



**Minutes of the City of Unley
Council Meeting
Monday, 23 March 2020, 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>	K. Anastassiadis	J. Boisvert
	M. Broniecki	S. Dewing
	J. Dodd	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
Executive Manager Office of the CEO, Ms T. Norman
Executive Assistant Office of the CEO, Ms L. Jones
Manager Assets & Operations, Mr A. Wood
Manager City Design, Mr B. Willsmore

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 23 March 2020, meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Councillor M. Hudson

1.2 LEAVE OF ABSENCE

Nil

1.3 CONFLICT OF INTEREST

Councillor S. Dewing declared a perceived conflict of interest in relation to Item 4.6 Sturt Football Club Offer of Gift for Sesquicentenary 2021 on the basis of her employment and noted that she would leave the meeting when that item was discussed.

Councillor S. Dewing declared a perceived conflict of interest in Item 7.2 Unley Central – Litigation on the basis of her employment and noted that she would remain in the meeting when that item was discussed.

1.4 MINUTES

ITEM 1.4.1

MINUTES OF THE ORDINARY COUNCIL MEETING HELD MONDAY, 24 FEBRUARY 2020

MOVED Councillor M. Broniecki

SECONDED Councillor E. Wright

That:

1. The minutes of the Ordinary Council held on Monday, 24 February 2020 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C0203/20

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

ITEM 2.1

DEPUTATION RE: NORMAN TERRACE DEVELOPMENT PLAN AMENDMENT

1. Andrew Tait, Everard Park

Re. Norman Terrace Development Plan Amendment

3. REPORTS OF COMMITTEES

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 16 March 2020, be received and the following recommendations contained therein be adopted by Council:
 - a. **Item 2.1 – Norman Terrace Development Plan Amendment – Post Consultation Review and Amendments**
 1. The report be received.
 2. The Norman Terrace Development Plan Amendment *Summary of Consultation and Proposed Amendments Report* (as set out in Attachment 1 to this report, Item 2.1, City Strategy and Development Policy Committee Meeting, 16/03/2020) be received.
 3. The amendments to the Norman Terrace Development Plan Amendment set out in Attachment 2 (Item 2.1, City Strategy and Development Policy Committee Meeting, 16/03/2020), applying Alternative 2 as per the *Summary of Consultation and Proposed Amendments Report*, be endorsed.
 4. The amendments to the Norman Terrace Development Plan Amendment set out in Attachment 2 (Item 2.1, City Strategy and Development Policy Committee Meeting, 16/03/2020), be finalised and forwarded with the *Summary of Consultation and Proposed Amendments Report* to the Minister for Planning with a request for final approval.

CARRIED UNANIMOUSLY

Resolution No. C0204/20

4. REPORTS OF OFFICERS

ITEM 4.1

AUDIT COMMITTEE - PRESIDING MEMBER'S REPORT – 2019

Mr David Powell, President of the Audit Committee was in attendance and spoke to the report.

MOVED Councillor K. Anastassiadis
SECONDED Councillor M. Broniecki

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0205/20

ITEM 4.2

CULROSS AVENUE LIVING STREET INVESTIGATION

MOVED Councillor J. Dodd
SECONDED Councillor P. Hughes

That:

1. The report be received.
2. No further investigations be undertaken regarding Culross Avenue becoming a Living Street or the implementation of traffic calming measures at this point in time.
3. Six months following the completion of the developments at 402 Fullarton Road and 25 Culross Avenue, traffic volumes, speeds and on-street parking along Culross Avenue be reviewed to assess the impact the developments have had on the street and if any traffic calming measures are warranted.

CARRIED UNANIMOUSLY

Resolution No. C0206/20

ITEM 4.3

CONCORDIA COLLEGE PROPOSED EMU CROSSING

MOVED Councillor J. Boisvert

SECONDED Councillor P. Hughes

That:

1. The report be received.
2. In principle endorsement be given to the installation of an Emu Crossing along Winchester Street, as requested by Concordia College, and subject to detailed design and documentation to the satisfaction of the Administration from a technical perspective.
3. The proposal by Concordia College to fund the detailed design and documentation of the proposed Emu Crossing as well as its construction be accepted and it be noted that the College is to provide funding in the amount of \$50,000 (excluding GST) for the project.
4. All project management responsibilities for the construction of the proposed Emu Crossing will be undertaken by Administration at the cost of Concordia College, with the exception of any costs for the provision of greening which is to be borne by Council.
5. Upon completion of the construction of the proposed Emu Crossing along Winchester Street, the device will be a Council-owned and maintained asset.

