



**Minutes of the City of Unley
Council Meeting
Monday, 23 May 2022, 7.00pm
Council Chambers
181 Unley Road Unley**

PRESENT

| | | |
|-------------------------|---------------------|--------------|
| <i>Presiding Member</i> | <i>Mayor</i> | M. Hewitson |
| | <i>Deputy Mayor</i> | D. Palmer |
| <i>Councillors</i> | K. Anastassiadis | J. Boisvert |
| | J. Bonham | M. Broniecki |
| | S. Dewing | J. Dodd |
| | M. Rabbitt | J. Russo |
| | N. Sheehan | |

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
Acting Manager Governance, Ms K. Goldy
Executive Assistant Office of the CEO, Ms L. Kennedy
Cultural Development Coordinator, Mr M. Ives
Manager Finance & Procurement, Mr A. Brown
Manager City Design, Mr B. Willsmore
Manager Community & Cultural Centres, Ms R. Cox

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 May 2022, meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Councillor P. Hughes
Councillor E. Wright

1.2 LEAVE OF ABSENCE

Nil

1.3 CONFLICT OF INTEREST

Nil

1.4 MINUTES

ITEM 1.4.1

MINUTES OF THE ORDINARY COUNCIL MEETING HELD TUESDAY, 26 APRIL 2022

MOVED Councillor M. Broniecki
SECONDED Councillor D. Palmer

That:

1. The minutes of the Ordinary Council held on Tuesday, 26 April 2022 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C0764/22

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

ITEM 2.1

DEPUTATION RE: SUPPORT FOR EXTENSION TO MEMORANDUM OF UNDERSTANDING BETWEEN ALLIANCE FRANCAISE AND CITY OF UNLEY

1. Raphaëlle Delauney and Brian Fahy, Adelaide

Re. 4.1 Memorandum of Understanding: City of Unley and Alliance Francaise

The Presiding Member sought leave of the meeting to bring forward item 4.1 Memorandum of Understanding: City of Unley and Alliance Francaise d'Adelaide 2022-2026, and leave was granted

ITEM 4.1

MEMORANDUM OF UNDERSTANDING: CITY OF UNLEY AND ALLIANCE FRANCAISE D'ADELAIDE 2022-2026

MOVED Councillor M. Rabbitt

SECONDED Councillor M. Broniecki

That:

1. The report be received.
2. A new Memorandum of Understanding (MOU) with Alliance Française d'Adelaide be prepared for a period of four years (2022-2026), including agreement that the City of Unley and Alliance Française d'Adelaide work together to:
 - 2.1 Create a greater awareness amongst the local communities about Alliance Française d'Adelaide including their wide range of French classes for all ages, their vibrant cultural centre, and major cultural events and activities;
 - 2.2 Assist Alliance Française d'Adelaide with developing French cultural events including the annual French Market;
 - 2.3 Support local schools, and especially the French bilingual and binational program at Highgate School and Unley High School, to promote the teaching of the French language;
 - 2.4 Support the City of Unley in its strategy to be a Francophile council in content (cultural activities) and communication;
 - 2.5 Attract French related investment into the City of Unley.
3. The Memorandum of Understanding with Alliance Française d'Adelaide include provision of funding of \$15,000 per annum for sponsorship of the annual French Market event within the City of Unley, and the annual French Film Festival, for the duration of this Memorandum of Understanding

CARRIED

DIVISION

A Division was requested by Mayor M. Hewitson and the previous decision was set aside. The following members responded to the Mayor's call as having voted IN FAVOUR of the MOTION:

Councillors M. Rabbitt, J. Boisvert, M. Broniecki, J. Dodd, D. Palmer, N. Sheehan, J. Bonham and K. Anastassiadis

The following members responded to the Mayor's call as having voted AGAINST THE MOTION:

Councillors S. Dewing and J. Russo

The MOTION was declared **CARRIED**

Resolution No. C0765/22

3. REPORTS OF COMMITTEES

ITEM 3.1

MINUTES OF AUDIT COMMITTEE

MOVED Councillor M. Broniecki

SECONDED Councillor M. Rabbitt

That:

1. The minutes of the Audit Committee meeting held on Tuesday 17 May 2022, be received and the following recommendations contained therein be adopted by Council:
 - (a) Item 2.1 – Draft 2022-23 Annual Business Plan and Budget for Community Consultation

MOVED Independent Member A Martin

SECONDED Independent Member N Handley

That:

1. The report be received.
2. The Draft 2022-23 Annual Business Plan and Budget, approved for Consultation purposes and as set out in Attachment 1 to this report (Item 2.1, Audit Committee Meeting 17/05/2022) be noted.
3. Comments received from the Audit Committee (below) relating to the Draft 2022-23 Annual Business Plan and Budget be presented to Council for consideration at the Budget Workshop to be held prior to the adoption of the Annual Business Plan and Budget in June.
 - The City of Unley is in a sound financial position
 - Aim to maintain an operating surplus ratio of 4.5% or better
 - Consider the application of the March Adelaide CPI 4.7% where required in key expenditure items

CARRIED UNANIMOUSLY

Resolution No. AC0080/22

- (b) Item 2.2 - External Audit - Interim Audit Findings & Agreed Actions April 2022

MOVED Councillor M Broniecki
SECONDED Independent Member A Martin

That:

1. The report be received.
2. The Committee acknowledges the downward trend in the number of findings and recognise the good work of the Finance and Procurement Team.

CARRIED UNANIMOUSLY

Resolution No. AC0081/22

- (c) Item 2.3 - Internal Financial Controls - Self Assessment - 2021-2022

MOVED Independent Member N Handley
SECONDED Councillor M Rabbitt

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. AC0082/22

- (d) Item 2.4 - Progress Report on Internal Audit Actions as at May 2022

MOVED Councillor M Broniecki
SECONDED Councillor M Rabbitt

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. AC0083/22

(e) Item 2.5 - Strategic Risk Register Review - April 2022

MOVED Independent Member A Martin
SECONDED Independent Member N Handley

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. AC0084/22

(f) Item 2.6 - Operational Risk Register Update - High and Extreme Risks - April 2022

MOVED Councillor M Broniecki
SECONDED Councillor M Rabbitt

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. AC0085/22

(g) Item 2.7 - Proposed Internal Audit Plan 2022-2023

MOVED Independent Member A Martin
SECONDED Councillor M Rabbitt

That:

1. The report be received.
2. The Internal Audit Plan as set out in Attachment 1 to this report (Item 2.7, Audit Committee Meeting, 17/05/2022) be endorsed.

CARRIED UNANIMOUSLY

Resolution No. AC0086/22

CARRIED UNANIMOUSLY

Resolution No. C0766/22

4. REPORTS OF OFFICERS

ITEM 4.2

COMMUNITY GRANTS PROGRAM - ALLOCATION OF FUNDING MARCH 2022 (ROUND 2 OF THE 2021/22 FUNDING)

MOVED Councillor J. Dodd

SECONDED Councillor J. Boisvert

That:

1. The report be received.
2. Funding of \$44,870 be awarded under Round 2 of the 2021/22 financial year for the Community Grants Program as follows:
 - \$4,000 to the Adelaide Showgrounds Famers' Markets for a "cooking fresh" program.
 - \$4,000 to Forestville Hockey Club for costs associated with the Junior Development program.
 - \$4,000 to Goodwood Community Services for a general health and mental wellbeing program.
 - \$4,000 to Greek Women's Society of SA for strength training classes.
 - \$4,000 to Hyde Park Croquet Club to purchase equipment.
 - \$4,000 to Vishva Hindu Parishad of Australia for equipment for community lunches program.
 - \$3,980 to Italian Folk Ensemble with rehearsal and production costs.
 - \$3,500 to Clarence Park Community Centre for a community arts environmental project.
 - \$3,000 to Saints Constantine & Helen Greek Orthodox Community Church Fellowship for a temporary DDA ramp.
 - \$2,900 to Sturt Bowling Club for sporting and outdoor equipment.
 - \$2,300 to Latvian Co-op Society Social Club Inc for kitchen equipment.
 - \$2,120 to Highgate Girl Guides for hall equipment.
 - \$2,000 to Greek Pensioners and Aged Society Inc, for bus trip costs.
 - \$1,070 to Unley Uluru Statement from the Heart Support Group for promotion of cultural awareness forums.

