



**Minutes of the City of Unley
Council Meeting
Monday, 24 February 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
	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
General Manager Business Support & Improvement, Ms N. Tinning
Executive Manager Office of the CEO, Ms T. Norman
Coordinator Environmental Projects & Strategy, Ms K. Ryan
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 24 February 2020, meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Councillor J. Dodd

1.2 LEAVE OF ABSENCE

Nil

1.3 CONFLICT OF INTEREST

Councillor P. Hughes declared a perceived conflict of interest in relation to Item 5.1.1 on the basis of his management of a personal apiary and noted that he would remain in the meeting when that item is discussed.

1.4 MINUTES

ITEM 1.4.1

MINUTES OF THE ORDINARY COUNCIL MEETING HELD TUESDAY, 28 JANUARY 2020

MOVED Councillor E. Wright

SECONDED Councillor D. Palmer

That:

1. The minutes of the Ordinary Council held on Tuesday, 28 January 2020 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C0187/20

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

ITEM 2.1

DEPUTATION RE. MS MIGHTY SWIM

1. Denise Ang, MS Society

Ms Ang presented a Certificate of Appreciation to Mayor Hewitson on behalf of the MS Society.

3. REPORTS OF COMMITTEES

ITEM 3.1

MINUTES OF CITY STRATEGY & DEVELOPMENT POLICY COMMITTEE

MOVED Councillor M. Broniecki

SECONDED Councillor K. Anastassiadis

That:

1. The minutes of the City Strategy & Development Policy Committee meeting held on Monday 10 February 2020, be received and the following recommendations contained therein be adopted by Council:
 - a. **Item 2.1 – Norman Terrace Everard Park Regeneration Development Plan Amendment (DPA)**
 1. The report be received.
 2. The public and agency submissions, and further verbal submissions regarding the draft Norman Terrace Everard Park Regeneration Development Plan Amendment be received and noted.
 3. All the submissions and issues be documented, reviewed and responses considered as part of the Summary of Consultation and Proposed Amendments Report to be presented to Council via the City Strategy and Development Policy Committee in March 2020.

CARRIED UNANIMOUSLY

Resolution No. C0188/20

ITEM 3.2

MINUTES OF AUDIT COMMITTEE

MOVED Councillor M. Broniecki

SECONDED Councillor K. Anastassiadis

That:

1. The minutes of the Audit Committee meeting held on Tuesday 10 December 2019, be received and the following recommendations contained therein be adopted by Council:
 - a. **2020 AUDIT COMMITTEE MEETING SCHEDULE**
 1. The report be received.

2. During 2020 the Audit Committee of the City of Unley will meet at 181 Unley Road Unley at 6.30pm on the dates set out below:

Tuesday 11 February 2020

Tuesday 12 May 2020

Tuesday 18 August 2020

Tuesday 13 October 2020 (Financial Statements Only)

Tuesday 8 December 2020

3. The Chief Executive Officer be authorised, after consulting with the Presiding Member of the Committee, to:
 - 3.1 Reschedule the date and/or time of an Audit Committee meeting; or
 - 3.2 Cancel an Audit Committee meeting, if it is clear that there is no business to transact for that designated meeting.

b. AUDIT COMMITTEE WORKPLAN – 2020

1. The report be received.
2. Subject to the amendments set out below, the Audit Committee Workplan as set out in Attachment 1 to this report (Item 2.2, Audit Committee, 10/12/2019) be adopted.
 - 2.1 A progress update against the External Audit findings be provided to the Audit Committee for information at each meeting.
 - 2.2 The Quarterly Budget Review reports and Quarterly Financial Performance Review reports, which are presented to Council, be provided to Audit Committee for information.
 - 2.3 The Quarterly Report for Council's subsidiaries be provided to the Audit Committee for information.
 - 2.4 The Policy Register be provided to the Audit Committee for information on an annual basis.

