



**Minutes of the City of Unley
Council Meeting
Monday, 26 October 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
	J. Dodd	D. Palmer
	M. Rabbitt	J. Russo
	N. Sheehan	E. Wright
	J. Bonham	

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
Executive Assistant Office of the CEO, Ms L. Kennedy
Manager City Design, Mr B. Willsmore
Team Leader, Community & Cultural Development, Ms M. Mudge

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 26 October 2020 meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Nil

1.2 LEAVE OF ABSENCE

Nil

1.3 CONFLICT OF INTEREST

Councillor J. Dodd declared a material conflict of interest in relation to Item 4.7 Appointment of Deputy Mayor, on the basis that a financial benefit would be payable to the appointed person and she has nominated for the role. Councillor J. Dodd advised that she would manage the conflict by leaving the meeting and not participating in the debate or vote in relation to that item.

Councillor J. Russo declared a material conflict of interest in relation to Item 4.7 Appointment of Deputy Mayor, on the basis that a financial benefit would be payable to the appointed person and she has nominated for the role. Councillor J. Russo advised that she would manage the conflict by leaving the meeting and not participating in the debate or vote in relation to that item.

Councillor D. Palmer declared a material conflict of interest in relation to Item 4.7 Appointment of Deputy Mayor, on the basis that a financial benefit would be payable to the appointed person and he has nominated for the role. Councillor D. Palmer advised that he would manage the conflict by leaving the meeting and not participating in the debate or vote in relation to that item.

1.4 MINUTES

ITEM 1.4.1

MINUTES OF THE ORDINARY COUNCIL MEETING HELD MONDAY, 28 SEPTEMBER 2020

MOVED Councillor M. Broniecki

SECONDED Councillor E. Wright

That:

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

CARRIED UNANIMOUSLY

Resolution No. C0357/20

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. Petitions/Deputations

ITEM 2.1

DEPUTATIONS RE: DECLARATION OF A CLIMATE EMERGENCY

1. Georgie Hart, Parkside
Re. Item 5.1.1 Request to Declare a Climate Emergency
2. Ella Huber, Goodwood
Re. Item 5.1.1 Request to Declare a Climate Emergency
3. John Tibby, Glenalta
Re. Item 5.1.1 Consideration of Declaring a Climate Emergency
4. Dan Grieve, Walkerville
Re. Item 5.1.1 Addressing the Request to Declare a Climate Emergency
5. Josh Magarey, Forestville
Re. Item 5.1.1 Request to Declare a Climate Emergency
6. Mariane Johnstone, Hawthorndene
Re. Item 5.1.1 Request to Declare a Climate Emergency

The Presiding Member sought leave of the meeting to bring forward Item 5.1.1 – Notice of Motion from Councillor J. Russo Re: Declaration of a Climate Emergency, and leave was granted.

ITEM 5.1.1

NOTICE OF MOTION FROM COUNCILLOR J. RUSSO RE: DECLARATION OF A CLIMATE EMERGENCY

MOVED Councillor J. Russo

SECONDED Councillor J. Bonham

MOTION

That:

1. The City of Unley declares a state of Climate Emergency and acknowledges that urgent action on climate change is required by all levels of Government. Unley Council reaffirms its commitment to mitigating greenhouse gas emissions and adapting to the known unavoidable impacts of climate change.
2. In making this declaration of a Climate Emergency the Council acknowledges the ongoing commitment to current environmental and climate projects and initiatives including:
 - Energy, transport, waste management, greening, water, heat and preparedness as stated in our Four Year Delivery Plan (Environmental Stewardship);

- Tree Strategy;
 - Walking & Cycling Plan;
 - Waste Management;
 - Environmental Sustainability Strategy;
 - the proposed development of a Climate and Energy Action Plan to better track, manage and reduce Council's operational carbon and energy footprint; and
 - the collaboration and leadership as a member of Resilient East, the global International Council for Local Environmental Initiatives (ICLEI) and recognition as a Tree City of the World.
3. In taking action consistent with the declaration of a Climate Emergency, Council resolves to investigate:
- a) Workshopping climate and energy planning to identify community wide options and strategies.
 - b) Establishing progressive carbon neutral targets and indicators to reduce our community's carbon footprint and greenhouse emissions.
 - c) Developing regular reporting mechanisms to demonstrate accountability and determine progress on initiatives, projects and targets adopted in relevant climate energy plans.
 - d) Increasing awareness and education within our community through building opportunities and support for community engagement and active involvement in combating climate change.
 - e) Examining the effectiveness, coherence and accountability of all Council's strategies and actions through oversight, monitoring and reporting.
 - f) Assessing the risks to Council assets, services and operations posed by Climate Change.

