



**Minutes of the City of Unley
Council Meeting
Monday, 28 October 2019, 7.00pm
Council Chambers
181 Unley Road Unley**

PRESENT

| | | |
|-------------------------|---------------------|--------------|
| <i>Presiding Member</i> | <i>Mayor</i> | M. Hewitson |
| | <i>Deputy Mayor</i> | P. Hughes |
| <i>Councillors</i> | J. Boisvert | M. Broniecki |
| | J. Dodd | M. Hudson |
| | D. Palmer | 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
Acting General Manager Business Support & Improvement, Ms T. Nilsson
Executive Manager Office of the CEO, Ms T. Norman
Natural Asset Lead, Mr J. Ashforth
Executive Assistant Office of the CEO, Ms L. Jones

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 October 2019, meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Councillor K. Anastassiadis
Councillor S. Dewing

1.2 LEAVE OF ABSENCE

Nil

1.3 CONFLICT OF INTEREST

Nil

1.4 MINUTES

ITEM 1.4.1

MINUTES OF THE ORDINARY COUNCIL MEETING HELD MONDAY, 23 SEPTEMBER 2019

MOVED Councillor J. Boisvert
SECONDED Councillor M. Broniecki

That:

1. The minutes of the Ordinary Council held on Monday, 23 September 2019 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C0111/19

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

ITEM 2.1

NUISANCE TREE(S) REMOVAL - ADJACENT 1 CULLEY STREET, CLARENCE PARK; AND 9A LANGDON AVENUE, CLARENCE PARK

1. Patricia Leigh, 1 Ripon Road, Clarence Park
Re. Item 5.1.1 Nuisance Tree(s) Removal - adjacent 9A Langdon Avenue, Clarence Park
2. Jayne Stinson, Member for Badcoe, 407 Marion Road, Plympton
Re. Item 5.1.1 Nuisance Tree(s) Removal - adjacent 9A Langdon Avenue, Clarence Park

The Presiding Member proposed the bringing forward of Item 5.1.1 – Notice of Motion from Councillor J. Boisvert Re.: Removal of Palm Trees on Council Land, Clarence Park, to immediately following the Deputation on the same topic, and called for a motion to that effect.

ITEM 2.2

MOTION TO BRING FORWARD ITEM 5.1.1 FOR CONSIDERATION

MOVED Councillor J. Boisvert
SECONDED Councillor D. Palmer

That:

1. Item 5.1.1., Notice of Motion from Councillor J. Boisvert re. Removal of Palm Trees on Council Land, Clarence Park, be brought forward on the Agenda for consideration.

CARRIED UNANIMOUSLY

Resolution No. C0112/19

ITEM 5.1.1

**NOTICE OF MOTION FROM COUNCILLOR J. BOISVERT RE:
REMOVAL OF PALM TREES ON COUNCIL LAND, CLARENCE PARK**

MOVED Councillor J. Boisvert
SECONDED Councillor D. Palmer

MOTION

That:

1. The Council owned Palm adjacent 1 Culley Street, Clarence Park, be removed if there are no objections during the mandated consultation.
2. The Canary Island Date Palm adjacent 9A Langdon Avenue, Clarence Park be removed, subject to the approval of the required Development Application by the Council Assessment Panel.
3. Once removed, the Palm trees adjacent 1 Culley Street and 9A Langdon Avenue, Clarence Park be replaced by a suitable species.

With the leave of the meeting and consent of the seconder, the Mover VARIED the MOTION as follows:

That:

1. The Council owned Palm adjacent 1 Culley Street, Clarence Park, be removed if there are no serious objections during the mandated consultation.

2. The Canary Island Date Palm adjacent 9A Langdon Avenue, Clarence Park be removed, subject to the approval of the required Development Application by the Council Assessment Panel.
3. Once removed, the Palm trees adjacent 1 Culley Street and 9A Langdon Avenue, Clarence Park be replaced by a suitable species.