CARRIED UNANIMOUSLY

Resolution No. C0207/20

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

Councillor P. Hughes returned to the Chambers at 8:02pm.

ITEM 4.4

DRAFT TREE STRATEGY - AMENDED

MOVED Councillor J. Boisvert

SECONDED Councillor P. Hughes

That:

1. The Draft Tree Strategy as set out in Attachment 1 to this report (Item 4.4, Council Meeting 23/03/2020) be endorsed for the purpose of community engagement.
2. Following the conclusion of community engagement regarding the Draft Tree Strategy, a further report setting out the results of the engagement process and a final Tree Strategy be presented to Council for endorsement.

CARRIED UNANIMOUSLY

Resolution No. C0208/20

ITEM 4.5

MAINSTREET ASSOCIATION MARKETING FUNDING REQUESTS 2020/21

SUSPENSION OF FORMAL MEETING PROCEDURES

The Presiding Member with approval of two-thirds of the members present, suspended meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* at 8.11pm for 10 minutes to facilitate an informal discussion of the matter

Councillor P. Hughes left the Chambers at 8:17pm.

Councillor P. Hughes returned to the Chambers at 8:17pm.

Formal meeting procedures resumed at 8.19pm.

MOVED Councillor D. Palmer

SECONDED Councillor N. Sheehan

That:

1. Consideration of the Mainstreet Association Marketing Funding Requests 2020/21 be deferred until the April 2020 Council Meeting to enable revised requests to be sought from the Mainstreet Associations in light of COVID-19 requirements and to seek further information on the consultation that has occurred with members regarding the funding requests.

CARRIED UNANIMOUSLY

Resolution No. C0209/20

Councillor S. Dewing left the Chambers at 8.26pm in accordance with her perceived conflict of interest declaration.

ITEM 4.6

STURT FOOTBALL CLUB OFFER OF GIFT FOR SESQUICENTENARY 2021

MOVED Councillor P. Hughes

SECONDED Councillor J. Dodd

That:

1. The report be received.
2. To commemorate the Sesquicentenary in 2021, the gift from Sturt Football Club of an entrance arch at the western main entry point at Unley Oval be accepted.

CARRIED UNANIMOUSLY

Resolution No. C0210/20

*Councillor K. Anastassiadis left the Chambers at 8.27pm.
Councillor S. Dewing returned to the Chambers at 8.28pm.
Councillor K. Anastassiadis returned to the Chambers at 8.29pm.*

ITEM 4.7

EASTERN REGION ALLIANCE (ERA) CHAIRMAN AND CEO REPORT

MOVED Councillor J. Russo
SECONDED Councillor P. Hughes

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0211/20

ITEM 4.8

**LGA CALL FOR NOMINATIONS - SOUTH AUSTRALIAN LOCAL
GOVERNMENT GRANTS COMMISSION**

Councillor J. Dodd declared a material conflict of interest in relation to Item 4.8 on the basis that the representative is a paid position and left the Chambers at 8.39pm.

MOVED Councillor P. Hughes
SECONDED Councillor J. Boisvert

That:

1. The report be received.
2. Councillor J. Dodd be put forward in response to the call for nominations by the LGA for the vacancy: for a local government representative on the South Australian Local Government Grants Commission for a term commencing on 23 May 2020.

CARRIED

Resolution No. C0212/20

Councillor J. Dodd returned to the Chambers at 8.40pm.

ITEM 4.9

LGA CALL FOR NOMINATIONS - ADELAIDE CEMETERIES AUTHORITY BOARD

MOVED Councillor J. Boisvert

SECONDED Councillor J. Dodd

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0213/20

ITEM 4.10

LGA ELECTION OF GAROC REPRESENTATIVE (1 CASUAL VACANCY)

MOVED Councillor J. Boisvert

SECONDED Councillor P. Hughes

That:

1. The report be received.
2. Councillor D. Palmer be nominated for a position on GAROC. Pursuant to clause 4.4.5 of the GAROC Terms of Reference

