



**Minutes of the City of Unley
Council Meeting
Monday, 29 January 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	D Palmer
	J Dodd	N Sheehan
	E Wright	K Anastassiadis
	S Dewing	J Russo
	M Broniecki	

OFFICERS PRESENT

Chief Executive Officer, Mr P Tsokas
General Manager Business Support and Improvement, Ms N Tinning
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 Development and Regulatory Services, Mr P Weymouth

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 29 January 2019, meeting of the Unley City Council.

APOLOGIES

Councillor M Rabbitt
Councillor M Hudson

LEAVE OF ABSENCE

Nil

ITEM 1367

CONFLICT OF INTEREST

Councillor J Boisvert noted that members may need to declare conflict of interest in relation to the appointment of committee memberships, to be considered in this Meeting.

Councillor K Anastassiadis declared a perceived interest in relation to Conservation Grants Item 1376 on the basis that she has a personal relationship with a recipient of a grant, and advised that she would participate in the debate and vote in relation to that item.

ITEM 1368

MINUTES – COUNCIL

MOVED Councillor J Boisvert
SECONDED Councillor E Wright

That:

1. The minutes of the Council Meeting held on 10 December 2018 be taken as read and signed as an accurate record.

CARRIED

DEFERRED / ADJOURNED ITEMS

Nil

ITEM 1369

PETITION – RE ON-STREET PARKING AT CHARLES STREET FORESTVILLE

MOVED Councillor N Sheehan
SECONDED Councillor E Wright

That:

1. The petition be received.
2. The principal petitioner be advised that the parking controls in Charles Street, Forestville (between Nichols and Leader Streets) will be revised to part time parking restrictions, namely three hour parking from 9am to 5pm, Monday to Friday.
3. The residents of Charles Street, Forestville be notified of the change to be made to parking restrictions between Nichols and Leader Streets (three hour parking from 9am to 5pm, Monday to Friday).

CARRIED UNANIMOUSLY

DEPUTATIONS

Nil

REPORTS OF COMMITTEES

Nil

REPORTS OF OFFICERS

ITEM 1370

NOMINATIONS – CASUAL VACANCIES – MEMBERS OF THE GREATER ADELAIDE REGION ORGANISATION OF COUNCILS (GAROC)

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 7.08pm for 5 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 7.13pm for 5 minutes to facilitate further informal discussion of the matter.

Formal meeting procedures resumed at 7.16pm.

The following nominations were accepted for consideration of appointment to the Greater Adelaide Region Organisation of Councils (GAROC):

Councillor D Palmer

Councillor J Dodd

MOVED Councillor J Russo

SECONDED Councillor S Dewing

That:

1. The report be received and noted.
2. Councillors D Palmer and J Dodd be nominated as a member of the Greater Adelaide Region Organisation of Councils (GAROC), subject to the acceptance and signing of the nomination form by the nominee prior to submission to the Local Government Association.

CARRIED UNANIMOUSLY

ITEM 1371

AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY 16-19 JUNE 2019 – CALL FOR NOTICES OF MOTION

MOVED Councillor P Hughes

SECONDED Councillor M Broniecki

That:

1. The report be received.

CARRIED

ITEM 1372

CITY STRATEGY AND DEVELOPMENT POLICY COMMITTEE – TERMS OF REFERENCE AND MEMBERSHIP

SUSPENSION OF 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 7.20pm for 5 minutes to facilitate an informal discussion of the matter.

The following nominations were accepted for consideration of appointment to Presiding Member for the City Strategy and Development Policy Committee:

Councillor D Palmer

Councillor J Dodd

A ballot process was undertaken to determine the preferred candidate for the position of Presiding Member and the results announced.

Formal meeting procedures resumed at 7.24pm.

Councillor J Dodd declared a material conflict of interest in relation to Item 1372, on the basis that a financial benefit would arise if the vote was carried, advised that she 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 7.24pm.

MOVED Councillor J Boisvert
SECONDED Councillor D Palmer

That:

1. The report be received.
2. The City Strategy and Development Policy Committee Terms of Reference as set out in Attachment 1 to this report (Item 1372, Council Meeting 29/01/2019) be endorsed.
3. The City Strategy and Development Policy Committee be established, with membership comprising all members of Council, commencing from the date of this resolution and concluding 31 January 2021.
4. Councillor J Dodd be appointed Presiding Member of the City Strategy and Development Policy Committee for the period commencing from the date of this resolution and concluding 31 January 2021.

