



**Minutes of the City of Unley
Council Meeting
Monday, 23 April 2018, 7.00pm
Council Chambers
181 Unley Road, Unley**

PRESENT

<i>Presiding Member</i>	<i>Acting Mayor</i>	P Hughes
	<i>Deputy Mayor</i>	M Hewitson
<i>Councillors</i>	M Hudson	R Salaman
	R Sangster	L Smolucha
	B Schnell	D Palmer

OFFICERS PRESENT

Chief Executive Officer, Mr P Tsokas
General Manager Business Support and Improvement, Ms N Tinning
General Manager City Development, Mr J Devine
Acting General Manager City Services, Ms H Erasmus
Executive Manager Office of the CEO, Ms T Norman
Executive Assistant Office of the CEO, Ms L Jones
Finance Manager, Ms S Taylor

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 Council, Senior Staff, Media and members of the gallery to the 23 April 2018, meeting of the Unley City Council.

APOLOGIES

Councillor A Lapidge
Councillor J Boisvert
Councillor M Rabbitt

LEAVE OF ABSENCE

Nil

ITEM 1131 **CONFLICT OF INTEREST**

Councillor R Salaman declared a potential conflict of interest in relation to Goodwood Oval Item 1136 on the basis that it may create conflict with his membership on the Council Assessment Panel and consideration of development at Goodwood Oval, and advised that he would manage the conflict by leaving the meeting and not participating in the debate in relation to that item at the time it is discussed.

ITEM 1132 **MINUTES – COUNCIL**

MOVED Palmer
SECONDED Sangster

That:

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

CARRIED UNANIMOUSLY

DEFERRED / ADJOURNED ITEMS

Nil

ITEM 1157 **DEPUTATIONS**

1. Denise Tipper – Goodwood
Re. Item 1142 Almond Street, Goodwood, Shared Zone

CHANGE TO ORDER OF AGENDA ITEMS

The Presiding Member sought leave of the meeting to bring forward agenda Item 1142 for consideration, and leave was granted.

ITEM 1142

MOTION ON NOTICE – SHARED ZONE CONCEPT DESIGN FOR ALMOND STREET (RESCISSION MOTION)

MOVED Councillor L Smolucha
SECONDED Councillor B Schnell

That Council Resolution 1115 of the Council meeting of 26 March 2018, as set out below:

1. *The report, including the independent traffic consultant feasibility provided as Attachment 1 to Item 1115/18, Council, 26 March 2018 be received.*

be rescinded.

LOST

CHANGE TO ORDER OF AGENDA ITEMS

The Presiding Member sought leave of the meeting to bring forward agenda Item 1140 for consideration, and leave was granted.

ITEM 1140

MOTION ON NOTICE – PAPER TO EXPLORE TREE CANOPY OBJECTIVES

MOVED Councillor M Hewitson
SECONDED Councillor R Salaman

That staff develop a paper exploring options to enable Council to achieve its tree canopy objectives as set out in Council's Environmental Sustainability Strategy, and the target defined in the 30 Year Plan for Greater Adelaide, with a particular focus on strategies related to private land.

This paper should include, but not be limited to, ideas suggested at a Council workshop on 3 April 2018, such as:

- Mandatory percentage of tree cover for planning approvals;
- Better design rules and increased penalties (for noncompliance and/or damage to regulated/significant trees);
- Establishment of a pre-significant tree register;
- Rate remission for planting trees on private land (commercial);
- Rate reduction for properties with over 52% tree canopy cover (residential);
- Provision of free/subsidised trees for planting on private land (commercial and residential); and
- Development of a database to record tree removals and a process to ensure compliance with replanting.

Councillor B Schnell MOVED an AMENDMENT

That staff develop a paper exploring options to enable Council to achieve its tree canopy objectives as set out in Council's Environmental Sustainability Strategy, and the target defined in the 30 Year Plan for Greater Adelaide via strategies related to both private and public land.

Councillor D Palmer SECONDED the AMENDMENT

The AMENDMENT was PUT and

CARRIED

The MOTION AS AMENDED was PUT and

CARRIED UNANIMOUSLY

CHANGE TO ORDER OF AGENDA ITEMS

The Presiding Member sought leave of the meeting to bring forward agenda Item 1136 for consideration, and leave was granted.

ITEM 1136

GOODWOOD OVAL GRANDSTAND REDEVELOPMENT – RESULTS OF COMMUNITY CONSULTATION

Councillor R Salaman left the meeting at 8.02pm

MOVED Councillor D Palmer
SECONDED Councillor M Hewitson

That:

1. The report be received and the results of the community engagement be noted.
2. Council endorse the concept designs for the new two-storey grandstand facility at Goodwood Oval, incorporating the recommended amendments to be included as part of detailed design development and proceed to detail design development and tender.

