



**Minutes of the City of Unley  
Council Meeting  
Monday, 10 December 2018, 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	D Palmer
	J Dodd	N Sheehan
	E Wright	K Anastassiadis
	M Hudson	S Dewing
	J Russo	M Broniecki
	M Rabbitt	

**OFFICERS PRESENT**

Chief Executive Officer, Mr P Tsokas  
General Manager Business Support and Improvement, Ms N Tinning  
General Manager City Services, Ms M Berghuis  
Acting General Manager City Development, Mr A Wood  
Executive Manager Office of the CEO, Ms T Norman  
Executive Assistant Office of the CEO, Ms L Jones

**ACKNOWLEDGEMENT**

The Presiding Member opened the meeting with the Kaurna acknowledgement.

**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 Council, Senior Staff, Media and members of the gallery to the 10 December 2018 meeting of the Unley City Council.

## **APOLOGIES**

Nil

## **LEAVE OF ABSENCE**

Nil

## **ITEM 1350** **CONFLICT OF INTEREST**

Councillor J Boisvert declared a perceived conflict of interest in relation to Item 1358 which awards a community grant to the Centre, noting that whilst she is actively involved with the Centre she is not a member of the management committee, nor was she involved in the assessment of grant applications. Cr Boisvert indicated she would remain in the meeting at the time that the item is discussed.

## **ITEM 1351** **MINUTES – COUNCIL**

MOVED Councillor J Boisvert  
SECONDED Councillor M Hudson

That:

1. The minutes of the Council Meeting held on 26 November 2018 be taken as read and signed as an accurate record.

**CARRIED**

## **DEFERRED / ADJOURNED ITEMS**

Nil

## **ITEM 1352** **PETITION RE JACARANDA TREES, MACKLIN STREET, HYDE PARK**

MOVED: Councillor M Rabbitt  
SECONDED: Councillor M Broniecki

That

1. The petition be received.
2. The request for removal of Jacaranda Trees on Macklin Street, Hyde Park be referred to administration for management in accordance with Council's endorsed Tree Policy, Tree Strategy and Tree Management Procedure documents.

**CARRIED UNANIMOUSLY**

**ITEM 1353**  
**DEPUTATIONS**

1. Mary Kolusniewski, Goodwood  
Re. Traffic Management Infrastructure

**ITEM 1354**  
**REPORTS OF COMMITTEES – MINUTES OF THE UNLEY BUSINESS AND**  
**ECONOMIC DEVELOPMENT COMMITTEE – 26 SEPTEMBER 2018**

MOVED: Councillor D Palmer  
SECONDED: Councillor J Dodd

That:

1. The minutes of the Unley Business and Economic Development Committee meeting held on 26 September 2018 be received and the following recommendations contained therein be adopted by Council:
  - a. **Item 60 – Association Coordinators Quarterly Reports for the period 1 April 2018 – 30 June 2018**
    1. The report be received.
    2. King William Road Traders Association Incorporated be asked to provide explanatory notes on the 2017/18 summary of income and expenditure. (1 and 2 become 3 and 4).
    3. The application to amend the Unley Road Association Inc 2018-19 Expenditure Plan be supported, and the amended plan as set out in Attachment 1 to this report (Item No 60/2018, Business and Economic Development Committee, 26/09/2018) be endorsed.
    4. The application to amend the King William Road Traders Association Inc 2018-19 Expenditure Plan be supported, and the amended plan as set out in Attachment 2 to this report (Item No 60/2018, Business and Economic Development Committee, 26/09/2018) be endorsed.
  - b. **Item 62 – Colliers International Precinct Comparison Report**
    1. The report be received.
  - c. **Item 63 - Confidentiality Motion for Item 62 – Colliers International Precinct Comparison Report**
    1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 62 – Colliers International Precinct Comparison Report, considered at the Unley Business and Economic Development Committee Meeting on 26 September 2018:
      - Attachment

remain confidential until 25 September 2020 and not available for public inspection until the cessation of that period.