c. REVISED RISK MANAGEMENT POLICY

1. The report be received.
2. Subject to the amendments set out below, the Risk Management Policy as set out in Attachment 1 to this report (Item 2.3, Audit Committee Meeting, 10/12/2019) be recommended to Council for endorsement:

- 2.1 Include the following definitions to mirror the definitions provided in the Risk Framework:
 - Risk treatments;
 - Risk appetite; and
 - Risk Tolerance.
 - 2.2 The Risk Management Framework be amended under Section 8 to include that the Executive Management Team will monitor strategic risks “at least quarterly”, replacing “on a regular basis”.
1. **d. STRATEGIC RISK REGISTER**
 1. The report be received.
 - e. FRAUD AND CORRUPTION PREVENTION POLICY REVIEW**
 1. The report be received.
 2. The Fraud and Corruption Prevention Policy as set out in Attachment 1 to this report (Item 2.5, Audit Committee Meeting, 10/12/2019) be recommended to Council for endorsement.

CARRIED UNANIMOUSLY

Resolution No. C0189/20

ITEM 3.3

MINUTES OF AUDIT COMMITTEE

MOVED Councillor M. Broniecki

SECONDED Councillor K. Anastassiadis

That:

1. The minutes of the Audit Committee meeting held on Tuesday 11 February 2020, be received and the following recommendations contained therein be adopted by Council
 - a. Development of the Draft 2020-2030 Long Term Financial Plan**
 1. The report be received.
 - b. Internal and External Audit – Agreed Actions Status Update**
 1. The report be received.
 - c. Infrastructure Asset Management Plan Update**
 1. The report be received.

d. 2019 Risk Evaluation Summary Report

1. The report be received.

e. Internal Audit Plan 2020 – Draft

1. The report be received.
2. The Internal Audit Plan as set out in Attachment 1 to this report (Item 2.5, Audit Committee Meeting 11/02/2020) be endorsed.

f. Strategic Risk Review

1. The report be received.

g. Audit Committee Workplan – Update

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0190/20

4. REPORTS OF OFFICERS

ITEM 4.1

CAPRI THEATRE LOAN REQUEST

MOVED Councillor N. Sheehan

SECONDED Councillor E. Wright

That:

1. The report be received.
2. An interest free loan for \$71,900 be provided to the Capri Theatre to enable the completion of internal painting at the theatre, with the loan to be repaid within a one-year period.

CARRIED

Resolution No. C0191/20

SUSPENSION OF MEETING PROCEEDINGS

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 7.25pm for up to 15 minutes to facilitate an informal discussion of the matter.

The Presiding Member with approval of two-thirds of the members present, called for an extension of time to the suspension of meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* at 7.40pm for 10 minutes to facilitate further informal discussion of the matter.

Formal meeting procedures resumed at 7.53pm.

ITEM 4.2

DRAFT TREE STRATEGY 2045

MOVED Councillor D. Palmer

SECONDED Councillor J. Boisvert

That:

1. The Draft Tree Strategy as set out in Attachment 1 to this report (Item 4.2, Council Meeting, 24/02/2020) be further amended as outlined below and returned to Council for review, prior to the commencement of a community engagement process:
 - Strategies to achieve the retention and increase of trees on private land.
 - Evidence of the success of existing programs eg. the Adopt A Tree Strategy.
 - Decision-making hierarchy for tree removal.
 - Clarification on strategies M3.2 and M4.2.

CARRIED

Resolution No. C0192/20

ITEM 4.3

APPLICATION FOR WEEKLY GREEN WASTE COLLECTION TRIAL

MOVED Councillor E. Wright

SECONDED Councillor N. Sheehan

That:

1. The report be received.
2. Subject to a successful grant application for \$25,885 to the Green Industries SA Council Modernisation Grants Program (with Council matched funding provided from within existing budget) a weekly green waste collection trial to 500 residents and up to 40 businesses in Goodwood for a period of six months be undertaken.