CARRIED UNANIMOUSLY

Resolution No. C0113/19

3. REPORTS OF COMMITTEES

The Presiding Member noted that a Late Item had been tabled for consideration by Council and referred members to the following Item:

ITEM 3.1

MINUTES OF CITY STRATEGY & DEVELOPMENT POLICY COMMITTEE

MOVED Councillor J. Dodd

SECONDED Councillor D. Palmer

That:

1. The minutes of the City Strategy & Development Policy Committee meeting held on Monday 21 October 2019, be received and the following recommendations contained therein be adopted by Council:
 - a. **Item 2.1 – Arthur Mary Streets and King William Road Urban Design Study**
 1. The report be received.
 2. The Arthur and Mary Streets Urban Design Study, key principles, level of green space and balanced development concepts be supported in principle.
 3. Council not pursue further investigations or a Planning and Design Code Amendment at this stage.
 4. In any future Planning and Design Code Amendment, a policy for a minimum 15% deep root zone and tree canopy cover be included.
 - b. **Item 2.2 – Norman Terrace Everard Park Regeneration Development Plan Amendment (Privately Funded)**
 1. The report be received.
 2. Council endorse the draft Norman Terrace Everard Park Regeneration Development Plan Amendment for the re-zoning of the Parkrose Village site at 28-36 Norman Terrace, 1-5 Ross Street and 24 Fourth Avenue, Everard Park, to the Residential Regeneration Zone (Norman Terrace Policy Area) for an appropriate higher density, scale and diversity of residential accommodation.

3. Council endorse the public release of the draft Norman Terrace Everard Park Regeneration Development Plan Amendment in accordance with the associated Engagement Plan to support appropriate public consultation, engagement and review process.

CARRIED UNANIMOUSLY

Resolution No. C0114/19

4. REPORTS OF OFFICERS

ITEM 4.1

PROPOSED PARKING CONTROLS: GREER STREET, HYDE PARK / UNLEY PARK

Councillor J. Dodd left the Chambers at 7:46pm.

Councillor J. Dodd returned to the Chambers at 7:47pm.

MOVED Councillor M. Rabbitt

SECONDED Councillor M. Broniecki

That:

1. The report be received.
2. New 'No Stopping' yellow line marking be installed as required along and at bends on Greer Street to address issues of safety and maintain accessibility along the road.
3. The existing section of 'No Parking 7-10am WED' be removed along the eastern (wider) section of Greer Street to provide parking at all times.
4. On the basis of endorsed changes to parking controls and other works undertaken by the Administration to date to resolve the range of local issues, Council has determined that no further changes to Greer Street, Hyde Park/Unley Park will be considered.
5. The Owners and Residents along Greer Street be notified of the Council's decision regarding parking control changes and that no further changes to Greer Street will be considered.

CARRIED UNANIMOUSLY

Resolution No. C0115/19

DIVISION

A Division was called by Councillor M. Hudson and the previous decision set aside.

Those voting in the affirmative:

Councillors P. Hughes, M. Broniecki, J. Dodd, D. Palmer, M. Rabbitt, J. Russo, N. Sheehan and E. Wright

Those voting in the negative:

Councillors J. Boisvert and M. Hudson

The MOTION was declared **CARRIED**

ITEM 4.2

MEMORANDUM OF UNDERSTANDING: CITY OF UNLEY AND ROTARY CLUB OF UNLEY

MOVED Councillor N. Sheehan

SECONDED Councillor J. Boisvert

That:

1. The report be received.
2. A new three year Memorandum of Understanding between the City of Unley and the Rotary Club of Unley be prepared for the provision of financial support to:
 - deliver an annual “Carols at the Rotunda” event;
 - develop, refresh and reinvigorate the “Carols at the Rotunda” event; and
 - increase audience participation by attracting existing and new audiences each year.
3. The Memorandum of Understanding between the City of Unley and the Rotary Club of Unley will include a total funding package of \$9,000 per annum for the annual “Carols at the Rotunda” event within the City of Unley in 2019, 2020 and 2021 and will comprise cash and in-kind support.