CARRIED UNANIMOUSLY

Councillor J Dodd re-joined the meeting at 7.26pm.

ITEM 1373

AUDIT COMMITTEE ESTABLISHMENT AND INDEPENDENT MEMBER RECRUITMENT

MOVED Councillor J Dodd
SECONDED Councillor K Anastassiadis

That:

1. The report be received.
2. The Audit Committee Terms of Reference as set out in Attachment 1 to this report (Item 1373, Council Meeting 29/01/2019) be endorsed.
3. Councillors M Broniecki and K Anastassiadis be appointed to the Audit Committee for the period commencing from the date of this resolution and concluding 31 January 2021.
4. Councillors M Broniecki and J Boisvert in conjunction with the General Manager Business Support & Improvement and the Executive Manager Office of the CEO, form an Audit Committee Independent Member Selection Committee to shortlist and interview suitable persons as Independent Members for appointment to the Audit Committee commencing at the conclusion of current Independent Member appointments.

CARRIED UNANIMOUSLY

ITEM 1374

**LOCAL GOVERNMENT ASSOCIATION ORDINARY GENERAL MEETING 12
APRIL 2019 – CALL FOR NOTICES OF MOTION AND APPOINTMENT OF
DELEGATES**

MOVED Councillor D Palmer
SECONDED Councillor J Boisvert

That:

1. That the City of Unley submit a Notice of Motion to the Local Government Association Ordinary General Meeting (Friday 12 April 2019) concerning a revision of the conflict of interest provisions under the *Local Government Act 1999*, with staff authorised to prepare the final wording of the motion and supporting documentation for submission to the LGA by close of business 22 February 2019.
2. The proposed notice of motion in relation to a revision of the conflict of interest provisions under the *Local Government Act 1999* and supporting documentation be circulated to all members, and endorsed by the Mayor and Deputy Mayor prior to submission to the LGA.
3. Advice be provided to the Local Government Association that voting delegates for the City of Unley at the Ordinary General Meeting to be held on Friday 12 April 2019 are:
Delegate: Mayor Michael Hewitson
Deputy Delegate: Deputy Mayor Peter Hughes

CARRIED ANANIMOUSLY

ITEM 1375

CEO QUARTERLY REPORT – CENTENNIAL PARK CEMETERY AUTHORITY

MOVED Councillor P Hughes
SECONDED Councillor J Russo

That:

1. The report be received.

CARRIED ANANIMOUSLY

Councillor J Dodd left the meeting at 7.47pm.

Councillor J Dodd re-joined the meeting at 7.48pm.

ITEM 1376
2018/19 CONSERVATION GRANTS

MOVED Councillor D Palmer
SECONDED Councillor J Boisvert

That:

1. The report be received.
2. The 2018/19 Conservation Grants for 2018/2019 be funded as follows (pro rata allocation \$50k):
 - \$3,743 to 49 Cambridge Terrace Malvern, for tessellated tiles on the front verandah, and side and front fencing,
 - \$4,679 to 4 Eton Street Malvern for the replacement of iron roof,
 - \$761 to 17 Leah Street Forestville for significant tree pruning,
 - \$772 to 54A Maud Street Unley for significant tree pruning,
 - \$2,069 to 22 Oxford Terrace Unley for front picket fence,
 - \$4,679 to 19 Cambridge Street Malvern for stonework restoration and verandah re-instatement,
 - \$3,824 to 190 Wattle Street Malvern for verandah replacement,
 - \$4,679 to 55 Winchester St Malvern to re-align and stabilise the foundations/front façade,
 - \$334 to 9 Rossilyn Avenue Clarence Park for significant tree pruning,
 - \$4,144 to 9 Alfred Street Parkside to re-roof,
 - \$1,049 to 23 Marion Street Unley for chimney restoration,
 - \$2,178 to 11 Musgrave Street Goodwood for a new picket fence,
 - \$4,117 to 29 Wood Street Millswood for re-painting roof and verandah,
 - \$4,226 to 188 Fisher Street Malvern for recast balustrade panels and valance to verandah,
 - \$4,679 to 59 Marlborough Street Malvern for restoration of stonework,
 - \$971 to 82 Millswood Crescent Millswood for restoration of stonework,
 - \$3,088 to 13 Frew Street Fullarton for repair/repoint stonework.

