



Minutes of the City of Unley

Council Meeting

Monday, 26 July 2021, 7.00pm

via electronic means using Zoom and livestreamed
via the Unley YouTube channel

PRESENT

Presiding Member *Deputy Mayor* J. Dodd

<i>Councillors</i>	K. Anastassiadis	J. Boisvert
	J. Bonham	M. Broniecki
	S. Dewing	P. Hughes
	D. Palmer	M. Rabbitt
	J. Russo	E. Wright

OFFICERS PRESENT

Chief Executive Officer, Mr P Tsokas
General Manager City Services, Ms M. Berghuis
General Manager City Development, Mr C. Malak
General Manager Business Support & Improvement, Ms N. Tinning
Acting Executive Manager Office of the CEO, Ms K. Goldy
Executive Assistant Office of the CEO, Ms L. Kennedy
Manager Assets & Operations, Mr A. Wood

ACKNOWLEDGEMENT

The Presiding Member opened the meeting with the Kaurna Acknowledgement.

PRAYER AND SERVICE ACKNOWLEDGEMENT

Members stood in silence in memory of those who had made the Supreme Sacrifice in the service of their country, at sea, on land and in the air.

WELCOME

The Presiding Member welcomed Members of the Council, Senior Staff and members of the gallery to the 26 July 2021 meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Mayor M. Hewitson
Councillor N. Sheehan

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,
28 JUNE 2021**

MOVED Councillor M. Broniecki

SECONDED Councillor K. Anastasiadis

That:

1. The minutes of the Ordinary Council held on Monday, 28 June 2021 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C0554/21

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

Nil

3. REPORTS OF COMMITTEES

Nil

4. REPORTS OF OFFICERS

ITEM 4.1

DOG WASTE BINS AND BAGS IN COUNCIL PARKS AND RESERVES

MOVED Councillor S. Dewing

SECONDED Councillor J. Russo

That:

1. The report be received.
2. Consideration of the installation of organic waste bins and compostable dog waste bags in Council parks and reserves occur as part of the implementation of the Waste Management and Resource Recovery Plan 2021-2025.

CARRIED UNANIMOUSLY

Resolution No. C0555/21

ITEM 4.2

WASTE MANAGEMENT AND RESOURCE RECOVERY PLAN 2021-2025

MOVED Councillor M. Rabbitt

SECONDED Councillor D. Palmer

Councillor J. Russo left the Meeting at 7:15 pm.

Councillor J. Russo returned to the Meeting at 7:20pm.

That:

1. The report be received.
2. The Waste Management and Resource Recovery Plan 2021-2025 contained in Attachment 2 to this report (Item 4.2, Council Meeting 26/07/2021) be endorsed.
3. The Chief Executive Officer be authorised to make minor editorial or formatting amendments as required, in conjunction with the graphic design, in order to finalise the Waste Management and Resource Recovery Plan 2021-2025.

CARRIED UNANIMOUSLY

Resolution No. C0556/21

ITEM 4.3

CLARENCE PARK COMMUNITY CENTRE MANAGEMENT AND PARTNERING AGREEMENT

MOVED Councillor J. Boisvert

SECONDED Councillor D. Palmer

That:

1. The report be received.
2. Negotiation of a new Management and Partnering Agreement between the City of Unley and Clarence Park Community Centre Incorporated be endorsed.

CARRIED UNANIMOUSLY

Resolution No. C0557/21

ITEM 4.4

GREEN ADELAIDE - INVITATION TO SUPPORT PROGRAMS

MOVED Councillor J. Boisvert

SECONDED Councillor P. Hughes

That:

1. The report be received.
2. That Council supports the request from Green Adelaide as follows:
 - 2.1 Assist Green Adelaide preparing and submitting an application for Adelaide to become a National Park City, subject to:
 - 2.1.1 Funding and governance for the preparation and submission of the application to be borne by the Green Adelaide Board.
 - 2.1.2 Consultation occurring on the draft Adelaide National Park City Vision, Charter and Action Plan.
 - 2.2 Support the coordination of a metropolitan wide Urban Heat Mapping and Canopy Cover project being undertaken by the State Government with a request that the current costing proposal be reassessed to better reflect each Council's size.
 - 2.3 A contribution to funding the metropolitan wide Urban Heat Mapping and Canopy Cover Mapping project, which is to be funded through Council's existing Resilient East operating project budget at an estimated cost of \$10,000, be endorsed.
3. The Chief Executive Officer be authorised to prepare and send correspondence to Green Adelaide outlining Council's resolution of the above points (2.1 through to 2.3) and financial contribution to the Urban Heat Mapping and Canopy Cover Mapping Project.