CARRIED UNANIMOUSLY

Resolution No. C0116/19

ITEM 4.3

REVIEW OF POLICIES

MOVED Councillor J. Dodd

SECONDED Councillor M. Broniecki

That:

1. The report be received.
2. The following policies (set out as Attachments 1 to 5 to Item 4.3 Council Meeting 28 October 2019) be adopted:
 - 2.1 Building & Swimming Pool Inspection Policy (Version 4)
 - 2.2 Private Carpark Amalgamation Incentive Policy (Version 3)
 - 2.3 Sport & Recreation Policy (Version 4);
 - 2.4 Commercial Fitness Training Policy (Version 5); and
 - 2.5 Conservation Grants Policy (Version 6).
3. The following policy (set out as Attachment 6 to Item 4.3 Council Meeting 28 October 2019) be revoked:
 - 3.1 Seeking Legal Assistance & Advice Policy (Version 1).
4. That the CEO be authorised to make amendments of a minor and/or technical nature.

CARRIED UNANIMOUSLY

Resolution No. C0117/19

ITEM 4.4

NOMINATIONS FOR THE SA POWER NETWORKS CUSTOMER CONSULTATIVE PANEL

MOVED Councillor J. Boisvert

SECONDED Councillor J. Dodd

That:

1. The report be received.
2. Councillor E. Wright be nominated for consideration by the LGA Board of Directors as a local government representative of SA Power Networks Customer Consultative Panel.

CARRIED UNANIMOUSLY

Resolution No. C0118/19

ITEM 4.5

NOMINATIONS FOR THE PUBLIC LIBRARY SERVICES STANDING COMMITTEE

MOVED Councillor P. Hughes

SECONDED Councillor J. Russo

That:

1. The report be received.
2. Rebecca Cox, Manager Community and Cultural Centres, be nominated for consideration by the LGA Board of Directors as a local government representative of Public Library Services Standing Committee.

CARRIED UNANIMOUSLY

Resolution No. C0119/19

ITEM 4.6

VARIATION TO OPERATING HOURS FOR FESTIVE SEASON 2019-20

MOVED Councillor J. Russo

SECONDED Councillor M. Hudson

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0120/19

ITEM 4.7

APPOINTMENT OF DEPUTY MAYOR

The Presiding Member called for nominations for appointment to the position of Deputy Mayor.

Councillor J. Boisvert and Councillor P. Hughes nominated for consideration.

The Presiding Member invited both members to provide a statement in support of their nomination for the position.

Councillor P. Hughes left the Chambers at 8:04pm.

Councillor P. Hughes returned to the Chambers at 8:08pm.

Councillor J. Boisvert left the Chambers at 8.08pm

Councillor J. Boisvert returned to the Chambers at 8:10pm.

A ballot was conducted and the result of the ballot conveyed to the Presiding Member, who advised that Councillor P. Hughes was the preferred nominee and invited someone to move a motion to appoint him as Deputy Mayor for a one year term.

Councillor P. Hughes declared a material conflict of interest in relation to Item 4.7, on the basis that a financial benefit would be payable to him if the motion was carried, advised that he would manage the conflict by leaving the meeting and not participating in the debate or vote in relation to that item and left the meeting at 8.13pm.

MOVED Councillor J. Russo
SECONDED Councillor J. Dodd

That:

1. The report be received.
2. Councillor P. Hughes be appointed to the position of Deputy Mayor for the period commencing 27 November 2019 and concluding 27 November 2020.

CARRIED UNANIMOUSLY

Resolution No. C0121/19

Councillor P. Hughes returned to the Chambers at 8.15pm.

ITEM 4.8

DETERMINATION OF TIME AND PLACE OF ORDINARY MEETINGS OF COUNCIL FOR 2020

MOVED Councillor M. Rabbitt
SECONDED Councillor D. Palmer

That:

1. The report be received.
2. The Council meet on the fourth Monday of every month (excepting January and December 2020) at 7.00pm in the Council Chambers, 181 Unley Road, Unley, with appropriate adjustments to accommodate public holidays, in accordance with the meeting schedule outlined below:
Tuesday 28 January 2020
Monday 24 February 2020
Monday 23 March 2020
Monday 27 April 2020
Monday 25 May 2020
Monday 22 June 2020
Monday 27 July 2020
Monday 24 August 2020
Monday 28 September 2020
Monday 26 October 2020
Monday 23 November 2020
Monday 14 December 2020