CARRIED UNANIMOUSLY

Resolution No. C0214/20

ITEM 4.11

COUNCIL ACTION RECORDS

MOVED Councillor E. Wright

SECONDED Councillor N. Sheehan

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C0215/20

5. MOTIONS AND QUESTIONS

5.1 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

ITEM 5.1.1

NOTICE OF MOTION FROM COUNCILLOR J. RUSSO RE: REQUEST FOR TRANSPORT AND TRAFFIC MANAGEMENT STUDY OF UNLEY ROAD

MOVED Councillor J. Russo

SECONDED Councillor M. Broniecki

MOTION

That:

1. The City of Unley write to the Minister for Transport, Infrastructure, Local Government and Planning, Stephan Knoll, requesting that the Department of Planning Transport and Infrastructure (DPTI) undertake a holistic transport and traffic management study of Unley Road that includes:
 - Parking
 - Traffic speeds
 - Right-hand turns/slip lanes
 - Traffic light numbers and coordination
2. The City of Unley work with DPTI to ensure that the study includes consideration of local traffic conditions along the surrounding and interfacing Council roads with Unley Road.
3. A copy of the letter to the Minister for Transport, Infrastructure, Local Government and Planning requesting an holistic transport and traffic management study of Unley Road be sent to the local Member for Unley, Minister David Pisoni.

CARRIED UNANIMOUSLY

Resolution No. C0216/20

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: CARBON NEUTRAL

The following Questions on Notice have been received from Councillor P. Hughes and the answers are provided:

QUESTIONS

1. What does Carbon Neutral mean and are there different levels?
2. What does Carbon Neutral mean in a Local Government context?
3. What are the implications for Local Government (ie a Council) to become Carbon Neutral?
4. To what extent is the City of Unley (Council Operations) already on a pathway to become Carbon Neutral in its everyday operations?
5. What Government, and other, resources are available to support an understanding of, and an implementation of, actions that lead to Carbon Neutrality?
6. Could the aim to move towards Carbon Neutrality be incorporated into the next 4 Year Plan? What would be needed to determine feasible options and timeframes?

ANSWERS

1. **What does Carbon Neutral mean and are there different levels?**

Carbon neutral is when net greenhouse gas emissions are zero and can be achieved by a combination of preventing, reducing and offsetting emissions.

Climate change is a serious problem, caused primarily by the carbon dioxide released from burning fossil fuels like oil, coal, and gas. Going carbon neutral takes personal responsibility on the global challenge of climate change by taking steps to mitigate our carbon footprint as much as possible and purchasing carbon offsets for the remaining emissions.

There are three key types of greenhouse gas emissions, referred to as "scopes".

- Scope 1: Are direct emissions, which release greenhouse emissions at the source. For example, burning a gas heater or combusting fuel in vehicles.
- Scope 2: Are indirect energy emissions relating to all purchased electricity usage. For example, using electric lighting, heating, cooling and electrical appliances/devices.

- Scope 3: Are all other indirect emissions, where the greenhouse gas is released off-site, but for the purpose or eventual use by the organisation. For example, the emissions created to produce, package, transport and/or dispose of a consumable such as concrete, paper, equipment or food. This also includes the emissions from any outsourced services or fuel used in business travel.

Generally speaking, to be carbon neutral, there must be net zero emissions across scopes 1 and 2. However, due to the complexity regarding scope 3, it is often the case that prominent emissions relevant to each organisation for this category are included at a minimum. Any organisation on a path to carbon neutrality should clearly set and define which emissions are included, and which are excluded, and the calculation methods used. Typically in Australia this is achieved under the [Climate Active Carbon Neutral Standards](#), using the [National Greenhouse Accounts Factors](#).

2. **What does Carbon Neutral mean in a Local Government context?**

Local Government authorities around the world have been approaching carbon neutrality in two distinct ways:

- Becoming a Carbon Neutral Council (operations).
- Becoming a Carbon Neutral City (whole LGA including community and business).

Most aim for net zero emissions of their own operations, while a few, such as the City of Adelaide, are working on the far more ambitious target for the whole City area in partnership with their community.

It is also worth noting that the South Australian Government has a net zero emissions target for South Australia by 2050 and it is very likely that carbon reporting requirements and emissions responsibilities will increase over time for everyone including local government.

