

COUNCIL MEETING

**Minutes of the Corporation of the City of Unley
Held on Monday 28 April 2014 at 7.00pm
In the Park View Room
Fullarton Park Community Centre
Fullarton Road Fullarton**

PRESENT

His Worship the Mayor, Mr L Clyne (Presiding Member	R Schnell (Deputy Mayor)
Councillors	
J Koumi	M Hudson
	M Saies
J Boisvert	D Palmer
A Lapidge	P Hughes
R Salaman	M Hewitson

OFFICERS PRESENT

Chief Executive Officer, Mr P Tsokas
General Manager Economic Development & Planning, Mr D Litchfield
General Manager Assets & Infrastructure, Mr J Devine
General Manager Community, Ms M Berghuis
A/General Manager People & Governance, Ms A Shinkfield
Manager Governance & Risk, Ms R Wilson
Manager Finance & ICT, Mr M Carey
Recreation & Open Space Coordinator, Mr J Wilkinson
Executive Assistant to the CEO & Mayor, Ms C Gowland

ACKNOWLEDGEMENT

The Presiding Member opened the meeting with the Aboriginal 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, members of the gallery and the media to the 28 April 2014, meeting of the Unley City Council.

APOLOGIES

Councillor R Sangster
Councillor D Tipper

CONFLICT OF INTEREST

Nil

ITEM 1102

CONFIRMATION OF MINUTES

MOVED Councillor Schnell
SECONDED Councillor Salaman

That:

The minutes of the Council meeting held on Monday 24 March 2014, as printed and circulated, be taken as read and signed as a correct record.

CARRIED

DIVISION

A Division was called and the previous decision set aside.

Those voting in the affirmative:

Councillors Lapidge, Koumi, Salaman, Schnell, Palmer, Hughes, Hudson and Hewitson

Those voting in the negative:

Councillors Saies and Boisvert

The Motion was declared **CARRIED**

CHANGE OF ORDER OF AGENDA

The Presiding Member advised that as there were deputations, it would be appropriate to change the order of the agenda to accommodate the deputations.

Item 1110 would be dealt with after the deputation by Ms Alfonsi and Item 1109 would be dealt with after the deputation by Mr Gerard. The normal order of the agenda would follow after the deputation by Mr John Karran.

This was agreed with a two thirds majority.

ITEM 1103 **DEPUTATIONS**

Ms Mary-Rose Alfonsi made a deputation to the Council re the proposed LATM solution for Canterbury Terrace.

ITEM 1110** **CANTERBURY TERRACE BLACK FOREST – TRAFFIC OPTIONS**

MOVED Councillor Boisvert
SECONDED Councillor Palmer

That:

1. The report be received.
2. The proposed changes (as outlined in Attachment 1 to Item 1110/14) at the intersection of Canterbury Terrace and East Avenue be implemented.
3. The existing verge area be replanted with the selected tree species and understory.
4. Staff continue to monitor bicycle traffic in both Canterbury Terrace and through the intersection at East Avenue and report back to Council in 12 months.
5. The community originally consulted on the matter and all other respondents be notified of the Council's decision.
6. The 'No Parking' Zone be retained in Canterbury Terrace.

CARRIED UNANIMOUSLY

DEPUTATION

Mr Michael Gerard, President, Sturt Lawn Tennis Club made a deputation to the Council on the Club's water infrastructure.

ITEM 1109**

STURT LAWN TENNIS CLUB FUNDING REQUEST FOR GAP CONNECTION

MOVED Councillor Hewitson
SECONDED Councillor Koumi

That:

1. The report be received.
2. An interest free loan for \$5,500 be provided to the Sturt Lawn Tennis Club, subject to the outcome of grant funding from the Office for Recreation & Sport, to be repaid over a five-year period, from the date of commencement of the supply of water.
3. The Sturt Lawn Tennis Club be formally advised of Council's decision.

LOST

MOVED Councillor Boisvert
SECONDED Councillor Hughes

1. The report be received.
2. Council consider an allocation of \$5,500 to the Sturt Lawn Tennis Club in the 2014/15 budget subject to the outcome of grant funding from the Office for Recreation and Sport.
3. The Sturt Lawn Tennis Club be formally advised of Council's decision.

Councillor Schnell MOVED an AMENDMENT, SECONDED Councillor Palmer, that:

1. The report be received.
2. Council grant an allocation of \$5,500 to the Sturt Lawn Tennis Club subject to the successful outcome of grant funding from the Office for Recreation and Sport.

