seconded Cr Foreman

That Council refers the consideration of the City of Tea Tree Gully Prayer Breakfast Sponsorship to the Governance and Policy Committee to be considered as part of the Community Grants Policy review.

Cr Zagladov sought leave of the meeting to vary the motion with the consent of the mover and seconder to add a dot point 1 'That Council allocates \$2,000 to the City of Tea Tree Gully Prayer Breakfast for 2024 -2025' and amend dot point 2 to 'That Council requests that the Governance and Policy Committee consider the City of Tea Tree Gully Prayer Breakfast Sponsorship in future years beyond 2024-2025 as part of the Community Grants Policy review'. Leave was granted and the motion was varied.

Motion as varied

1. That Council allocates \$2,000 to the City of Tea Tree Gully Prayer Breakfast for 2024-2025.
2. That Council requests that the Governance and Policy Committee consider the City of Tea Tree Gully Prayer Breakfast Sponsorship in future years beyond 2024-2025 as part of the Community Grants Policy review.

Carried (426)

City Operations - Nil

Corporate Services - Nil

Strategy & Finance

11.3 Ancillary and Student Accommodation Definitions Code Amendment (D24/21359)

Moved Cr Champion, Seconded Cr S Keane

That Council endorses the draft submission in Attachment 1 of the report as its formal submission to the State Planning Commission in response to its consultation on the Ancillary and Student Accommodation Definitions Code Amendment

Carried Unanimously (427)

Community Services - Nil

12. Notice(s) of Motions - Nil

13. Motions without Notice - Nil

14. Questions on Notice - Nil

15. Questions without Notice - Nil

16. Mayor's Report, Council Delegates and Activities Report

Council received the Mayor's report.

17. Information Reports

The following Information reports were received at the meeting:

17.1 Local Government Association - Ordinary General Meeting - Proposed Item of Business regarding Local Government Constitution Review (D24/21141)

18. Status Report on Resolutions

18.1 Status Report on Council Resolutions - Pending Actions (D24/22831)

Council received the Status Report on Council Resolutions – Pending Actions

18.2 Status Report on Council Resolutions - Completed Actions (D24/22845)

Council received the Status Report on Council Resolutions – Completed Actions

19. Other Business – Nil

20. Confidential Items - Nil

21. Date of Next Ordinary Meeting

23 April 2024

The Mayor declared the meeting closed at 7.55pm.

Confirmed.....
Mayor 23 April 2024