3. **What are the implications for Local Government (ie a Council) to become Carbon Neutral?**

The process to become Carbon Neutral involves the following implications:

- Undertake a carbon inventory and current emissions profile.
- Assess current and potential abatement curves.
- Prioritise, fund and take actions to reduce emissions and/or replace with lower carbon options.
- Invest in offsets for emissions that cannot reasonably be reduced (eg through planting trees or renewable energy).
- Complete regular accredited monitoring and reporting.

4. **To what extent is the City of Unley (Council Operations) already on a pathway to become Carbon Neutral in its everyday operations?**

Currently the City of Unley (Council Operations) completes optional annual reporting on scopes 1 and 2 emissions as part of the Local Government Grants Commission Return. These have been reducing, mostly due to energy efficiency initiatives such as the LED street lighting project.

At its meeting held on 25 November 2019, Council considered a Question on Notice regarding climate change, at which time a summary of a variety of mitigation actions which have been underway or completed which assist in reducing emissions was provided. This includes solar power, energy efficiencies, reducing food waste to landfill and electric staff bicycles.

Council currently has no specific carbon emission reduction plan and no attempt has been made to date regarding calculating major scope 3 emissions. However, a budget submission has been submitted to Council as part of its 2020/21 budget deliberations for the development of a Climate and Energy Plan for the City of Unley. The project proposes to develop a plan to better track, manage and reduce Council's operational carbon and energy footprint. The Plan would include an implementation strategy which would prioritise works, timing and provide first order cost estimates.

5. **What Government, and other, resources are available to support an understanding of, and an implementation of, actions that lead to Carbon Neutrality?**

There are many organisations that provide support to Local Governments on a path to Carbon Neutrality including:

- *ICLEI – Global Covenant for Mayors for Climate and Energy*

For several years, The City of Unley has been a member of ICLEI, an international network of Local Governments for Sustainability. They have recently established a Global Covenant for Mayors for Climate and Energy. There is an opportunity for the City of Unley to join this covenant which includes performance measurement and reporting frameworks and peer to peer support, including linkage with the Cities Power Partnership in Australia. One of the conditions is a climate and energy plan to be developed.

- *Climate Council - Cities Power Partnership*

The Cities Power Partnership is Australia's largest local government climate network, made up of 123 councils from across the country. Local councils who join the partnership make five action pledges in either renewable energy, efficiency, transport or working in partnership to tackle climate change. The focus is on peer to peer learning through being teamed up with others working on similar projects to share knowledge. There is also an online tool to help track emissions, energy and cost savings.

- *Research Hub – CRC for Low Carbon Living*
Over 2012 to 2019, a national research hub on low carbon living developed a broad knowledge base of resources and case studies which are available [online](#).
- *State Government – Climate Strategy*
The South Australian Government has recently released [Directions for a Climate Smart South Australia](#) policy statement including reducing net emissions through an orderly and socially responsible transition to a low emissions economy. It is likely there will be more support opportunities as part of this state-wide strategy.
- *Local Government Association*
Climate Change was one of the top three priorities identified by Councils in the last LGA member survey, so it is envisaged that more resources will be allocated to this shared challenge in the near future.
- *Carbon Neutral Adelaide*
The City of Adelaide are world leaders in their actions to become Carbon Neutral Adelaide in partnership with the State Government. The City of Unley has already benefited from working with the City of Adelaide on projects such as the City Switch Green Office program and there would be similar learning opportunities from Carbon Neutral Adelaide.

6. **Could the aim to move towards Carbon Neutrality be incorporated into the next 4 Year Plan? What would be needed to determine feasible options and timeframes?**

Council could consider the aim to move towards Carbon Neutrality in the next 4 Year Plan, noting it would likely take longer than 4 years to achieve. The following would need to be determined to allow decisions on feasible options and timeframes:

- Undertake more detailed carbon emissions recording and calculations of fuel, electricity, gas, waste, transport and other sources.
- Determine what emissions will or will not be considered and if work will focus on Council operations or the whole area.
- Review our current profile and set an emissions reduction target accordingly.
- Undertake feasibility and cost benefit analysis of key actions.
- Consider partnering through a national or international network.

The above would be incorporated in the development of Council's Climate and Energy Plan which is proposed in 2020/21 subject to Council's approval of the budget proposal.