3. The Sturt Lawn Tennis Club be formally advised of Council's decision.

The AMENDMENT on being put was **CARRIED**

The AMENDMENT then became the MOTION and was put and **CARRIED**

DIVISION

A Division was called and the previous decision set aside.

Those voting in the affirmative:

Councillors Saies, Boisvert, Lapidge, Koumi, Salaman, Schnell, Palmer,
Hughes and Hewitson

Those voting in the negative:

Councillor Hudson

The MOTION was declared **CARRIED**

DEPUTATION

Mr John Karran, representative from the Mainstreet Associations re the importance of Mainstreets in the community and adequate investments. (Copy of deputation attached.)

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ITEM 1104

CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

The Presiding Member advised that as this was a confidential item the item should be moved to the end of this meeting. This was agreed with a two thirds majority.

ITEM 1105

UNLEY BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES OF MEETING

MOVED Councillor Koumi
SECONDED Councillor Lapidge

That:

1. The minutes of the Unley Business and Economic Development Committee meeting held on Wednesday 16 April 2014, be received.
2. The recommendations listed under:

Item 21

**Association Coordinators' Quarterly Reports for the Period Ending 31
December 2013**

Item 22

Main Street Association Marketing Funding Requests 2014-15

Item 23

Proposed Main Street Improvement Program 2014-15

Item 24

**February 2014 Commercial Vacancy Rate Review and Other Economic
Indicators**

Item 25

ERA Economic Analysis Report

Item 26

Economic Evaluation of Gourmet Gala Event 2014

be adopted.

CARRIED UNANIMOUSLY

CHANGE OF ORDER OF AGENDA

The Deputy Mayor advised the Presiding Member that as there were members of the gallery who were interested in Item 1111, would it be possible to bring this Item forward.

The Presiding Member asked Members if they would agree to move the Item. This was agreed with a two thirds majority.

ITEM 1111
TRAFFIC STUDY – FORESTVILLE

MOVED Councillor Schnell
SECONDED Councillor Palmer

That:

1. The report be received.
2. Council commence a Local Area Traffic Management study of the Forestville area bounded by South Road, Leader Street, Nairne Terrace/ Ethel Street and Railway Terrace/ Norman Terrace and Anzac Highway as part of the 2013/14 traffic programme.

CARRIED UNANIMOUSLY

ITEM 1106
MAYOR'S REPORT

MOVED Councillor Boisvert
SECONDED Councillor Palmer

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 1107
DEPUTY MAYOR'S REPORT

MOVED Councillor Schnell
SECONDED Councillor Hewitson

That:

1. The report be received as amended (on Friday 28 March include Councillor Hughes).

CARRIED UNANIMOUSLY

ITEM 1108
REPORTS OF MEMBERS

a) Items of particular interest and concern

Councillor Hudson – congratulations to RSL and Administration for another fabulous ANZAC Day celebration.

Attended Civic Centre to hear DPTI's proposal to remove access from Unley into Greenhill Road. Well attended.

Councillor Hewitson – ANZAC Day celebrations – congratulations – attendance around 2000.

Discussion on cycle lanes throughout Melbourne, compared to cycle lanes in Adelaide. Suggest staff ride the road to look at cycle lanes in Unley.

Councillor Koumi – discussed the budget presentations and how certain items were cut from initiatives. Discussion on economic development and the awards that Unley has won.

Extension of Time

The Presiding Member requested an extension of time for Councillor Koumi. This was agreed with a two thirds majority.

Councillor Saies – Discussion on monies for Unley Gourmet Gala and if the money would be better spent on other projects for economic development.

Councillor Boisvert – received a number of complaints regarding the new cycle path around Goodwood Station. DPTI should do an audit around there and work out what the issues are.

Requested that correspondence regarding Brown Hill Keswick Creek be tabled and placed on the agenda for next month.

Councillor Schnell – Thanked Councillor Lapidge for his idea of bringing the Council meeting to the community.

b) Development Matters

Nil

Councillor Boisvert left the meeting room at 8.36pm returning at 8.38pm during discussion on the above Item.

ITEM 1109

STURT LAWN TENNIS CLUB FUNDING REQUEST FOR GAP CONNECTION

See pages 4 and 5 of these minutes.

ITEM 1110

CANTERBURY TERRACE BLACK FOREST – TRAFFIC OPTIONS

See page 3 of these minutes.

ITEM 1111

TRAFFIC STUDY – FORESTVILLE

See page 7 of these minutes.