CARRIED

ITEM 1377
EXPRESSION OF INTEREST TO HOST A 2020 SANTOS TOUR DOWN UNDER
STAGE START/FINISH

MOVED Councillor K Anastassiadis
SECONDED Councillor S Dewing

That:

1. The report be received.
2. An Expression of Interest for the City of Unley to be considered as an Official Host Council for the 2020 Tour Down Under Stage Start or Finish be lodged with Events SA.

CARRIED UNANIMOUSLY

*Councillor J Dodd left the meeting at 7.57pm.
Councillor J Dodd re-joined the meeting at 7.58pm.*

ITEM 1378
COUNCIL ACTION RECORDS

MOVED Councillor J Boisvert
SECONDED Councillor K Anastassiadis

That:

1. The report be noted.

CARRIED ANANIMOUSLY

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

ITEM 1379
SUPPORT FOR DISCLOSURE OF CANDIDATE POLITICAL AFFILIATIONS AND FINANCIAL CONTRIBUTIONS

MOVED Councillor J Dodd
SECONDED Councillor M Broniecki

That:

1. A letter be sent to the Honourable Stephan Knoll MP, Minister for Transport, Infrastructure and Local Government, expressing the City of Unley's support for Local Government reforms requiring an initial disclosure of candidate political affiliations and financial contributions at the time of nomination for a Local Government election.

CARRIED UNANIMOUSLY

ITEM 1380
125TH ANNIVERSARY OF WOMEN'S SUFFRAGE IN SOUTH AUSTRALIA – STATE GOVERNMENT COMMUNITY CELEBRATION GRANT

MOVED Councillor J Russo
SECONDED Councillor J Boisvert

That:

1. An application for grant funding be made to the South Australian Government's Office for Women to enable the celebration of the 125th Anniversary of Women's Suffrage in South Australia via a public event, or relevant activities, within the City of Unley prior to 31 December 2019.

2. In the event that the grant application to the Office for Women is unsuccessful, a proposal to be brought back to Council for the conduct of an event to celebrate the 125th Anniversary of Women's Suffrage in South Australia, with costs to be considered as part of the 2019/20 budget process.

CARRIED UNANIMOUSLY

MOTIONS WITHOUT NOTICE

Nil

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

ITEM 1382

TRAFFIC MANAGEMENT AT RUGBY STREET AND OXFORD TERRACE INTERSECTION

Councillor D Palmer asked the following question:

1. What, if any action has been undertaken to implement the decision of February 2018 Council meeting motion to re-assess the traffic prioritisation at the Rugby Street/Oxford Terrace intersection.

Administration provided the following response:

In relation to this intersection, Council, at its 26 February 2018 meeting, endorsed that:

Rugby Street/Oxford Terrace intersection, a re-assessment of traffic prioritisation be undertaken to enable the best design to be developed to accommodate all car, cyclist and pedestrian movements.

Administration undertook further assessment following the direction from the Council. As part of the assessment, WGA were engaged to undertake feasibility and impact of the traffic changes. WGA undertook SIDRA traffic modelling to assess the impact of the traffic changes. The assessment also included traffic observations and data collection during school drop off (8am to 9 am), pick up (3pm to 3.45pm) times, and peak traffic flow (5pm to 6pm) period.

The WGA investigation provided three key findings:

- The change of traffic priority at this intersection should not have any operational issues. However, given the Oxford Terrace (3029 vehicles per day) traffic volume is much higher than Rugby Street (1327 vehicles per day and 267 vehicles per day at 'dead end' section of road); the change of priorities would not be intuitive to drivers along Oxford Terrace. Therefore, visual cues such as 'kerb build outs' and other intersection modifications will be required to change the traffic priority.
- The change of the traffic priority would not result in substantial traffic delays at the intersection.
- Oxford Terrace would remain an attractive route for drivers and continue to have higher traffic flow as it is one of the few roads which have signalised intersection with Unley Road.