CARRIED UNANIMOUSLY

Resolution No. C0193/20

ITEM 4.4
QUARTERLY PERFORMANCE REPORT

MOVED Councillor J. Russo
SECONDED Councillor P. Hughes

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0194/20

ITEM 4.5
QUARTERLY REPORT - CENTENNIAL PARK CEMETERY AUTHORITY

MOVED Councillor J. Russo
SECONDED Councillor M. Rabbitt

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0195/20

ITEM 4.6
QUARTERLY REPORT - BROWN HILL KESWICK CREEK STORMWATER BOARD

MOVED Councillor J. Boisvert
SECONDED Councillor K. Anastassiadis

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0196/20

ITEM 4.7
COUNCIL ACTION RECORDS

MOVED Councillor D. Palmer
SECONDED Councillor J. Boisvert

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C0197/20

5. MOTIONS AND QUESTIONS

5.1 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

ITEM 5.1.1

NOTICE OF MOTION FROM COUNCILLOR N. SHEEHAN RE: BEE HIVES AT COUNCIL FACILITIES

MOVED Councillor N. Sheehan

SECONDED Councillor E. Wright

That:

1. Staff investigate options and costs for installation of honey bee hives at Council facilities, including the Civic Centre at 181 Unley Road.

With the leave of the meeting and consent of the SECONDER Councillor N. Sheehan VARIED the motion:

That:

1. Staff investigate options and costs for installation of honey bee hives and native bee hotels at Council facilities, including the Civic Centre at 181 Unley Road.

CARRIED

Resolution No. C0198/20

DIVISION

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

Those voting in the affirmative:

Councillors K. Anastassiadis, J. Boisvert, M. Broniecki, S. Dewing, D. Palmer, M. Rabbitt, J. Russo, N. Sheehan and E. Wright

Those voting in the negative:

Councillors P. Hughes and M. Hudson

The MOTION was declared **CARRIED**

ITEM 5.1.2

**NOTICE OF MOTION FROM COUNCILLOR S. DEWING RE:
INVESTIGATION INTO FEASIBILITY OF INTRODUCING E-SCOOTERS
WITHIN THE CITY OF UNLEY AND EASTERN REGION ALLIANCE
COUNCILS**

MOVED Councillor S. Dewing

SECONDED Councillor J. Boisvert

That:

1. Staff investigate the feasibility of trialling access to e-scooters within the City of Unley, including but not limited to connectivity with the City of Adelaide and the level of interest from Eastern Region Alliance councils in participating in a trial.

CARRIED

Resolution No. C0199/20

ITEM 5.1.3

**NOTICE OF MOTION FROM COUNCILLOR M. RABBITT RE TREE
CANOPY TARGET - 2045**

MOVED Councillor M. Rabbitt

SECONDED Councillor P. Hughes

That:

1. Council write to the Minister for Environment and Water, Mr David Speirs MP, congratulating him and his Government's target to increase urban green cover by 20% in metropolitan Adelaide by 2045 as part of the 30-Year Plan's Target 5, 'A green liveable city', and requesting details of the specific measures the Government is seeking to introduce to increase tree canopy cover for private dwellings on the basis that there are limited opportunities for the City of Unley to increase tree canopy cover on public land.

CARRIED UNANIMOUSLY

Resolution No. C0200/20

5.2 MOTIONS WITHOUT NOTICE

Nil

5.3 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

ITEM 5.3.1

QUESTION ON NOTICE FROM COUNCILLOR N. SHEEHAN RE: USE OF THE KAUFLAND SITE (ANZAC HIGHWAY / LEADER STREET, FORESTVILLE)

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

QUESTIONS

1. What will happen to the site?
2. What can council do if nothing happens on the site?
3. Who is responsible to ensure the site does not become unsightly?
4. Who is responsible for managing dust on the site?
5. Who is responsible for restricting access to the site?
6. Who is responsible for managing any graffiti or vandalism on the site?
7. What developments are possible on the site?
8. What works are still required on the site?
9. Can the site be subdivided?
10. Is there any possibility of temporary uses, such as a carpark for the site?
11. What can council do to encourage development of the site other than leave it vacant?