The recommended amendments, in response to community and stakeholder feedback include:

1. External Appearance and Streetscape Interface:
 - a. Material and colour selection of the building, in particular the Curzon Avenue frontage will be selected appropriate to the local neighbourhood character.
 - b. Detail design will include the development of landscape plans that address the streetscape interface and the external spaces associated with the new Grandstand Facility.
 - c. Where practical, all existing trees will be retained in the detail design.
2. Footprint of the Grandstand:
 - a. The final footprint of the grandstand structure is to remain, where practical, within the footprint of the existing building.

3. Leasing and License arrangements of the Facility.
 - a. Council staff to develop new agreements with both clubs, to meet the requirements of the new facility, as well as to explore opportunities to increase appropriate community use of the upgraded facility, noting local accessibility and the potential impact of noise and liquor license requirements.
 - b. The provision of gaming machines at the new facility will not be supported.
4. Provision of external storage:
 - a. The proposed storage facility on Fairfax Avenue not proceed.
 - b. The detail design process further engage with the Goodwood Saints Football Club and the Goodwood Cricket Club to identify their storage needs, with a view to providing the required storage capacity within the Grandstand and/or adjacent ancillary buildings (including potential extension of an ancillary building).
5. Provision of public toilets:
 - a. Public toilet provisions are to remain incorporated in the footprint of the ground floor of the new facility, with way finding signage incorporated across the park to direct public to the new facilities.
3. Residents be notified of Council's decision by letter, to the same catchment area as that of the community consultation, and a notice be placed at the existing grandstand as well as Council's web site.
4. Following the completion of detailed design development and in the event of no major variation to the project scope or total cost, the project proceed to tender for construction.

CARRIED UNANIMOUSLY

ITEM 1133

FINANCE PERFORMANCE REPORT FOR THE QUARTER ENDED 31 MARCH 2018

MOVED Councillor M Hewitson
SECONDED Councillor R Sangster

Councillor R Salaman re-joined the meeting at 8.16pm

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 1134

THIRD QUARTER BUDGET REVIEW 2017-18

MOVED Councillor M Hewitson
SECONDED Councillor R Salaman

That:

1. The report, including Attachments 1-4 be received.

2. The budget variations totalling \$383K (Attachments 3-4), from the Third Quarter 2017-18 Budget Review be approved.
3. The revised budgeted Uniform Presentation of Finances, reflecting a change in the budgeted Operating Surplus to \$2.3M, and a decrease in Net Borrowings to \$1.864M, be adopted.

CARRIED UNANIMOUSLY

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 8.23pm for up to 20 minutes to facilitate an informal discussion of the matter.

Formal meeting procedures resumed at 8.42pm.

Councillor L Smolucha left the meeting at 8.23pm

Councillor L Smolucha returned to the meeting at 8.25pm

ITEM 1135

2018-19 DRAFT ANNUAL BUSINESS PLAN AND BUDGET FOR CONSULTATION

MOVED Councillor M Hewitson

SECONDED Councillor D Palmer

That:

1. The report be received.
2. The 2018-19 Draft Annual Business Plan and Budget (that considers a rate increase of 2.8%, which incorporates 0.3% in response to the proposed increase to costs as a result of the ban on foreign waste by China), be endorsed for the purpose of community consultation, to be conducted between 26 April and 27 May 2018.
3. The proposed net Operating Projects of \$1.242M (Attachment 2) be endorsed for community consultation.
4. The proposed list of net New Capital of \$8.321M (Attachment 3) be endorsed for community consultation.
5. The proposed list of net Capital Replacement of \$7.627M (Attachment 4) be endorsed for community consultation.
6. The Chief Executive Officer be authorised to make any necessary minor edits required for consistency or clarity to the 2018-19 Draft Annual Business Plan and Budget, if required.
7. The community consultation process outlined in the report be endorsed.

CARRIED

A DIVISION was requested by Councillor B Schnell and the previous vote was set aside.

The following members responded to the Presiding Member's call as having voted IN FAVOUR of the MOTION:

Councillors L Smolucha; D Palmer; R Salaman; M Hewitson; and R Sangster.

The following members responded to the Presiding Member's call as having voted AGAINST the MOTION:

Councillors B Schnell; and M Hudson

The Presiding Member declared the MOTION was **CARRIED**

ITEM 1137

DRAFT ON-STREET PARKING POLICY

MOVED Councillor M Hewitson
SECONDED Councillor R Salaman

That:

1. The report be received.
2. The draft On-Street Parking Policy as per Attachment 1 be endorsed for the purpose of community engagement.