CARRIED UNANIMOUSLY

Resolution No. C0558/21

ITEM 4.5

ARTIFICIAL TURF AND NATURE STRIPS UPDATE

MOVED Councillor M. Broniecki

SECONDED Councillor K. Anastassiadis

That:

1. The report be received.

CARRIED

Resolution No. C0559/21

ITEM 4.6

CLIMATE RISK GOVERNANCE ASSESSMENT 2021

MOVED Councillor P. Hughes

SECONDED Councillor J. Russo

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0560/21

ITEM 4.7

ELECTOR REPRESENTATION REVIEW - SEEKING PREFERRED OPTION

MOVED Councillor P. Hughes

SECONDED Councillor D. Palmer

That:

1. The report be received.
2. The Representation Review Report as set out in Attachment 1 to this Report (Item 4.7, Council Meeting, 26/07/2021), which provides that:
 - 2.1 The principal member of Council continues to be a mayor, elected by the community;
 - 2.2 The future elected body of Council is comprised of twelve (12) councillors;
 - 2.3 The Council area be divided into six (6) wards as depicted in Option 1 in the Representation Review Options Paper (Item 4.6, Council Meeting, 27/10/20);be endorsed for the purposes of public consultation for a three-week period.
3. The Chief Executive Officer be authorised to make editorial amendments or formatting changes of a minor nature to the Representation Review Report as part of the preparation for public consultation if required.

CARRIED

Resolution No. C0561/21

ITEM 4.8

**REQUEST TO FLY RAINBOW FLAG - CELEBRATING DIVERSITY MONTH
NOVEMBER 2021**

MOVED Councillor J. Russo

SECONDED Councillor J. Boisvert

That:

1. The report be received.
2. The Progress Pride Flag be flown from the fifth flag pole situated at the Civic Centre on Unley Road for the month of November 2021 (excluding 18/11/2021 as per Council's previous approval to fly the Latvian Flag on that day) in support of the "Pridevember" initiative of the Feast Festival..

CARRIED UNANIMOUSLY

Resolution No. C0562/21

ITEM 4.9

**2021 LGA ANNUAL GENERAL MEETING - CALL FOR PROPOSED ITEMS
OF BUSINESS**

MOVED Councillor P. Hughes

SECONDED Councillor E. Wright

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0563/21

ITEM 4.10

**LOCAL GOVERNMENT FINANCE AUTHORITY CALL FOR NOMINATION -
COUNCIL REPRESENTATIVE AT ANNUAL GENERAL MEETING AND
NOTICE OF MOTION SUBMISSION INFORMATION**

MOVED Councillor P. Hughes

SECONDED Councillor M. Rabbitt

That:

1. The report be received.
2. Mayor M. Hewitson be put forward in response to the call for an appointment of a Council representative at the LGFA Annual General Meeting which is scheduled to be held on Friday 29 October 2021.

CARRIED UNANIMOUSLY

Resolution No. C0564/21

ITEM 4.11

2020-21 FOURTH QUARTER CORPORATE PERFORMANCE REPORT

Councillor P. Hughes left the Meeting at 8:01pm.

Councillor P. Hughes returned to the Meeting at 8:03pm.

MOVED Councillor M. Broniecki

SECONDED Councillor J. Boisvert

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0565/21

ITEM 4.12

COUNCIL ACTION REPORT

MOVED Councillor J. Boisvert

SECONDED Councillor K. Anastasiadis

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C0566/21

5. MOTIONS AND QUESTIONS

5.1 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

ITEM 5.1.1

NOTICE OF MOTION FROM COUNCILLOR P. HUGHES RE ENSURING USEABLE OPEN SPACE AS PART OF ANY REDEVELOPMENT AT HIGHGATE PARK

MOVED Councillor P. Hughes

SECONDED Councillor E. Wright

Councillor E. Wright left the Meeting at 8:08pm.

Councillor E. Wright returned to the Meeting at 8:10pm.