ANSWERS

1. **What will happen to the site?**

The approved demolition will be completed, together with site remediation. All other works previously approved will not proceed at this point.

2. **What can council do if nothing happens on the site?**

Council can work with the owners of the land to ensure that it is effectively managed until the site is developed in the future.

3. **Who is responsible to ensure the site does not become unsightly?**

The owner of the land is responsible for ensuring that the site does not become unsightly. Council has powers under the *Local Nuisance and Litter Control Act 2016* to take action should a site become unsightly.

4. **Who is responsible for managing dust on the site?**

The owner of the land is responsible for ensuring that dust is managed. Council has powers under the *Local Nuisance and Litter Act 2016* to take action should dust not be managed appropriately, noting that vacant sites will have dust generated from them in dry and windy conditions. This is aimed at reducing, not eliminating, dust from a site.

5. **Who is responsible for restricting access to the site?**

The owner is responsible for restricting access to a site. Should Council have concerns over the condition of the site or safety to the community, fencing may be required to prevent access.

6. **Who is responsible for managing any graffiti or vandalism on the site?**

The owner must take reasonable measures to restrict access to the site to avoid graffiti and vandalism. Should the site become unsightly or unsafe, Council has the authority to take action under the *Local Nuisance and Litter Control Act 2016* or the *Development Act 1993*.

7. **What developments are possible on the site?**

The Unley (City) Development Plan prescribes the development controls for the site which is located within the Urban Corridor Zone Transit Living (Anzac Highway) Policy Area 24. This site specifically encourages mixed use developments including shops and commercial uses at the ground floor with residential above, noting other uses may be appropriate where compatible with adjacent residential development.

8. **What works are still required on the site?**

Final completion of the demolition of all structures on the site and remediation of deleterious materials is to occur prior to works ceasing. Demolition and tidy up of site was due for completion by 15 February 2020 with the site remediation to be completed between 17-28 February 2020. No further works are planned, with the owners to determine what will happen next regarding the site.

9. **Can the site be subdivided?**

Land division can be supported and would be assessed on the suitability of the land to support any intended uses.

10. **Is there any possibility of temporary uses, such as a carpark for the site?**

Any change of land use will require approval from Council or the State Commission Assessment Panel prior to commencing. Temporary uses may be appropriate if they reasonably comply with the intent of the Development Plan.

11. **What can council do to encourage development of the site other than leave it vacant?**

Council can work with any prospective developer through the provision of advice to encourage development that will comply with the objectives of the Development Plan.

5.4 QUESTIONS WITHOUT NOTICE

Nil

6. MEMBER'S COMMUNICATION

6.1 MAYORS REPORT

ITEM 6.1.1

MAYOR'S REPORT FOR MONTH OF FEBRUARY

MOVED Councillor P. Hughes

SECONDED Councillor S. Dewing

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0201/20

6.2 DEPUTY MAYORS REPORT

ITEM 6.2.1

DEPUTY MAYOR'S REPORT FOR MONTH OF FEBRUARY

MOVED Councillor D. Palmer

SECONDED Councillor J. Russo

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0202/20

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1 REPORTS OF MEMBERS FOR MONTH OF FEBRUARY

Council noted the reports from Members:

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

6.4 CORRESPONDENCE

ITEM 6.4.1 CORRESPONDENCE

The correspondence from:

- DPTI Office of the Chief Executive – re. Unley Road Extended Bike Lane Operating Times
- Minister for Human Services – re. Highgate Park Site at Fullarton
- Office of the Minister for Environment & Water – re. Renewal of the Resilient East Climate Change Sector Agreement

was noted.

7. CONFIDENTIAL ITEMS

Nil

NEXT MEETING

Monday 23 March 2020 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 9.09pm.

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PRESIDING MEMBER