3. Council meet, when required, on the second Monday of the month, as determined by the Chief Executive Officer.
4. 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. C0122/19

ITEM 4.9

ANNUAL REVIEW OF DELEGATIONS

MOVED Councillor J. Dodd

SECONDED Councillor M. Broniecki

That:

1. The report be received.
2. That having conducted its annual review of the Delegations Register in accordance with Section 44(6) of the *Local Government Act 1999*, Council:
3. **Revocations**

All Delegations to the Chief Executive Officer

- 3.1. Hereby revokes effective from 1 December 2019 its previous delegations to the Chief Executive Officer of those powers and functions under the following:
 - 3.1.1. *Community Titles Act 1996*.
 - 3.1.2. *Development Act 1993*, and *Development Regulations 2008*.
 - 3.1.3. *Dog & Cat Management Act 1995*.
 - 3.1.4. *Electricity Act 1996* and *Electricity (Principles of Vegetation Clearance) Regulations 2010*
 - 3.1.5. *Electronic Conveyancing National Law (South Australia) Act 2013*.
 - 3.1.6. *Environment Protection Act 1993*, and *Environment Protection (Waste to Resources) Policy 2010*.
 - 3.1.7. *Expiation of Offences Act 1996*.
 - 3.1.8. *Fences Act 1975*.

- 3.1.9. *Fire and Emergency Services Act 2005, and Fire and Emergency Services Regulations 2005.*
- 3.1.10. *Food Act 2001.*
- 3.1.11. *Freedom of Information Act 1991.*
- 3.1.12. *Heavy Vehicle National Law (South Australia) Act 2013.*
- 3.1.13. *Housing Improvement Act 2016.*
- 3.1.14. *Land & Business (Sale and Conveyancing) Act 1994.*
- 3.1.15. *Liquor Licensing Act 1997.*
- 3.1.16. *Local Government Act 1999.*
- 3.1.17. *Local Nuisance and Litter Control Act 2016, and Local Nuisance and Litter Control Regulations 2017.*
- 3.1.18. *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005, and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005.*
- 3.1.19. *Planning, Development and Infrastructure Act 2016.*
- 3.1.20. *Real Property Act 1886.*
- 3.1.21. *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014, and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014.*
- 3.1.22. *Roads (Opening & Closing) Act 1991.*
- 3.1.23. *Safe Drinking Water Act 2011.*
- 3.1.24. *South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013, and South Australian Public Health (General) Regulations 2013.*
- 3.1.25. *Supported Residential Facilities Act 1992.*
- 3.1.26. *Unclaimed Goods Act 1987.*
- 3.1.27. *Work Health and Safety Act 2012.*
- 3.2. Previous delegations to the Council Assessment Panel under the legislation listed below, be revoked effective from 1 December 2019:
 - 3.2.1. *Development Act 1993 and Development Regulations 2008.*
- 3.3. Previous authorisations to Council Officers under clauses A, B, C, D, and F of the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure be revoked effective from 1 December 2019.

4. **Adoptions**

4.1. Hereby delegates to the Chief Executive Officer those powers and functions under the following:

Delegations made under *Local Government Act 1999*

4.2. 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 Appendices 1-32 (each of which is individually identified as indicated below) are hereby delegated from 1 December 2019 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

4.2.1. *Community Titles Act 1996* (**Appendix 1**)

4.2.2. *Dog & Cat Management Act 1995* (**Appendix 2**)

4.2.3. *Electricity Act 1996 and Electricity (Principles of Vegetation Clearance) Regulations 2010* (**Appendix 3**)

4.2.4. *Electronic Conveyancing National Law (South Australia) Act 2013* (**Appendix 4**)

4.2.5. *Environment Protection Act 1993, and Environment Protection (Waste to Resources) Policy 2010* (**Appendix 5**)

4.2.6. *Expiation of Offences Act 1996 (with effect from 30 April 2018)* (**Appendix 6**)

4.2.7. *Fences Act 1975* (**Appendix 7**)

4.2.8. *Fines Enforcement and Debt Recovery Act 2017 (with effect from 30 April 2018)* (**Appendix 8**)