2. 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**

**ITEM 1355**

**REPORTS OF COMMITTEES – MINUTES OF THE AUDIT & GOVERNANCE COMMITTEE – 22 NOVEMBER 2018**

MOVED: Councillor M Rabbitt

SECONDED: Councillor K Anastassiadis

That:

1. The minutes of the Audit and Governance Committee meeting held on 22 November 2018 be received and the following recommendations contained therein be adopted by Council:
  - a. **Item 100 – External Auditor Tender Presentations and External Auditor Appointment**
    1. Galpins Accountants, Auditors & Business Consultant be appointed the City of Unley’s External Auditor for a period of 5 years, commencing with the audit for the financial year ending 30 June 2019.
  - b. **Item 101 – Confidentiality motion to Remain in Confidence item 100 – External Auditor Tender Presentations and External Audit Appointment**
    1. Pursuant to Section 91(7) of the Local Government Act 1999 the following elements of Item 100 – External Audit Appointment and External Auditor Presentations, considered at the Audit and Governance Committee Meeting on 22 November 2018:
      - Report
      - Attachment
      - Presentationremain confidential until the conclusion of any contract awarded and not available for public inspection until the cessation of that period.
    2. 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**

## **REPORTS OF OFFICERS**

### **ITEM 1356**

#### **WELCOMING CITIES**

MOVED Councillor J Boisvert  
SECONDED Councillor J Russo

That:

1. The report be received.
2. The City of Unley commits to participate as a member of the *Welcoming Cities* network.
3. The CEO be authorised to determine the most appropriate staff contact that will liaise the *Welcoming Cities* team on behalf of the City of Unley.

**CARRIED UNANIMOUSLY**

### **ITEM 1357**

#### **FINANCE PERFORMANCE REPORT FOR THE QUARTER ENDED 30 SEPTEMBER 2018**

MOVED Councillor J Boisvert  
SECONDED Councillor P Hughes

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

### **ITEM 1358**

#### **COMMUNITY GRANT PROGRAM – RECOMMENDATIONS FOR FUNDING – SEPTEMBER 2018**

MOVED Councillor J Russo  
SECONDED Councillor K Anastassiadis

That:

1. The report be received.
2. Funding of \$37,175 be awarded under Round 1 of the 2018/19 financial year for the Community Grants program as follows:
  - \$840 partial funding to the Unley United Soccer Club Inc to assist with costs for the Unley United 2019 season.
  - \$2,800 partial funding to the Clarence Park Community Centre Board Inc towards the cost of updating the Centre's signage on the exterior facades.

- \$2,450 full funding to The Caring Choir (auspiced by SA Carer Support and Respite Inc) to support the costs of a musical director/accompanist's fees.
- \$1,750 partial funding to the Goodwood Cricket Club Inc to assist with running a "Come and Try" day specifically for young girls.
- \$4,000 full funding to the Gold Foundation to deliver a social skills training program for young people with Asperger Syndrome.
- \$2,400 partial funding to the Cancer Care Centre Inc to educate the local community on Gut Health and to give people the skills to make their own probiotics.
- \$4,000 full funding to the Student Robotics Club of SA Inc for a training program for their student leaders and mentors in communications, budgeting and project management.
- \$2,840 partial funding to the Adelaide Showgrounds Farmers Market Inc for the purchase of benches to enable a hands-on experience by participants in the Market's Food Education.
- \$3,200 partial funding to the Rosefield Community Shed (auspiced by Rosefield Uniting Church) for the purchase of equipment to introduce students and young people to woodworking principles, safety and to encourage participation in community programs through the Shed.
- \$3,185 partial funding to Theofania (auspiced by the King William Road Traders Association) to undertake an 8-week pilot project, *Reading Books Alive*, for young children and pre-schoolers, at Dymocks King William Road.
- \$1,260 partial funding for the SA Society of Model & Experimental Engineers Inc for the purchase and installation of a defibrillator at SASMEE.
- \$3,200 partial funding to the Forestville Hockey Club for the purchase of upgraded equipment for their coaches and senior players.
- \$2,500 partial funding to the Parkside Baptist Church to launch a playgroup to support families in the Parkside and broader Unley area.
- \$2,750 full funding to the South Australian Youth Arts Theatre Co and the On The Fringe Ensemble for a skills development for youth within the City of Unley culminating in a professional level production.

**CARRIED UNANIMOUSLY**

**ITEM 1359**

**COUNCIL ACTION RECORDS**

MOVED Councillor M Rabbitt  
 SECONDED Councillor D Palmer

That:

1. The report be noted.

**CARRIED UNANIMOUSLY**

**ITEM 1360**

**MOTION ON NOTICE: MANAGEMENT OF WEEDS ON COUNCIL PROPERTY**

MOVED Councillor J Boisvert  
SECONDED Councillor M Broniecki

That:

1. A report be prepared that identifies the use of glyphosate as a means of weed control in the City of Unley.
2. The report is to identify alternative methods of weed control and management.