That:

1. Council write to the Minister of Human Services as sole Trustee for the Home for Incurables Trust and the Attorney General, requesting that the sale of Highgate Park ensures that there is a minimum of 12.5% useable open space as part of any redevelopment on the site. Furthermore, Council express the view that it wishes to commence discussions with the Trust on the possibility of purchasing additional land for the creation of a local community park on the site.

CARRIED UNANIMOUSLY

Resolution No. C0567/21

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 MANAGEMENT OF OUT OF HOURS PROBLEMS

The following Question on Notice was received from Councillor P. Hughes and the answers are provided:

QUESTIONS

1. When a caller needs to report an urgent matter to Council out of hours, what number(s) are available to receive these calls?
2. Do these calls always get answered?
3. How many rings does it take before a call is answered?
4. Who receives these calls?
5. Are they a designated City of Unley employee with appropriate local knowledge, communication and decision making skills and the appropriate delegations and authorisations to start remedial action?
6. If not, how is a considered decision made to take action or to defer action until normal business hours?

ANSWERS

1. **When a caller needs to report an urgent matter to Council out of hours, what number(s) are available to receive these calls?**

In order to provide seamless 24 hour service, the advertised phone number for the contact centre (8371 5111) will automatically divert customers to our after-hours service provider (Oracle) outside of business hours.

2. **Do these calls always get answered?**

On phoning, the call is connected and the caller will be immediately presented with a message which advises they have called outside of business hours and if it is an emergency to hold. If this option is chosen, the customer will automatically be directed to Oracle after hours service. There is no reason why calls would not always get answered.

3. **How many rings does it take before a call is answered?**

If the caller has contacted the centre's number after hours, they will receive the above message immediately. If the caller chooses to hold, their call will aim to be answered within the Service Level agreement KPI Council has in Place with the Oracle (90% or above of our calls in 20 seconds). Current performance by Oracle is at 96% of calls answered in 20 seconds.

4. **Who receives these calls?**

Oracle's team of customer service agents.

5. **Are they a designated City of Unley employee with appropriate local knowledge, communication and decision making skills and the appropriate delegations and authorisations to start remedial action?**

Calls within business hours are answered by the City of Unley's experienced customer service staff. Outside of business hours, calls are answered by employees of our external after hours service provider (Oracle). Oracle have an umbrella contract with the Local Government Association, and most South Australian councils have opted to engage them, including the City of Unley. As a result, they are very familiar with local government practices.

Each council provides a script that the Oracle team follow in terms of responses to customer enquiries. In general, this includes immediate responses or a pathway to follow, which may include an email to be followed up the next business day (if non urgent) or an escalation process (if urgent).

The scripts were designed with each area of our business and are updated and reviewed regularly.

6. **If not, how is a considered decision made to take action or to defer action until normal business hours?**

As above.

5.4 QUESTIONS WITHOUT NOTICE

Nil

6. MEMBER'S COMMUNICATION

6.1 MAYORS REPORT

ITEM 6.1.1

MAYOR'S REPORT FOR MONTH OF JULY 2021

MOVED Councillor M. Broniecki

SECONDED Councillor J. Boisvert

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0568/21

6.2 DEPUTY MAYORS REPORT

ITEM 6.2.1

DEPUTY MAYOR'S REPORT FOR MONTH OF JULY 2021

MOVED Councillor S. Dewing

SECONDED Councillor M. Rabbitt

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0569/21

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1

REPORTS OF MEMBERS FOR MONTH OF JULY 2021

Council noted the attached reports from Members:

1. Councillor M. Broniecki
2. Councillor P. Hughes
3. Councillor D. Palmer
4. Councillor M. Rabbitt

6.4 CORRESPONDENCE

Nil

7. CONFIDENTIAL ITEMS

ITEM 7.1

CONFIDENTIALITY MOTION FOR 7.2 - BROWN HILL KESWICK CREEKS - WILBERFORCE WALK LAND ACQUISITION

MOVED Councillor E. Wright

SECONDED Councillor P. Hughes

That:

1. Pursuant to Section 90(2) and (3)(b)(i), (b)(ii) and (d)(i) and (ii) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because it relates to information the disclosure of which:
 - could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - 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
 - would, on balance, be contrary to the public interest.
2. In weighing up the factors related to disclosure:
 - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations; and
 - non-disclosure of this item at this time will enable Council to consider information relating to land acquisition associated with Wilberforce Walk without compromising its commercial position.