LOST

DIVISION

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

Those voting in the affirmative:

Councillors K. Anastassiadis, J. Boisvert, J. Russo, E. Wright and J. Bonham

Those voting in the negative:

Councillors P. Hughes, M. Broniecki, S. Dewing, J. Dodd, D. Palmer, M. Rabbitt and N. Sheehan

The MOTION was declared **LOST**

MOVED Councillor J. Dodd
SECONDED Councillor P. Hughes

That Council:

1. Acknowledges the City of Unley's long-standing commitment to managing and reducing the effects of climate change in our community.
2. Acknowledges that climate change possesses a serious risk to the people of Unley.
3. Reiterates the importance of and the commitment to the Climate Change Statement adopted in the September 2020 Council Meeting;
4. Requests that the City of Unley consider and address climate change risks in its own operations and service delivery, including the inclusion of Climate Impact Statements in Council reports and an annual report to Council on the effectiveness of climate action measures taken in the preceding year.

CARRIED

Resolution No. C0358/20

DIVISION

A Division was called by Councillor P. Hughes and the previous decision set aside.

Those voting in the affirmative:

Councillors M. Broniecki, S. Dewing, J. Dodd, P. Hughes, M. Rabbitt,
N. Sheehan, D. Palmer, E. Wright

Those voting in the negative:

Councillors K. Anastassiadis, J. Boisvert, J. Bonham, J. Russo

The MOTION was declared **CARRIED**

Councillor Sheehan left the Chambers at 8:43pm.

Councillor Sheehan returned to the Chambers at 8:44pm.

ITEM 2.2

DEPUTATION RE: SUPPORT FOR THE MILLSWOOD CROQUET CLUB CONCEPT DESIGN

1. Stewart Kingsborough, Millswood
President Millswood Croquet Club Inc.
Re. Item 4.1 Support for the Millswood Croquet Club Concept Design
2. Chris Dew, Hallett Cove
President Millswood Bowling Club
Re. Item 4.1 Development Application Submission Millswood Sporting
Complex

ITEM 2.3

PETITION RE: PROPOSED CONCEPT DESIGN FOR THE MILLSWOOD SPORTING COMPLEX

PRINCIPAL PETITIONER: STEWART KINGSBOROUGH

NUMBER OF SIGNATORIES: 56 VALID

26 CITY OF UNLEY RESIDENTS

3 INVALID

NATURE OF PETITION: Support of proposed concept design for the Millswood Sporting Complex

MOVED Councillor D. Palmer

SECONDED Councillor K. Anastassiadis

1. RECOMMENDATION

That:

1. The petition be received.
2. The principal petitioner be notified of Council's proposed actions.

CARRIED UNANIMOUSLY

Resolution No. C0359/20

The Presiding Member sought leave of the meeting to bring forward Item 4.1. – Millswood Sporting Complex – Millswood Croquet New Clubrooms – Community Consultation and Next Steps, and leave was granted.

ITEM 4.1

MILLSWOOD SPORTING COMPLEX - MILLSWOOD CROQUET NEW CLUBROOMS - COMMUNITY CONSULTATION AND NEXT STEPS

MOVED Councillor J. Boisvert

SECONDED Councillor D. Palmer

That:

1. The report be received.
2. The Millswood Croquet Clubrooms Concept Design set out in Attachment 1 of this report (Item 4.1, Council Meeting, 26/10/2020) be endorsed as the basis for progression to detailed design, development approval and preparation of tender for construction, noting the expanded facility will only be possible if the Millswood Croquet Club secures additional grant funding.

CARRIED UNANIMOUSLY

Resolution No. C0360/20

3. REPORTS OF COMMITTEES

ITEM 3.1

MINUTES OF AUDIT COMMITTEE

MOVED Councillor M. Broniecki

SECONDED Councillor K. Anastassiadis

That:

1. The minutes of the Audit Committee meeting held on Tuesday 13 October 2020, be received and the following recommendations contained therein be adopted by Council

(a) Item 2.1 - Asset Management Plans

That:

1. The report be received.
2. The Draft Asset Management Plans, as contained in Attachment 1 to this report (Item 2.1, Audit Committee Meeting 13/10/2020) be endorsed for community consultation purposes, including:
 - the development of a summary document to aid the community understanding of Asset Management Plans;
 - asset condition photograph examples;
 - a consistent approach to graphs throughout the document
 - an explanation of how the smoothing of expenditure occurs through the annual budget process, and the linkage to the Long Term Financial Plan; and
1. consideration also be given to the development of a simple video to support the community engagement process.
3. The CEO be authorised to make minor editorial changes as part of the finalisation of the document.
4. A further report be presented to Council outlining a summary of the feedback received during the community consultation process and setting out the Final Asset Management Plans for endorsement.