ITEM 5.3.2

QUESTION ON NOTICE FROM COUNCILLOR P. HUGHES RE: SPEED LIMITS IN UNLEY

The following Questions on Notice have been received from Councillor P. Hughes and the answers are provided:

QUESTIONS

1. Which roads in the City of Unley, that Council own, currently have a 50kph speed limit?
2. What process(es) would Council be required to undertake to have the speed limit on these roads reduced to 40kph?
3. What would the estimated cost be to undertake these processes?
4. What benefits have been achieved since the introduction of 40kph speed limits in the City of Unley?
5. Is it feasible that similar benefits would be achieved if all Council owned roads were limited to 40kph?

ANSWERS

1. **Which roads in the City of Unley, that Council own, currently have a 50kph speed limit?**

The roads under the care, control and management of Council which currently have a 50kph speed limit are summarised as follows:

- Duthy Street (Cross Road to Maud Street/George Street)
- East Avenue (Cross Road to railway line)
- Ferguson Avenue (Glen Osmond Road to Fullarton Road)
- Leader Street (Anzac Highway to Goodwood Road)
- George Street (Greenhill Road to Maud Street/Duthy Street)
- Fisher Street (Glen Osmond Road to Unley Road)
- Wattle Street (Glen Osmond Road to Unley Road)
- King William Road (Grace Street to Greenhill Road)
- King William Road (Mitchell Street to Northgate Street)
- Victoria Avenue (Cross Road to Northgate Street)

2. **What process(es) would Council be required to undertake to have the speed limit on these roads reduced to 40kph?**

The Road Traffic Act 1961 requires Council to seek Ministerial approval, through an application submitted to the Department for Planning, Transport and Infrastructure (DPTI), for the reduction of speed limit along these roads. As part of its application to DPTI, Council is required to include a Traffic Impact Statement (TIS) setting out the details of the expected traffic impact and community consultation.

As part of its consideration, Council needs to take into account the principles contained in the South Australia's Road Safety Strategy 2020 - Towards Zero Together. The Strategy would assist Council in its considerations of the function of each of the roads which currently have a 50kph speed limit to assess if the current speed limit is conducive with its intended function or if it needs to be lowered.

3. What would the estimated cost be to undertake these processes?

It is difficult to provide an accurate estimate at this time. However, it is envisaged that traffic data (volumes, speeds and crash) would have to be collated and analysed along each of the roads as part of the development of the TIS. The document would need to be drafted by a consultant to act for and on behalf of Council. A consultant would need to be engaged given there are currently no staff resources which could be dedicated to this task as a result of current workload. It would also be prudent for Council to engage a consultant to provide independence in the collation of the TIS. A first order cost estimate would be approximately \$10,000.

4. What benefits have been achieved since the introduction of 40kph speed limits in the City of Unley?

In general terms, it would be reasonable to say that the 40kph speed limits which are in place throughout the majority of the City of Unley has ensured slower travel speeds along roads and reduced crashes under the care, control and management of Council. This has in turn improved road safety along these roads and throughout the area.

The lower 40kph speed limit has achieved favourable effects overall. There is evidence to show that the speed reductions achieved upon the application of the lower limit have held over time (*Reference to: Evaluation of the Unley City Wide 40kmh Limit Final Report, 2001 by University of SA, Transport Systems Centre and Impacts of Lower Speed Limits in South Australia*).

5. Is it feasible that similar benefits would be achieved if all Council owned roads were limited to 40kph?

The roads, along which currently there is a 50kph speed limit, are considered to be collector roads and by virtue of their functionality, are expected to carry more traffic movements. A reduction in speed limits along these roads may improve safety but part of Council's deliberation would be what impact a lower speed limit would have on adjoining local roads and would this encourage more 'rat running' in side streets as drivers know that collector roads would have a lower speed limit.

ITEM 5.3.3

QUESTION ON NOTICE FROM COUNCILLOR P. HUGHES RE: FULLARTON ROAD / CROSS ROAD INTERSECTION UPGRADE

The following Questions on Notice have been received from Councillor P. Hughes and the answers are provided:

QUESTIONS

1. Has Council administration been informed of the timeline for the various stages of this project?
2. If not, can Administration seek the timeline for release of the concept design, public consultation parameters and period, project commencement etc?
3. What attempts have Administration made to seek information and what have the outcomes been?
4. The Artist's Impression of the project (noting that it is an Artist's Impression) provides for seven lanes (on both roads). This will require acquisition of property. What role can Council play to prevent the acquisition of homes in the City of Unley and the loss of street trees?
5. What communication(s) will the Administration undertake to assist residents with the latest news?