CARRIED UNANIMOUSLY

ITEM 1138

USE OF LAND – 41 OXFORD TERRACE

MOVED Councillor R Salaman
SECONDED Councillor M Hudson

That:

1. The report be received.
2. A Development Application be prepared for 41 Oxford Terrace to change the use to a car park, as shown in Attachment 1, and if approval is obtained, proceed with design and construction of a car park.
3. Funding for the works be identified during the 2018/19 budget quarterly review process.

CARRIED UNANIMOUSLY

ITEM 1139

COUNCIL ACTION RECORDS

MOVED Councillor R Sangster
SECONDED Councillor R Salaman

That:

1. The report be noted.

CARRIED UNANIMOUSLY

ITEM 1141

MOTION ON NOTICE – ADDRESSING THE CAMPAIGN FOR RATE CAPPING

MOVED Councillor B Schnell
SECONDED Councillor M Hewitson

That following the election of the Liberal Government at the recent State Government elections, the Local Government Association of SA be requested to:

1. Cease associating the City of Unley with the campaign expressing opposition to a proposed rate capping scheme; and
2. Give serious consideration to ceasing the anti rate capping campaign.

LOST

A DIVISION was requested by Councillor B Schnell and the previous vote was set aside.

The following members responded to the Presiding Member's call as having voted IN FAVOUR of the MOTION:

Councillors B Schnell; and M Hewitson.

The following members responded to the Presiding Member's call as having voted AGAINST the MOTION:

Councillors L Smolucha; D Palmer; R Salaman; M Hudson; and R Sangster

The Presiding Member declared the MOTION was **LOST**

ITEM 1143

QUESTIONS ON NOTICE – DEVELOPMENT APPROVAL CONDITION(S) FOR THE REMOVAL OF REGULATED TREES

Councillor R Salaman asked the following Questions:

1. How many applications requiring replacement trees have been approved in the last 4 years?
2. How is this replacement tree approval monitored?
3. Is a register kept of these approvals, which is updated when the new trees are planted?
4. If "Yes" what is the level of compliance?
5. Has the condition been enforced where necessary, when developers have not complied?

Administration provided the following responses:

1. There have been 75 development applications approved that require the replacement of trees since 01 January 2013.
2. As part of the development application to remove a regulated tree, the applicant is required to provide a plan that identifies the locations of the replacement trees, and the species to be planted. An audit of the replacement tree register was last undertaken in 2015.

3. A register is kept of the applications and identifies the location of the replacement trees that are required to be planted. In 2015 an audit was conducted of all applications listed on the replacement tree register and applicants were requested to provide confirmation that the trees were planted. As part of this audit the majority of applicants confirmed that replacement trees had been planted.
4. Refer above.
5. Council's Building Compliance Officer undertakes statutory building inspection requirements and enforces as necessary. This Officer also has regard to a number of planning related matters as part of the construction inspections, for example compliance with tree protection zones during construction. There is no systematic enforcement regime in place because of resource limitations but Administration respond to all requests from the public to follow up and investigate all planning compliance related matters and enforce accordingly.

ITEM 1144

QUESTIONS ON NOTICE – CHINA BANNING IMPORTS OF RECYCLABLE MATERIAL FROM AUSTRALIA

Councillor B Schnell asked the following questions in relation to China banning imports of recyclable material from Australia:

1. How does this impact the processing of recyclable material collected in the residents' yellow bins?
2. Given the ban, will there be any cost impact to the City of Unley?
3. Given the ban, is it likely that some recyclable material will be diverted to landfill?

Administration provided responses:

1. Our understanding is that the material from the yellow bin that is currently being exported to China will no longer be accepted by China. Whilst we are unsure of the extent of the impact on Unley, we know that it will be more cost efficient for residents to be diligent in using their yellow bins for recycling material.
2. There is likely to be a cost impact felt at Unley but it is too early to determine the extent of this at the moment. However, Administration is currently liaising with various interested parties to work through these matters.
3. Yes, at this stage it is likely that some material will be diverted to landfill, at least in the short term.

ITEM 1145

QUESTIONS ON NOTICE – SECOND GENERATION TREE BUDGET

Councillor D Palmer asked the following questions in relation to the second generation tree budget:

1. What locations have been identified long term for planting of new trees and which of these are included in the upcoming budget for 2018/19?
2. How many trees are earmarked for replacement and how many for new planting in the upcoming 2018/19 budget for renewal or replacement?
3. In which locations or streets are these to occur?
4. Have orders been placed from nurseries for the next planting season?
5. When were these orders placed?
6. In keeping with our policy on tree canopies, what impact is expected both short term and long term by this project in the ensuing budget period. I.e What percentage of canopy cover will be lost and/or increased?
7. How many trees have been replaced and how many new plantings have been identified in the current budget period?
8. Can Elected Members provide input please into locations they believe could be included, in the budget process?