4.2.9. *Fire and Emergency Services Act 2005, and Fire and Emergency Services Regulations 2005* (**Appendix 9**)

4.2.10. *Freedom of Information Act 1991* (**Appendix 10**)

4.2.11. *Gas Act 1997* (**Appendix 11**)

4.2.12. *Land & Business (Sale & Conveyancing) Act 1994* (**Appendix 12**)

4.2.13. *Liquor Licensing Act 1997* (**Appendix 13**)

4.2.14. *Local Government Act 1999* (**Appendix 14**)

4.2.15. *Local Nuisance and Litter Control Act 2016, and Local Nuisance and Litter Control Regulations 2017* (**Appendix 15**)

4.2.16. *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005, and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005* (**Appendix 16**)

4.2.17. *Planning, Development and Infrastructure Act 2016* (**Appendix 17**)

- 4.2.18. *Real Property Act 1886* (**Appendix 18**)
- 4.2.19. *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014, and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014* (**Appendix 19**)
- 4.2.20. *Roads (Opening and Closing) Act 1991* (**Appendix 20**)
- 4.2.21. *Safe Drinking Water Act 2011* (**Appendix 21**)
- 4.2.22. *South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013, and South Australian Public Health (General) Regulations 2013* (**Appendix 22**)
- 4.2.23. *State Records Act 1997* (**Appendix 23**)
- 4.2.24. *Unclaimed Goods Act 1987* (**Appendix 24**)
- 4.2.25. *Water Industry Act 2012 and Water Industry Regulations 2012* (**Appendix 25**)
- 4.2.26. *Work Health and Safety Act 2012* (**Appendix 26**)
- 4.3. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

Designated Authority and Designated Entity Under *Planning Development and Infrastructure Act 2016*

- 4.4. In exercise of the power contained in Section 44 of the *Local Government Act 1999* and Section 100 of the *Planning Development and Infrastructure Act 2016*, the powers and functions under the *Planning Development and Infrastructure Act 2016*, contained in the proposed Instrument of Delegation (**Appendix 17**) are hereby delegated from 1 December 2019 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- 4.5. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* and Section 100 of the *Planning Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Delegations made under *Development Act 1993*

- 4.6. In exercise of the powers contained in Section 20 and 34(23) of the *Development Act 1993*, the powers and functions under the *Development Act 1993*, *Development (Development Plans) Amendment Act 2006*, and the *Development Regulations 2008* contained in the proposed Instrument of Delegation (**Appendix 27**) are hereby delegated from 1 December 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.
- 4.7. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.
- 4.8. In exercise of the powers contained in Section 20 and 34(23) of the *Development Act 1993* the powers and functions under the *Development Act 1993* and the *Development Regulations 2008* contained in the proposed Instrument of Delegation (**Appendix 27**) and which are specified below are hereby delegated to the Council's Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Delegations made under *Food Act 2001*

- 4.9. In exercise of the powers contained in Section 91 of the *Food Act 2001*, the powers and functions under the *Food Act 2001* contained in the proposed Instrument of Delegation (**Appendix 28**) are hereby delegated from 1 December 2019 to the person occupying the office of Chief Executive Officer ('the head of the enforcement agency' for the purposes of the *Food Act 2001*), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
- 4.10. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Food Act 2001*.

Delegations under *Supported Residential Facilities Act 1992*

- 4.11. In exercise of the power contained in Section 9 of the *Supported Residential Facilities Act 1992*, the powers and functions under the *Supported Residential Facilities Act 1992* contained in the proposed Instrument of Delegation (**Appendix 29**) are hereby delegated from 1 December 2019 to the person occupying the office of Chief Executive Officer subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
- 4.12. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Supported Residential Facilities Act 1992*.