ITEM 1112**

DEVELOPMENT AT 173 KING WILLIAM ROAD

MOVED Councillor Koumi

SECONDED Councillor Lapidge

That:

1. The report be received.
2. An Outdoor Dining Permit approval be granted to 173 King William Road for a trial period of 12 months, subject to the following conditions:
 - It is the permit holder's exclusive responsibility to ensure clear passage way of a minimum width of 1.2 metres measured from the building edge is maintained at all times.
 - It is the permit holder's exclusive responsibility to ensure that a clearance of 0.6 metres measured from the front edge of the kerb to the nearest outdoor dining furniture is maintained at all times.
 - The number of tables utilised for outdoor dining is not to exceed six and they must be grouped so there is no more than three tables before a gap of at least two clear metres between the back of the chair at the end table in one group and the back of the chair of the first table at the next group.
 - The western most chair at the table nearest to King William Road shall not be closer than 10 metres from a line drawn as a continuation of the front of the King William Road kerb.
 - Parallel lines at least three centimetres in width shall be painted along the pavement for the length of the outdoor dining, beginning ten metres from the line indicated above, such that the shop side edge of the inside

line is a minimum of 1.2 metres from the shop wall, and the street side edge of the outside line is painted so that there is a minimum distance of 0.6 metres clear space to the front of the kerb.

- The permit shall be revoked if at any time authorised Council Officers observe that the conditions of the dot points above relating to clear distances are not being observed by the permit holder, apparent because the outdoor dining has encroached outside of the marked area.
- Other usual conditions associated with Outdoor Dining Permits issued by Administration.
- The area be designated 'No Smoking' at all time.

Extension of Debating Time

MOVED Councillor Schnell
SECONDED Councillor Salaman

That Councillor Hudson be given an extension to debating time for a further 5 minutes.

Carried

FORMAL MOTION

MOVED Councillor Schnell
SECONDED Councillor Hughes

That the Item be deferred until the next meeting of the Council to allow further investigation of the site.

CARRIED

ITEM 1113 **KING WILLIAM ROAD PEDESTRIAN REFUGE**

Item has been withdrawn, in relation to technical matter.

ITEM 1114

EXPIATION OF OFFENCES ACT 1996 – DELEGATIONS UPDATE

MOVED Councillor Schnell
SECONDED Councillor Hudson

That:

1. The report be received.
2. In regards to Delegations made under Local Government Act 1999:
 - 2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Act and specified in the proposed Instrument of Delegation contained in the Attachment 1 are hereby delegated this 28th day of April 2014 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
 - 2.1.1 Expiation of Offences Act 1996 (*Attachment 1*)
 - 2.2 Such powers and functions may be further delegated by the person occupying the office of Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

CARRIED UNANIMOUSLY

ITEM 1115

DELEGATIONS : REAL PROPERTY ACT AND LIQUOR LICENSING ACT

MOVED Councillor Schnell
SECONDED Councillor Palmer

That:

1. The report be received.
2. In regards to Delegations made under Local Government Act 1999:
 - 2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in the Attachments (each of which is individually identified as indicated below) are hereby delegated this 28th day of April 2014 to the person occupying the office of Chief Executive Officer subject to the conditions and or

limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

2.1.1 Real Property Act 1886 (*Attachment 1*)

2.1.2 Liquor Licensing Act 1997 (*Attachment 2*)

- 2.2 Such powers and functions may be further delegated by the person occupying the office of Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

CARRIED UNANIMOUSLY

ITEM 1116
ORDER MAKING POLICY

MOVED Councillor Schnell
SECONDED Councillor Boisvert

That:

1. The report be received.
2. The reviewed Order Making Policy at Attachment 1 to Item 1116/14 be endorsed by Council.

CARRIED UNANIMOUSLY

ITEM 1117
THIRD QUARTER BUDGET REVIEW 2013-14

MOVED Councillor Schnell
SECONDED Councillor Hewitson

That:

1. The report be received.
2. The budget variations for the Third Quarter 2013-14 Budget Review be noted.
3. The revised budgeted Financial Statements reflecting a Budget Operating Funding Surplus of \$1.202m from \$471k and an increased Net Borrowings of \$3.739m from \$3.025m be adopted.

4. Council resolve to borrow the sum of \$2.425m for the purpose of funding a strategic land purchase, at interest rates to be negotiated.
5. Council authorise the Chief Executive Officer to negotiate and agree the interest rate and any terms and conditions of the borrowing arrangements in accordance with the Treasury Policy as adopted by Council.
6. Authorises the affixation of the common seal as necessary to give effect to Council's resolution 1061/14 for the Strategic Land Purchase and that this be undertaken by the Mayor and the Chief Executive Officer.