CARRIED UNANIMOUSLY

Resolution No. C0361/20

4. REPORTS OF OFFICERS

ITEM 4.2

REQUEST TO FLY EUREKA FLAG DURING EUREKA WEEK

MOVED Councillor J. Boisvert

SECONDED Councillor M. Rabbitt

That:

1. The report be received.
2. The request to fly the Eureka Flag to commemorate the 166th anniversary of the Eureka Rebellion at the Unley Civic Centre be approved (between Tuesday 1 December 2020 to Thursday 3 December 2020), with the flag to be raised on Tuesday, 1 December 2020 and lowered on Friday, 4 December 2020.

LOST

Resolution No. C0362/20

ITEM 4.3

FINANCE PERFORMANCE REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2020

MOVED Councillor M. Broniecki

SECONDED Councillor E. Wright

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0363/20

ITEM 4.4

FIRST QUARTER BUDGET REVIEW 2020-21

MOVED Councillor M. Broniecki

SECONDED Councillor M. Rabbitt

That:

1. The report be received.
2. The budget variations totalling \$326K (as set out in Attachments 1-4 to this Report, Item 4.4, Council Meeting 26/10/2020), for the First Quarter 2020-21 Budget Review, be approved.
3. The revised budgeted Uniform Presentation of Finances reflecting a change in the estimated Operating Surplus to \$1.17M, and estimated Borrowings for the year of \$2.98M be adopted.

CARRIED UNANIMOUSLY

Resolution No. C0364/20

ITEM 4.5

SECTION 270 REVIEW – EXTENDED LINE MARKING, LANGDON AVENUE

MOVED Councillor D. Palmer

SECONDED Councillor J. Boisvert

That:

1. The report be received.
2. Having considered the information contained in this report, it be acknowledged that the processes undertaken in relation to the Local Area Traffic Management Plan Zone 3 (Clarence Park/Millswood) were appropriate.
3. Having weighed up the information presented in relation to the request for internal review of a Council decision regarding the extension to line marking at Langdon Avenue (Recommendation 12, Local Area Traffic Management Plan Zone 3), Council now determines that the extension to line marking on Langdon Avenue, Clarence Park be removed.

LOST

MOVED Councillor K. Anastassiadis

SECONDED Councillor J. Dodd

That:

1. The report be received.
2. Having considered the information contained in this report, it be acknowledged that the processes undertaken in relation to the Local Area Traffic Management Plan Zone 3 (Clarence Park/Millswood) were appropriate and the decision to extend line marking on Langdon Avenue, Clarence Park (Recommendation 12) as part of the overall LATM Plan Zone 3 (Council Resolution C0094/19, 23 September 2019) be confirmed.

CARRIED

Resolution No. C0365/20

Councillor S. Dewing left the Chambers at 9:42pm.

Councillor S. Dewing returned to the Chambers at 9:44pm.

ITEM 4.6

REPRESENTATION REVIEW - OPTIONS PAPER

MOVED Councillor P. Hughes

SECONDED Councillor J. Dodd

That:

1. The report be received.
2. The Representation Options Paper as set out in Attachment 1 to this Report (Item 4.6, Council Meeting, 26/10/2020) be endorsed for the purposes of public consultation.
3. The Chief Executive Officer be authorised to make editorial amendments or formatting changes of a minor nature to the Representation Options Paper as part of the preparation for public consultation if required

CARRIED

Resolution No. C0366/20

ITEM 4.7

APPOINTMENT OF DEPUTY MAYOR

The Presiding Member called for nominations for appointment to the position of Deputy Mayor.

Councillors J. Dodd, D. Palmer and J. Russo nominated for consideration.

The Presiding Member invited the members to provide a two minute statement in support of their nomination for the position.

Councillor J. Dodd left the Chambers at 9.45pm.

Councillor D. Palmer left the Chambers at 9.45pm.

Councillor J. Russo left the Chambers at 9.47pm.

Councillor J. Dodd returned to the Chambers at 9.47pm.

Councillor J. Dodd left the Chambers at 9.50pm.

Councillor D. Palmer returned to the Chambers at 9.50pm.

Councillor J. Dodd returned to the Chambers at 9.53pm.

Councillor J. Russo returned to the Chambers at 9.53pm.

Councillor J. Dodd left the Chambers at 9.55pm.

MOVED Councillor P. Hughes

SECONDED Councillor E. Wright

That:

1. The report be received.

2. Councillor J. Dodd appointed to the position of Deputy Mayor for the period commencing 28 November 2020 and concluding 30 November 2021.

CARRIED

Resolution No. C0367/20

Councillor Dodd returned to the Chambers at 9:58pm.

MOTION TO EXTEND THE COUNCIL MEETING

MOVED Councillor K. Anastassiadis

SECONDED Councillor M. Rabbitt

That the Council Meeting be extended by 30 minutes at 9.58pm to 10.28pm.