CARRIED UNANIMOUSLY

Resolution No. C0767/22

ITEM 4.3

PAGE PARK SHARED USE ARRANGEMENTS

MOVED Councillor J. Boisvert

SECONDED Councillor D. Palmer

That:

1. The report be received.
2. A trial for extended dog off-leash times at Page Park between 4pm-10am during Australian Central Standard times be undertaken from 30 June 2022 until 2 October 2022.
3. The trial for extended dog off-leash times at Page Park be supported by a community engagement campaign to capture further community feedback.
4. An assessment of costs and proposed implementation timeframes for the following enhancements at Page Park be developed:
 - 4.1 Fencing of exercise equipment
 - 4.2 Motion activated, energy efficient lighting
 - 4.3 The ongoing use of dog behavioural training at the Park
 - 4.4 Provision of additional seating
5. The results of the extended dog off-leash trial and investigation of associated costs and implementation timeframes for proposed enhancements at Page Park be presented to Council for further consideration.

CARRIED UNANIMOUSLY

Resolution No. C0768/22

ITEM 4.4

2021-22 QUARTER 3 FINANCIAL PERFORMANCE REPORT

MOVED Councillor M Broniecki

SECONDED Councillor J. Dodd

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0769/22

ITEM 4.5

2021-22 QUARTER 3 BUDGET REVIEW

MOVED Councillor M Broniecki

SECONDED Councillor K Anastassiadis

1. The report be received.
2. The proposed budget variations reducing the net funding requirement by \$448K as set out in Attachment 1 to this Report, (Item 4.5. Council Meeting 23/05/2022,) for the 2021-22 Quarter 3 Budget Review, be endorsed.
3. The revised budgeted Uniform Presentation of Finances reflecting a change in the estimated Operating Surplus to \$2.011M, and estimated borrowings at 30 June 2022 of \$13.09M be adopted.

CARRIED UNANIMOUSLY

Resolution No. C0770/22

ITEM 4.6

THIRD QTR 2021-22 CORPORATE PERFORMANCE REPORT AND CEO KPIS UPDATE

MOVED Councillor J. Russo

SECONDED Councillor D. Palmer

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0771/22

Councillor N. Sheehan left the Meeting at 8.09pm.

Councillor N. Sheehan returned to the Chamber at 8.11pm.

ITEM 4.7
DRAFT RIDGE PARK MASTER PLAN

MOVED Councillor J. Dodd

SECONDED Councillor J. Russo

That:

1. The report be received.
2. The Draft Ridge Park Master Plan, as set out in Attachment 1 to this report (Item 4.7, Council Meeting 23/05/2022), be endorsed for the purpose of undertaking community consultation.
3. The CEO be authorised to make minor editorial and formatting changes as required to the Draft Ridge Park Master Plan, in order to finalise the document for the purposes of undertaking community consultation.
4. Following the conclusion of community consultation, a further report outlining the summary of the feedback on the Draft Ridge Park Master Plan and the final Ridge Park Master Plan be presented to Council.