CARRIED UNANIMOUSLY

ITEM 1118

2014-15 DRAFT ANNUAL BUSINESS PLAN AND BUDGET FOR CONSULTATION

Suspension of Standing Orders

The Presiding Member suggested that the meeting would benefit from a short term suspension of Standing Orders for 10 minutes to enable Members to discuss any items in the report.

This was agreed with a two thirds majority.

Standing Orders were suspended at 9.35pm

Standing Orders resumed at 9.45pm

MOVED Councillor Schnell

SECONDED Councillor Lapidge

That:

1. The report be received.
2. The Draft Annual Business Plan and Budget 2014-15 (Attachment 2 to Item 1118/14), be endorsed for the purpose of Community Consultation to be conducted between 7 May and 29 May 2014.
3. The Chief Executive Officer be authorised to make any necessary changes to the Annual Business Plan and Budget 2014-15, if required, from this meeting together with any minor edits required for consistency or clarity.
4. The community consultation process outlined in Item 1118/14, be endorsed.

CARRIED UNANIMOUSLY

Councillors Palmer and Salaman left the meeting at 9.35pm during discussion on the above Item.

Councillor Palmer returned to the meeting at 9.37pm.

Councillor Salaman returned to the meeting at 9.38pm.

Councillor Saies left the meeting at 9.39pm returning at 9.40pm during discussion on the above Item.

ITEM 1119

FINANCE REPORT FOR THE QUARTER ENDED MARCH 2014

MOVED Councillor Boisvert
SECONDED Councillor Schnell

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 1120

BRAESIDE AND HACKETT RESERVE PROJECTS

MOVED Councillor Koumi
SECONDED Councillor Hudson

That:

1. The report be received.
2. Council commence construction of the Hackett Reserve extension in accordance with the modified scope of work.
3. Council delay construction of the Braeside Linear Park extension until the first quarter of 2014/15 year, in accordance with the modified scope of work.
4. Council transfer the \$50,000 budget allocation in the 2013/14 budget from the Braeside Linear Park project to the Hackett Reserve project.

CARRIED UNANIMOUSLY

ITEM 1121
COUNCIL ACTION RECORDS

MOVED Councillor Hudson
SECONDED Councillor Salaman

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 1122
QUESTION ON NOTICE FROM COUNCILLOR KOUMI RE BROWN HILL
KESWICK CREEK

Councillor Koumi has asked the following questions at the March meeting of Council and the answers are provided.

1. *Utilising the latest flood/rainfall data*
 1. *What flow rate and volume of water will cause flooding in each channel and the confluence of the channels of the BHKC system*

Answer

While peak flow rates have been modelled (hydrologic modelling) for each channel/watercourse for the hypothetical condition of 100% containment of flow – the results are still to be verified against the overall floodplain modelling by the Project's Consulting Engineers

It is possible to approximate the volume of water which is excess to existing channel capacity down to any point in the system ie the theoretical break-out volume along the channel upstream of the nominated point. However a specific location would have to be nominated and to complete the work would require significant work. However, if we look at Brown Hill Creek, the approximate flood volume upstream of Goodwood Road (36 hour peak flow / 100 year ARI) is 193 Megalitres. The Unley pool might be about 2 ML capacity.

2. *Which areas, and*
3. *What height*

- If flooding is now projected to occur for a 1 in 100 year flood event caused by*
- *a local urban rainfall event in the catchment, and*
 - *a rural rainfall event in the catchment.*

Answer

The 2012 SMP explains that projected flooding at any point in the catchment is the worst case of three critical storm durations (90 minute, 6 hour and 36 hour) applied over the whole area of the catchment. It so happens that the 36 hour event (applied to the whole catchment) produces the peak flows out of the rural area of the catchment and the 90 minute storm produces peak flows off the urban areas. However, the 6 hour storm produces a greater extent of flooding over much of the urban area (concentrated along Keswick Creek), than does the 90 minute storm. The 36 hour storm produces a significant flood extent over most of the catchment.

It needs to be remembered that the extent and depth of flooding are interpreted from the floodplain mapping within the limitations on accuracy imposed by modelling over an area of 65 km².

2. *Please provide an updated flood map.
If an updated map is not available, when will it be available?*

Answer

Draft mapping has been produced for the 100 year ARI, but the results to date have not been verified and are for internal project use only.

While some preliminary flood maps have been prepared, the final compilation is expected to be available in 2 – 3 months' time.

ITEM 1123

QUESTIONS ON NOTICE FROM COUNCILLOR BOISVERT RE COST OF POSTAGE

The following Question on Notice have been received from Councillor Boisvert and the answers are provided:

Questions

1. Given the almost constant and genuine complaint from residents that they have not received notice of Development Applications that directly concern them, what would be the additional cost of sending these letters out by registered mail?