CARRIED UNANIMOUSLY

Resolution No. C0368/20

ITEM 4.8

DETERMINATION OF TIME AND PLACE OF ORDINARY MEETINGS OF COUNCIL FOR 2021

MOVED Councillor P. Hughes

SECONDED Councillor M. Rabbitt

That:

1. The report be received.
2. The Council meet on the fourth Monday of every month (excepting January, April and December 2021) at 7.00pm in the Council Chambers, 181 Unley Road, Unley, with appropriate adjustments to accommodate public holidays, in accordance with the meeting schedule outlined below:

Wednesday	27 January 2021
Monday	22 February 2021
Monday	22 March 2021
Tuesday	27 April 2021
Monday	24 May 2021
Monday	28 June 2021
Monday	26 July 2021
Monday	23 August 2021
Monday	27 September 2021
Monday	25 October 2021
Monday	22 November 2021
Monday	13 December 2021
3. Council meet, when required, on the second Monday of the month, as determined by the Chief Executive Officer.

4. The Chief Executive Officer be delegated authority to amend the date and time of Council meetings should the need arise, with advice provided to Elected Members as soon as practicable when a need for change is identified, and formal notification provided in accordance with the requirements of section 83(1) of the *Local Government Act 1999*.

CARRIED UNANIMOUSLY

Resolution No. C0369/20

ITEM 4.9

VARIATION TO OPERATING HOURS FOR FESTIVE SEASON 2020-21

MOVED Councillor K. Anastassiadis

SECONDED Councillor D. Palmer

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0370/20

ITEM 4.10

LGA CALL FOR NOMINATIONS - SOUTH AUSTRALIAN HERITAGE COUNCIL

MOVED Councillor P. Hughes

SECONDED Councillor N. Sheehan

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0371/20

ITEM 4.11

LGA CALL FOR NOMINATIONS - NATIVE VEGETATION COUNCIL

MOVED Councillor J. Dodd

SECONDED Councillor M. Broniecki

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0372/20

ITEM 4.12**AUSTRALIA DAY EVENT**

MOVED Councillor N. Sheehan

SECONDED Councillor J. Dodd

That:

1. The report be received.
2. The hosting of the 2021 Australia Day event be endorsed.
3. Funding of \$15,000 is endorsed for delivery of the Australia Day 2021 event components that do not fall within the scope of the National Australia Day Council grant.

CARRIED UNANIMOUSLY

Resolution No. C0373/20

ITEM 4.13**COUNCIL ACTION RECORDS**

MOVED Councillor D. Palmer

SECONDED Councillor K. Anastassiadis

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C0374/20

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

Nil

6. MEMBER'S COMMUNICATION

6.1 MAYORS REPORT

ITEM 6.1.1

MAYOR'S REPORT FOR MONTH OF OCTOBER 2020

MOVED Councillor M. Broniecki

SECONDED Councillor S. Dewing

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0375/20

6.2 DEPUTY MAYORS REPORT

ITEM 6.2.1

DEPUTY MAYOR'S REPORT FOR MONTH OF OCTOBER 2020

MOVED Councillor D. Palmer

SECONDED Councillor N. Sheehan

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0376/20

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1

REPORTS OF MEMBERS FOR MONTH OF OCTOBER 2020

Council noted the attached reports from Members:

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

6.4 CORRESPONDENCE

ITEM 6.4.1

CORRESPONDENCE

The correspondence from:

- Small Business Commissioner – re. Small Business Friendly Council Initiative

was noted.

7. CONFIDENTIAL ITEMS

ITEM 7.1

CONFIDENTIALITY MOTION FOR 7.2 - COUNCIL MAJOR EVENT

MOVED Councillor M. Broniecki

SECONDED Councillor M. Rabbitt

That:

1. Pursuant to Section 90(2) and (3)(j)(i) and (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:
 - would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council)
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 consider information relating to the proposed Council Major Event in light of COVID-19 implications.

On that basis, the public's interest is best served by not disclosing 7.2 Council Major Event, 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. C0377/20

The doors to the Council Chambers were closed at 10.14pm.

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

The doors to the Council Chambers were opened at 10.19pm.

ITEM 7.3

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 7.2 - COUNCIL MAJOR EVENT

MOVED Councillor D. Palmer

SECONDED Councillor J. Dodd

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.2 Council Major Event, considered at the Council Meeting on 26 October 2020:

- ☒ Minutes
- ☒ Report
- ☒ Attachment

remain confidential until such time as Events SA make a formal announcement in relation to the Major Event and not available for public inspection until the cessation of that period.

2. The CEO be authorised to provide advice to Events SA in relation to Council's decision regarding the Major Event.
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. C0379/20

Next Meeting

Monday 23 November 2020 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 10.20pm.

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PRESIDING MEMBER