ANSWERS

1. **Has Council administration been informed of the timeline for the various stages of this project?**

The Fullarton Road corridor is the focus of two co-ordinated planning and design studies which are aimed to deliver improvements to the Glen Osmond Road and Cross Road intersection. The \$96 million (\$61m for Cross Road and \$35m for Glen Osmond Road) joint funding agreement between the Federal Government and State Government aims to improve travel time, safety for all users, network reliability and economic productivity.

Following the initial announcement in early 2019, Council staff first met with DPTI staff in August 2019 to discuss the project background, aims and key stages. However, these previous timeframes which were provided by DPTI are no longer relevant to the current status of the project.

2. **If not, can Administration seek the timeline for release of the concept design, public consultation parameters and period, project commencement etc?**

The latest advice from DPTI is that the preferred concept for each intersection is under development and it is DPTI's intention to provide a briefing to the City of Unley and Officers in the coming months.

If there is a preference for information in the interim, DPTI are willing to provide an update at a mutually agreed time and forum. Engagement with community and stakeholders continues through the DPTI web page, phone line and Community Relations inbox, as an important part of this planning study.

The public will be provided with the opportunity to comment on the concept design and feedback will be considered through the detailed design phase, however no dates have been provided regarding the timing of this engagement. DPTI have advised that restrictions are currently in place with regard to public meetings due to COVID-19 and online, print and other safe platforms will be used.

DPTI anticipates that detailed planning and design work will conclude in 2020 and early works are expected to commence in late 2020. The project is expected to be completed by late 2022.

3. What attempts have Administration made to seek information and what have the outcomes been?

The Administration met with DPTI representatives on two separate occasions during 2019. At that time, the Administration was briefed regarding the aim of the intersection upgrades planned for Fullarton Road at its intersections with Cross Road and Glen Osmond Road. It afforded the Administration the opportunity to provide background or strategic context to inform the project planning, including recommendations from LATM 2, drainage issues associated with the Glen Osmond Road intersection, as well as highlight land use and historic character statements for properties associated at each intersection. At that time, DPTI had yet to award the project to a consultancy team to undertake the planning and design study for both intersection upgrades.

In December 2019, the Administration met with representatives of Jacobs, WSP and DPTI to review further progress in the planning study. The meeting provided the Administration the opportunity to advocate for the expansion of the proposed distribution of consultation material planned by the project team to residents and property owners within the City of Unley.

4. The Artist's Impression of the project (noting that it is an Artist's Impression) provides for seven lanes (on both roads). This will require acquisition of property. What role can Council play to prevent the acquisition of homes in the City of Unley and the loss of street trees?

As the planning process progresses, there will be greater clarity on the likelihood and extent of property acquisition. Unfortunately, Council does not have any powers to prevent the acquisition of homes by Federal or State Governments if they are determined to be required for the project.

Regarding the loss of street trees as a result of the intersection upgrades, DPTI has advised that any removal of native or high value vegetation would be offset in accordance with DPTI's Vegetation Removal Policy. DPTI will discuss any impacts to existing street trees and offsets with the City of Unley and other key stakeholders, including community, once they have been confirmed as part of detailed design.

5. What communication(s) will the Administration undertake to assist residents with the latest news?

The Administration will assist DPTI to ensure residents are appropriately informed of the project as it develops. The Council is able to support greater project awareness and communication through use of online content on our web pages and displays at community centres and libraries.

However, this is a DPTI project and in this respect it is their responsibility to lead the consultation, development of content and the frequency of updates.

To date, DPTI has undertaken two letter drops to update the community, as well as conducted a series of stakeholder meetings, a public survey and a business survey. The public survey closed at the end of January 2020 with 551 responses received, the collation of which is nearly complete.

From early reviews of the information received, DPTI recognise key concerns for the community in relation to the Fullarton Road / Cross Road intersection upgrade includes the potential impact of property acquisition, heritage value of the Waite Arboretum and Urrbrae House Gatehouse, impact to vegetation, pedestrian safety at the intersection and traffic issues including on local streets.

5.4 QUESTIONS WITHOUT NOTICE

Councillor K. Anastassiadis asked a question regarding consideration of legislative amendment for conduct of Council meetings. The question was answered by the Chief Executive Officer.