Administration provided responses:

1. A range of locations have been selected based on the tree condition audit and site inspections undertaken. Most of the replacements are “spot/isolated” locations however, key sites include:

Streetscape Renewal Program	Nominated Streets	Suburb	Total # Street Trees	# Proposed Removals	# Vacant	Total Replace #
	Ferguson Avenue	Myrtle Bank	100	20	10	30
	Way Avenue	Myrtle Bank	30	20	10	30
	Unley Road	Unley	65	2	10	12
	Young Street	Parkside	16	9	10	19

2. It is expected that about 380 trees will be removed during 2018/19, with 630 planted.
3. Refer to table above. If more detail is required from Councillors about specific locations, they should speak to relevant Administration staff.
4. Yes, orders have been with local suppliers.
5. February 2018.
6. It was expected that tree canopy within the public realm would decrease despite an increase in tree numbers in the short term. That being said, the longer term forecast will see an increase in tree canopy cover within the public realm as the ‘2nd Generation’ tree stock matures.

It is important to note that (while young and immature plantings will reduce the overall canopy as a whole) in the shorter term, they will ensure that we have a tree asset with a sustainable age profile across the City and a sustainable tree canopy level in the future.

7. By the end of the 2017-18 financial year, approximately 400 trees will have been removed, and approximately 650 new trees planted.
8. Councillors can provide input into specific locations for new tree replacement and this can then be explored for inclusion in future years. The 2018/19 planting program has already been determined.

ITEM 1146

QUESTIONS ON NOTICE – NON ACCEPTANCE OF WASTE BY CHINA

Councillor D Palmer asked questions in relation to non-acceptance of waste by China:

- 1 What impact does Administration consider this may have on us? Will it have an adverse impact or not?
- 2 How much of our waste, if any, ends up in China?
- 3 Is our waste contractor able to pass on costs to us or refuse us service as has apparently happened interstate?
- 4 Are we in a position yet to identify what impact this may have on our budget and in particular the upcoming 2018/19 budget?
- 5 Are we holding pre-emptive discussion with the new government on this if we are unable to budget for this in the 2018/19 budget, noting the new government's rate capping policy?

Administration provided responses

1. The ban on accepting recycling material from Australia is likely to have an impact on Unley and Administration is working with various relevant parties to determine what it will be.
2. A portion of the recycling material is sent to China, but we are not certain of the exact tonnage at the moment.
3. Yes.
4. Administration is currently assessing the likely financial impact and Unley's options.
5. Administration is liaising with various parties within the waste industry and other Councils. The LGA has initiated discussions with the State Government on this matter.

ITEM 1147

QUESTIONS WITHOUT NOTICE

Councillor B Schnell asked a question in relation to the provision of direct debit facilities for the payment of Council rates. A response was provided by the General Manager Business Systems and Improvement.

ITEM 1148
CORRESPONDENCE

The correspondence from:

- Heart Foundation
- RSL Care SA

was noted.

ITEM 1149
MAYOR'S REPORT FOR MONTH OF APRIL

MOVED Councillor R Sangster
SECONDED Councillor L Smolucha

That:

1. The report be received.

CARRIED

ITEM 1150
DEPUTY MAYOR'S REPORT FOR MONTH OF APRIL

MOVED Councillor D Palmer
SECONDED Councillor M Hudson

That:

1. The report be received.

CARRIED

ITEM 1151
REPORTS OF MEMBERS

Council noted the attached reports from Members:

1. Councillor D Palmer
2. Councillor Bob Schnell

ITEM 1152
MOTIONS WITHOUT NOTICE

Nil

ITEM 1153

CONFIDENTIALITY MOTION FOR ITEM 1154 – CONFIDENTIAL MINUTES OF THE STRATEGIC PROPERTY COMMITTEE

MOVED Councillor B Schnell
SECONDED Councillor R Sangster

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 .
 - non-disclosure of this item at this time will protect information the disclosure of which could prejudice the commercial position of Council in relation to commercial interests within the City of Unley.

On that basis, the public's interest is best served by not disclosing Item 1154 – Confidential Minutes of Strategic Property Committee Meeting 20 April 2018 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.

The meeting moved into confidence and the doors to the Council Chambers were closed at 9.35pm.

ITEM 1154

Confidential – removed from the public minutes – pages 14-15

ITEM 1154

Confidential – removed from the public minutes – pages 14-15

ITEM 1155
UNLEY CENTRAL PRECINCT

Moved Councillor D Palmer
SECONDED Councillor L Smolucha

That Item 1155, 1156 and 1157 relating to Unley Central Precinct be DEFERRED for consideration to a future Council meeting in May 2018.

CARRIED

NEXT MEETING

Monday 28 May 2018 – 7.00pm.

CLOSURE

The Presiding Member closed the meeting at 9.50pm.

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PRESIDING MEMBER

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