Authorisations and Sub-delegation under the *Road Traffic Act 1961*

- 4.13. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the Minister's Instrument') (**Appendix 30**) the Council authorises the following persons pursuant to Clause A.7 of the Minister's Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such persons shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements (**Appendix 31**):
- Peter Tsokas, Chief Executive Officer
 - Claude Malak, General Manager City Development
 - Ben Willsmore, Manager City Design
 - Jo Moreau, Transport Lead
- 4.14. In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:
- Claude Malak, General Manager City Development
 - Jo Moreau, Transport Lead
 - Bill Zissopoulos, Parking & Traffic Advisor
 - Hayden Scharnberg, Transport & Traffic Technical Officer

4.15. In accordance with Clause E.2 of the Minister's Instrument, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans (**Appendix 31**):

- Claude Malak, General Manager City Development
- Aaron Wood, Manager Strategic Assets
- Jo Moreau, Transport Lead
- Bill Zissopoulos, Parking & Traffic Advisor
- Hayden Scharnberg, Transport & Traffic Technical Officer
- Michelle Proctor, Traffic & Transportation Officer

4.16. In exercise of the power contained in, and in accordance with, Clause G.1 of the Minister's Instrument dated 22 August 2013, the power contained in Section 33(1) of the *Road Traffic Act 1961* and delegated to the Council pursuant to Clause G of the Minister's Instrument is hereby sub-delegated to the person occupying the office of Chief Executive Officer of the Council as identified in the proposed instrument of sub-delegation annexed to this Report entitled Sub-delegation to the Chief Executive Officer under the *Road Traffic Act 1961* dated 28 May 2018 (**Appendix 31**) subject to:

- (i) the conditions contained in the Minister's Instrument; and
- (ii) any conditions contained in this Resolution or in such instrument; and
- (iii) the creation of a separate instrument in writing reflecting such sub-delegation under the Minister's Instrument and this Resolution.

Delegations under *Safe Drinking Water Act 2011* (of enforcement agency)

4.17. In exercise of the power contained in Section 43 of the *Safe Drinking Water Act 2011* the powers and functions of the Council as a relevant authority under the *Safe Drinking Water Act 2011* contained in the proposed Instrument of Delegation (**Appendix 21**) are hereby delegated from 1 December 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

4.18. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Safe Drinking Water Act 2011*.

Delegations under the *Heavy Vehicle National Law (South Australia) Act 2013*

4.19. In exercise of the powers contained in Section 44 of the *Local Government Act 1999* and Section 22B of the *Heavy Vehicle National Law (South Australia) Act 2013* (as relevant) the powers and functions under the *Heavy Vehicle National Law (South Australia) Act 2013* contained in the proposed Instrument of Delegation (**Appendix 32**) are hereby delegated from 1 December 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

4.20. Such powers and functions may be further delegated by the Chief Executive as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Heavy Vehicle National Law (South Australia) Act 2013*.

CARRIED UNANIMOUSLY

Resolution No. C0123/19

ITEM 4.10

COUNCIL ACTION RECORDS

MOVED Councillor M. Hudson

SECONDED Councillor E. Wright

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C0124/19

5. MOTIONS AND QUESTIONS

5.1 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Item 5.1.1. was considered following the Deputation in relation to Removal of Palm Trees on Council Land, Clarence Park.

5.2 MOTIONS WITHOUT NOTICE

Nil

5.3 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

5.4 QUESTIONS WITHOUT NOTICE

Nil

6. MEMBER'S COMMUNICATION

6.1 MAYORS REPORT

Nil

6.2 DEPUTY MAYORS REPORT

ITEM 6.2.1

DEPUTY MAYOR'S REPORT FOR MONTH OF OCTOBER

MOVED Councillor M. Rabbitt

SECONDED Councillor E. Wright

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0125/19

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1

REPORTS OF MEMBERS

Council noted the attached reports from Members:

1. Councillor E. Wright
2. Councillor M. Broniecki
3. Councillor D. Palmer
4. Councillor M. Rabbitt
5. Councillor J. Russo

6.4 CORRESPONDENCE

ITEM 6.4.1

CORRESPONDENCE

The correspondence from:

- Small Business Commissioner – re. Small Business Friendly Council Initiative
- The Smith Family – re. Donation from the Centennial Park Educational Trust
- Goodwood Cricket Club – re. Facilities Upgrade

was noted.

7. CONFIDENTIAL ITEMS

Nil

NEXT MEETING

Monday 25 November 2019 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 8.20pm.

.....
PRESIDING MEMBER