CARRIED UNANIMOUSLY

Resolution No. C0772/22

ITEM 4.8
SIGNIFICANT TREE LIST REVIEW

MOVED Councillor J. Bonham

SECONDED Councillor J. Dodd

That:

1. The report be received.
2. The City of Unley Significant Tree List Review – Summary Report (Attachment 1), Unley Significant Tree List – Existing List Audit (Attachment 2) and Unley Significant Tree List – Public Nominations (Attachment 3), as set out in the attachments to this report (Item 4.8, Council Meeting 23/05/2022) be received.
3. \$10,000 of the budget allocated for the 2021-22 Significant Tree Code Amendment be redirected to undertake city-wide investigation of LiDAR to identify additional large trees, and the remaining \$16,000 of the budget returned as savings.
4. A letter be sent to the State Planning Commission and Minister for Planning expressing support for the review of tree legislation and policy to improve the protection of existing trees and facilitate the planting of new trees with development to deliver tree canopy targets for the city and state.

CARRIED UNANIMOUSLY

Resolution No. C0773/22

ITEM 4.9

MIKE TURTUR BIKEWAY OVERPASS PROJECT COMMUNITY REFERENCE GROUP MEMBERSHIP

MOVED Councillor J. Russo

SECONDED Councillor N. Sheehan

That:

1. The report be received.
2. Councillor J. Dodd be put forward in response to the call for nominations by PTP Alliance as a representative on the Mike Turtur Bikeway Overpass Project Community Reference Group.

CARRIED

Resolution No. C0774/22

ITEM 4.10

REQUEST TO FLY LATVIAN FLAG ON 18 NOVEMBER 2022

MOVED Councillor M. Rabbitt

SECONDED Councillor D. Palmer

That:

1. The report be received.
2. The request to fly the National flag of Latvia at the Unley Civic Centre, in recognition of Latvia's Independence Day (18 November), be approved with the flag to be raised at 10.00am on Friday 18 November 2022 and lowered at 5pm on Friday, 18 November 2022.

CARRIED UNANIMOUSLY

Resolution No. C0775/22

ITEM 4.11

REVIEW OF PUBLIC INTEREST DISCLOSURE PROCEDURE

MOVED Councillor J. Dodd

SECONDED Councillor J. Boisvert

That:

1. The report be received.
2. The Public Interest Disclosure Procedure, as set out in Attachment 1 to this Report (Item 4.11, Council Meeting, 23 May 2022) be endorsed.
3. The CEO be authorised to make minor editorial and formatting changes as required to the Public Interest Disclosure Procedure, in order to finalise the document.

CARRIED UNANIMOUSLY

Resolution No. C0776/22

ITEM 4.12

LGA CALL FOR NOMINATIONS - POWER LINE ENVIRONMENT COMMITTEE

MOVED Councillor J. Dodd

SECONDED Councillor K. Anastassiadis

That:

1. The report be received.
2. Aaron Wood, Manager Assets and Operations, be put forward in response to the call for nominations by the Local Government Association for the vacancy on the Power Line Environment Committee.

CARRIED UNANIMOUSLY

Resolution No. C0777/22

ITEM 4.13

**QUARTERLY REPORT - CENTENNIAL PARK CEMETERY AUTHORITY
MARCH 2022**

MOVED Councillor J. Boisvert

SECONDED Councillor J. Russo

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0778/22

ITEM 4.14

COUNCIL ACTION RECORDS

MOVED Councillor M. Broniecki

SECONDED Councillor K. Anastassiadis

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C0779/22

5. MOTIONS AND QUESTIONS

5.1 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

5.2 MOTIONS WITHOUT NOTICE

Nil

5.3 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

5.4 QUESTIONS WITHOUT NOTICE

Councillor J. Boisvert asked about the timing of members speaking at meetings. Mayor M. Hewitson answered the question.

Councillor J. Boisvert asked a number of questions regarding bee hive removal at Grantley Avenue, Millswood and these were TAKEN ON NOTICE by the General Manager City Development.

1. Why were the residents of Grantley Avenue not informed (letterbox) that the bees at 11 Grantley Avenue were to be removed?
2. Do we usually do this?
3. Do staff report bee hives in trees or do they rely entirely on resident observations/complaints?
4. Explain how the mistake in Grantley Avenue occurred.