6. MEMBER'S COMMUNICATION

6.1 MAYORS REPORT

ITEM 6.1.1

MAYOR'S REPORT FOR MONTH OF MARCH

MOVED Councillor P. Hughes

SECONDED Councillor D. Palmer

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0217/20

6.2 DEPUTY MAYORS REPORT

ITEM 6.2.1

DEPUTY MAYOR'S REPORT FOR MONTH OF MARCH

MOVED Councillor E. Wright

SECONDED Councillor S. Dewing

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0218/20

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1

REPORTS OF MEMBERS FOR MONTH OF MARCH

Council noted the reports from Members:

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

6.4 CORRESPONDENCE

ITEM 6.4.1

CORRESPONDENCE

The correspondence from:

- Minister for Planning – re. Draft Planning & Design Code
- State Planning Commission – re. Draft Planning & Design Code
- Mayor Hewitson – Hon Stephan Knoll MP – re. Draft Planning & Design Code
- Mayor Hewitson – Hon Steven Marshall MP – re. Economic Development Projects in Unley
- State Planning Commission – re. Draft Planning & Design Code

was noted.

7. CONFIDENTIAL ITEMS

ITEM 7.1

CONFIDENTIALITY MOTION FOR 7.2 - UNLEY CENTRAL - LITIGATION

MOVED Councillor J. Russo

SECONDED Councillor M. Broniecki

That:

1. Pursuant to Section 90(2) and (3)(b)(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:
 - 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.
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 advice relating to a litigation matter.

On that basis, the public's interest is best served by not disclosing 7.2 Unley Central - Litigation, 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 and Mr David Litchfield.

CARRIED UNANIMOUSLY

Resolution No. C0219/20

The gallery was cleared, the doors to the Council Chamber were closed and the meeting moved into confidence at 9.03pm.

Councillor N. Sheehan left the Chambers at 9:01pm.

Councillor S. Dewing left the Chambers at 9.02pm.

Councillor S. Dewing returned to the Chambers at 9.04pm.

Councillor K. Anastassiadis left the Chambers at 9.03pm.

Councillor N. Sheehan returned to the Chambers at 9.04pm.

Councillor K. Anastassiadis returned to the Chambers at 9.05pm.

Item 7.2, page(s) 21, is confidential and has been removed from the public agenda/minutes

ITEM 7.3

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.2 - UNLEY CENTRAL - LITIGATION

MOVED Councillor M. Broniecki

SECONDED Councillor K. Anastassiadis

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.2 Unley Central - Litigation, considered at the Confidential Council Meeting on 23 March 2020:

Minutes

Report

remain confidential until the conclusion of legal proceedings relevant to the matter and not available for public inspection until the cessation of that period.

2. The CEO be authorised to provide details of Councils decision in relation to this matter to the Developer, Council's legal advisers and Mr David Litchfield in order to progress 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. C0221/20

ITEM 7.4

CONFIDENTIALITY MOTION FOR 7.5 - BROWN HILL KESWICK CREEK - WILBERFORCE WALK LAND ACQUISITION

MOVED Councillor J. Dodd

SECONDED Councillor D. Palmer

That:

1. Pursuant to Section 90(2) and (3)(b)(i) and (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
 - 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
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 and determine a position in relation to land acquisition.

On that basis, the public's interest is best served by not disclosing 7.5 Brown Hill Keswick Creek - 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. C0222/20

The gallery was cleared, the doors to the Council Chamber were closed and the meeting moved into confidence at 9.28pm.

Item 7.5, page(s) 24, is confidential and has been removed from the public agenda/minutes

ITEM 7.6

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.5 - BROWN HILL KESWICK CREEK - WILBERFORCE WALK LAND ACQUISITION

MOVED Councillor M. Rabbitt

SECONDED Councillor M. Broniecki

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.5 Brown Hill Keswick Creek - Wilberforce Walk Land Acquisition, considered at the Council Meeting on 23 March 2020:

Minutes

Report

remain confidential until the conclusion of property acquisition associated with the Brown Hill Keswick Creek – Wilberforce Walk project and not available for public inspection until the cessation of that period.

2. The CEO be authorised to provide details of Councils decision in relation to this matter to the Brown Hill Keswick Creek Subsidiary to enable progression of the property acquisition process.
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. C0224/20

NEXT MEETING

Monday 27 April 2020 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 9.34pm.

.....
PRESIDING MEMBER