These findings will be included in the final design of the intersection to be implemented as part of Stage 2 of Rugby-Porter Streets Bike Route improvements project. The project, as endorsed by Council as part of its budget process, is subject to co-funding from DPTI. An application has been made to DPTI for the co-funding and outcome is currently awaited.

ITEM 1383
QUESTIONS WITHOUT NOTICE

Councillor J Boisvert asked a question in relation to the Council Meeting opening prayer. The question was answered by the CEO.

Councillor J Boisvert asked a question in relation to public access to 41 Oxford Terrace. The question was taken on notice.

Councillor D Palmer asked a question in relation to completion of the Ridge Park Master Plan. The question was taken on notice.

ITEM 1384
CORRESPONDENCE

The correspondence from:

- DPTI – appreciation for support of Way2Go Bike Ed program
- The Hon Stephan Knoll MP – allocation of funding from Roads to Recovery program

was noted.

ITEM 1385
MAYOR'S REPORT

MOVED Councillor P Hughes
SECONDED Councillor N Sheehan

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 1386
DEPUTY MAYOR'S REPORT

MOVED Councillor K Anastassiadis
SECONDED Councillor M Broniecki

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 1387
REPORTS OF MEMBERS

The reports from:

- Councillor M Broniecki
- Councillor J Russo

were noted.

CONFIDENTIAL ITEMS

ITEM 1388
CONFIDENTIALITY MOTION FOR ITEM 1389 – COUNCIL ASSESSMENT PANEL –
APPOINTMENT OF MEMBERS FOR THE PERIOD 1 MARCH 2019 – 28 FEBRUARY
2021

MOVED Councillor P Hughes
SECONDED Councillor E Wright

That:

1. Pursuant to Section 90(2) and (3)(a) 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:
 - would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
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 appropriately consider the appointment of members to the Council Assessment Panel.

On that basis, the public's interest is best served by not disclosing Item 1389 – Council Assessment Panel – Appointment of Members for the Period 1 March 2019 – 28 February 2021 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

The meeting moved into confidence, the gallery was cleared and doors were closed at 8.17pm.

ITEM 1389

Confidential – removed from the public agenda – pages 12-14

ITEM 1390

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE ITEM 1389 –
COUNCIL ASSESSMENT PANEL – APPOINTMENT OF MEMBERS FOR THE
PERIOD 1 MARCH 2019 – 28 FEBRUARY 2021**

MOVED Councillor J Boisvert
SECONDED Councillor J Dodd

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 1389 – Council Assessment Panel – Appointment of Members for the period 1 March 2019 – 28 February 2021, considered at the Council Meeting on 29 January 2019:

Report

remain confidential and not available for public inspection until the appointment process for Council Assessment Panel Members has been finalised.

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

ITEM 1391

**CONFIDENTIALITY MOTION FOR ITEM 1392 – CHIEF EXECUTIVE OFFICER
REVIEW PANEL – TERMS OF REFERENCE AND MEMBERSHIP**

MOVED Councillor D Palmer
SECONDED Councillor M Broniecki

That:

1. Pursuant to Section 90(2) and (3)(a) 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:
 - Would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); 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 appropriately consider a matter relating to the CEO Review Panel and Employment Agreement.

On that basis, the public's interest is best served by not disclosing Item 1392 – Chief Executive Officer Review Panel – Terms of Reference and Membership 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

The meeting moved into confidence, the gallery was cleared and doors were closed at 9.01pm.

ITEM 1392

Confidential – removed from the public agenda – page 17

ITEM 1393

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE ITEM 1392 – CHIEF EXECUTIVE OFFICER REVIEW PANEL – TERMS OF REFERENCE AND MEMBERSHIP

MOVED Councillor J Dodd

SECONDED Councillor K Anastassiadis

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 1392– Chief Executive Officer Review Panel – Terms of Reference and Membership, considered at the Council Meeting on 29 January 2019:

Report

remain confidential until 18 February 2022 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

NEXT MEETING

Monday 25 February 2019 – 7.00pm.

CLOSURE

The Presiding Member closed the meeting at 9.10pm.

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PRESIDING MEMBER

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