6. MEMBER'S COMMUNICATION

6.1 MAYORS REPORT

ITEM 6.1.1

MAYOR'S REPORT FOR MONTH OF MAY 2022

MOVED Councillor J. Dodd

SECONDED Councillor N. Sheehan

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0780/22

6.2 DEPUTY MAYORS REPORT

ITEM 6.2.1

DEPUTY MAYOR'S REPORT FOR MONTH OF MAY 2022

MOVED Councillor M. Broniecki

SECONDED Councillor M. Rabbitt

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0781/22

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1

REPORTS OF MEMBERS MAY 2022

Council to note attached reports from Members:

1. Councillor M. Broniecki

6.4 CORRESPONDENCE

ITEM 6.4.1

CORRESPONDENCE

The correspondence from:

- Mayor Michael Hewitson to The Hon Nick Champion MP – Re. Request for Support re: Community Engagement for Tree Offset Fund
- Stephen Smith, Policy Advisor, LGA – Re. Tree Advocacy Arborist Qualifications/Standards and Methodologies

was noted.

7. CONFIDENTIAL ITEMS

ITEM 7.1

CONFIDENTIALITY MOTION FOR 7.2 - GOODWOOD COMMUNITY CENTRE MANAGEMENT MODEL

MOVED Councillor K Anastassiadis

SECONDED Councillor J. Bonham

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 enable Council to consider the lease arrangement of an existing property without compromising the commercial position of Council; and

On that basis, the public's interest is best served by not disclosing 7.2 Goodwood Community Centre Management Model, 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. C0782/22

The Meeting moved into confidence, the gallery was cleared and the doors to the Council Chamber were closed at 8.38pm.

Item 7.2, page(s) 16, is confidential and has been removed from the public agenda/minutes

ITEM 7.3

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.2 -
GOODWOOD COMMUNITY CENTRE MANAGEMENT MODEL**

MOVED Councillor J. Dodd

SECONDED Councillor S. Dewing

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.2 Goodwood Community Centre Management Model, considered at the Confidential Council Meeting on 23 May 2022:

- Minutes
- Report
- Attachment

remain confidential until arrangements for the operating model for the Goodwood Community Centre have been fully implemented, and not available for public inspection until the cessation of that period.

2. The Chief Executive Officer be authorised to provide details of the decision to relevant parties in order to enable 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. C0784/22

ITEM 7.4

**CONFIDENTIALITY MOTION FOR 7.5 - CENTENNIAL PARK CEMETERY
AUTHORITY DRAFT ANNUAL BUDGET 2022-2023**

MOVED Councillor M Broniecki

SECONDED Councillor S. Dewing

That:

1. Pursuant to Section 90(2) and (3)(d)(i) and (d)(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:
 - 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
 - commercial information of a confidential nature (not being a trade secret) the disclosure of which 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 receive the 2022/23 Centennial Park Cemetery Authority (CPCA) draft Annual Business Plan and Budget without comprising the commercial position of the CPCA.

On that basis, the public's interest is best served by not disclosing 7.5 Centennial Park Cemetery Authority Draft Annual Budget 2022-2023, 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. C0785/22

The Meeting moved into confidence at 9.11pm.

Item 7.5, page(s) 19, is confidential and has been removed from the public agenda/minutes

ITEM 7.6

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.5 - CENTENNIAL PARK CEMETERY AUTHORITY DRAFT ANNUAL BUDGET 2022-2023

MOVED Councillor K Anastassiadis

SECONDED Councillor D. Palmer

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.5 Centennial Park Cemetery Authority Draft Annual Budget 2022-2023, considered at the Council Meeting on 23 May 2022:

- Minutes
- Report
- Attachment

remain confidential until 30 November 2023 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

Resolution No. C0787/22

The doors to the Council Chamber were opened at 9.18pm.

NEXT MEETING

Monday 27 June 2022 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 9.18pm.

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PRESIDING MEMBER