**CARRIED**

**ITEM 1361**

**MOTION ON NOTICE: FUTURE TREE STRATEGY**

MOVED Councillor D Palmer  
SECONDED Councillor J Dodd

That:

1. The development of a new tree strategy to supersede the current 2016-19 tree strategy be prioritised.
2. The new tree strategy expands on the current tree strategy to include (but not be limited to) such considerations as:
  - a) identifying all the objectives, such as canopy cover, shade, amenity, temperature moderation, habitat, and also risk and safety, property values.
  - b) identifying the attributes of various tree species considered appropriate for street and park planting, including their mature canopy cover and time to reach maturity, along with cost of maintenance.
  - c) ways of promoting increased tree canopy cover on private property.
3. The new tree strategy considers the "nuisance value" of Council owned non-regulated trees, similar to the assessment of trees under the Development Act, when removal of a Council owned tree is requested.
4. A report outlining the process for developing a new tree strategy, including budget and resourcing considerations, be provided to Council no later than March 2019.

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

That:

1. The development of a new tree strategy to supersede the current 2016-19 tree strategy be prioritised.
2. The new tree strategy expands on the current tree strategy to include (but not be limited to) such considerations as:
  - a) identifying all the objectives, such as canopy cover, shade, amenity, temperature moderation, habitat, and also risk and safety, property values.
  - b) identifying the attributes of various tree species considered appropriate for street and park planting, including their mature canopy cover and time to reach maturity, along with cost of maintenance.
  - c) ways of promoting increased tree canopy cover on private property.
3. The new tree strategy considers any issues arising from Council owned non-regulated trees, similar to the assessment of trees under the Development Act, when removal of a Council owned tree is requested.
4. A report outlining the process for developing a new tree strategy, including budget and resourcing considerations, be provided to Council no later than March 2019.

**CARRIED UNANIMOUSLY**

**ITEM 1362**

**MOTIONS WITHOUT NOTICE**

Nil

**ITEM 1363**

**QUESTIONS ON NOTICE: SMOKING NEAR PLAYGROUNDS**

The following Questions on Notice have been received from Councillor J Boisvert and the answers are provided, in reference to reports of smoking within the Dora Gild Playground.

1. *Are there spaces within this fenced area that it is legal to smoke?*

There are only a small number of areas within the fenced area of the Reserve which fall outside of the *Tobacco Products Regulation Act 1997* rule, which prohibits smoking within 10 metres of children's play equipment. These areas include the north eastern corner of the Reserve and the bench area at the side of the existing public toilet, which sits greater than 10 metres away from the children's play equipment



2. *If so, are there any measures that we can lawfully take to ban smoking from this area?*

Beyond enforcing the 10 metre rule above, for which an expiation notice of \$75.00 may be issued, in accordance with section 52(1) of the *Tobacco Products Regulation Act 1997*, the Governor may, if requested, approve a total ban to the Reserve by way of legislative amendment to the *Tobacco Products (Smoking Bans in Public Areas—Longer Term) Regulations 2012*.

3. *If smoking is not possible within the playground, could signs be placed notifying people who wish to smoke that they must leave the fenced area?*

Regardless of whether the 10 metre rule above applies across the entire Reserve area or not, 'No Smoking' or 'Smoking Prohibited' signs can be erected or displayed in the vicinity of the children's playground equipment to reinforce that smoking is not permitted within 10 metres of playground equipment.

This signage would provide a greater level of awareness to the smoking and non-smoking public alike and would provide authorities, both Police and Council's authorised officers, with a greater means by which to prove an offence, if enforcement action were to be taken. Should Council wish, an audit of signage at all playgrounds will be undertaken and any necessary signs installed to ensure that the 10 metre exclusion zone is readily identifiable.

4. *Can the matter be brought to the attention of the ranger to improve compliance and expiate if warranted?*

The matter has now been brought to the attention of Council's authorised officers and as such, the Reserve will now be monitored over the coming months with a view to providing an educative approach prior to enforcement. Following this initial approach, in addition to the provision of signage to the Reserve, officers would look to enforce relevant legislation by way of an expiation notice.

#### **ITEM 1364**

#### **QUESTIONS WITHOUT NOTICE**

Councillor J Boisvert asked a question about the on-hold message callers hear when contacting Council and requested that it be updated.

The question was answered by the General Manager City Services.

#### **ITEM 1365**

#### **CORRESPONDENCE**

- Minister for Trade, Tourism & Investment – Congratulations to Events Team on Recognition at Recent South Australian Tourism Awards.

**ITEM 1366**  
**MAYOR'S REPORT**

MOVED Councillor P Hughes  
SECONDED Councillor J Dodd

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**DEPUTY MAYOR'S REPORT**

Nil

**REPORTS OF MEMBERS**

Nil

**NEXT MEETING**

Monday 29 January 2019 – 7.00pm.

**CLOSURE**

The Presiding Member closed the meeting at 8.15pm.

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PRESIDING MEMBER

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