On that basis, the public's interest is best served by not disclosing 7.8 Brown Hill Keswick Creeks - Wilberforce Walk Land Acquisition, Report and discussion at this point in time.
3. Pursuant to Section 90(2) of the *Local Government Act 1999* it is recommended the Council orders that all members of the public be excluded, with the exception of staff of the City of Unley on duty in attendance.

CARRIED UNANIMOUSLY

Resolution No. C0570/21

The meeting moved into confidence and the live-stream was paused at 8:20pm.

ITEM 7.2

BROWN HILL KESWICK CREEKS - WILBERFORCE WALK LAND ACQUISITION

MOVED Councillor J. Boisvert

SECONDED Councillor D. Palmer

That:

1. The report be received.
2. The proposed counter offer for compensation to acquire 50sqm of land at 9 Grove Avenue, Everard Park, at the value of \$27,500 be accepted and the Administration be authorised to execute the deed of agreement.

CARRIED UNANIMOUSLY

Resolution No. C0571/21

The meeting moved out of confidence at 8:22pm.

ITEM 7.3

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.2 -
BROWN HILL KESWICK CREEKS - WILBERFORCE WALK LAND
ACQUISITION**

MOVED Councillor P. Hughes

SECONDED Councillor M. Broniecki

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.2 Brown Hill Keswick Creeks - Wilberforce Walk Land Acquisition, considered at the Council Meeting on 26 July 2021:

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remain confidential until such time as all relevant land acquisitions relating to Wilberforce Walk have been finalised and not available for public inspection until the cessation of that period.

2. The CEO be authorised to provide details of Council's decision to the Brown Hill Keswick Creek Board to enable implementation of the decision.
3. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the power to revoke the order under Section 91(7) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

CARRIED UNANIMOUSLY

Resolution No. C0572/21

ITEM 7.4

**CONFIDENTIALITY MOTION FOR 7.5 - POTENTIAL PROPERTY DISPOSAL
- GOODWOOD**

MOVED Councillor D. Palmer

SECONDED Councillor M. Rabbitt

That:

1. Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because it relates to information the disclosure of which:
 - could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - would, on balance, be contrary to the public interest
2. In weighing up the factors related to disclosure:
 - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations; and
 - non-disclosure of this item at this time will enable Council to consider potential disposal of an existing property without compromising the commercial position of Council.

On that basis, the public's interest is best served by not disclosing 7.5 Potential Property Disposal - Goodwood, Report and discussion at this point in time.
3. Pursuant to Section 90(2) of the *Local Government Act 1999* it is recommended the Council orders that all members of the public be excluded, with the exception of staff of the City of Unley on duty in attendance.

CARRIED UNANIMOUSLY

Resolution No. C0573/21

The meeting moved into confidence and the live-stream was paused at 8:23pm.

ITEM 7.5

POTENTIAL PROPERTY DISPOSAL - GOODWOOD

MOVED Councillor D. Palmer

SECONDED Councillor K. Anastassiadis

That:

1. The report be received.
2. A sale agreement be entered into with the Goodwood Community Childcare Centre to sell the land known as 31 Rosa Street, Goodwood for \$700,000 (subject to the Goodwood Community Childcare Centre securing finance) with a target settlement date prior to the end of the 2021 calendar year.

CARRIED UNANIMOUSLY

Resolution No. C0574/21

The meeting moved out of confidence at 8:28pm.

ITEM 7.6

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.5 - POTENTIAL PROPERTY DISPOSAL - GOODWOOD

MOVED Councillor J. Russo

SECONDED Councillor D. Palmer

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.5 Potential Property Disposal - Goodwood, considered at the Council Meeting on 26 July 2021:

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remain confidential until Council's decision in relation to the property has been fully implemented and not available for public inspection until the cessation of that period.

2. The Chief Executive Officer be authorised to provide details of Council's decision to relevant parties to enable implementation of the decision.
3. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the power to revoke the order under Section 91(7) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

CARRIED UNANIMOUSLY

Resolution No. C0575/21

Next Meeting

Monday 23 August 2021 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 8.28pm.

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PRESIDING MEMBER