Answer

If Council were to use Registered Post it would add an extra \$2.95 to the cost of every letter. There is no bulk mail discount for Registered Post. For example, for DPA2 almost 6,000 letters were sent, meaning an additional cost of \$18,000.

Additional Information

The Development team sends out approximately 20,000 letters per annum in relation to development applications which would equate to approximately \$59,000 per annum in additional postage costs.

The Development Services team is only aware of one instance that has occurred in the past twelve months where a resident that was entitled to be notified was not sent the relevant correspondence. When this is identified at an early stage in the process, correspondence is sent to the resident and the response time is extended to allow them to respond if they desire.

Where the situation gets complicated is if we fail to notify a property and do not become aware of this before a decision is made on the application. An approval is not deemed invalid because of the failure to appropriately notify. However staff cannot recall a single instance of that occurring in the last decade at Council.

ITEM 1124

QUESTION ON NOTICE – COUNCILLOR HUGHES RE PENDING WASTE MANAGEMENT CONTRACT

The following Questions on Notice have been received from Councillor Hughes and the answers are provided:

Preamble

The World Health Organisation has classified diesel engine exhaust as carcinogenic to humans, based on sufficient evidence that exposure is associated with an increased risk of lung cancer.

Questions

1. *Is it expected that the vehicles to be used to do our weekly rubbish collections will be diesel fuelled?*

Answer

Yes.

2. *If so, what steps can and will be taken to ensure that over the life of the contract that the contractor(s) will measure and subsequently reduce their diesel emissions year on year.*

Answer

As part of the contract documents there are a number of opportunities for contractors to provide information on innovative or environmental approaches. This will include providing Council with an Environmental Management Plan that complies with ISO 14001:2004, details the impact of its service delivery on the environment, and measures to improve environmental performance and management.

ITEM 1125

QUESTIONS ON NOTICE – COUNCILLOR HUDSON RE FINANCIAL STATEMENT – STURT FOOTBALL CLUB

The following Questions on Notice have been received from Councillor Hudson. These questions were received on Tuesday 22 April and the answers will be provided to the May meeting of Council.

Preamble

Following my request to Administration for copies of the financial statement presented to the annual general meeting of Sturt Football Club, I have received a document which raises the following questions:

Questions

1. *Does the document satisfy Council's financial department in relation to the ability of Sturt to fulfil its ongoing financial obligations to Council?*

Answer

2. *Has Council Administration's financial department been able to ascertain from the financial statement the debt level still facing Sturt, including amounts outstanding to the club's bank, which apparently have been reduced by taking out MORE loans from "benefactors"?*

Answer

3. *Has our financial department been able to quantify the long-term impact on the club's financial situation of the one-off "Crash (smash?) the debt" campaign, which apparently raised \$600,000 or so?*

Answer

4. *What is the length of the financial arrangement between Council and the Unley Sports and Social Club for “Barzaar” given that business’s \$390,000 drop in gaming revenue between 2012 and the latest annual report?*

Answer

Comment (Councillor Hudson)

Despite comments from some Members that the financial status of Sturt Football Club is “none of our business”, it would seem to be VERY much so, given the above.

ITEM 1126

QUESTIONS ON NOTICE FROM COUNCILLOR HUDSON RESTORATION OF ART WORK VILLAGE GREEN

The following Questions on Notice have been received from Councillor Hudson and the answers will be provided in the May Council Agenda.

These questions were received on Tuesday 22 April and answers will therefore be provided to the May Council meeting.

Questions

1. *Given the recent upsurge in coverage of Unley’s history (epitomized by the excellent “trail” installed in recent weeks around the central area of the City), what action is intended by the Administration to address my numerous calls for the restoration of the work of art at the western end of the Village Green?*

Answer

2. *Why, when many months ago, I requested the excavation of an integral part of the art work ... the representation of our waterways ... has the exact opposite happened, ie a total infill of sand?*

Answer

3. *And, why has the collection of upright stones at the western end of the complex been allowed to continue its gradual degradation?*

Answer

QUESTIONS WITHOUT NOTICE

Councillor Hewitson – King William Road Refuge, between Arthur and Union Street, why has it not been built and how can it not proceed? Has provided Question on Notice for next Council meeting.

Councillor Boisvert – Hydro Electric Tasmania Report is not available on the website, how is it still relevant and where are we now, plus subsequent plans?

Councillor Saies – asked a question regarding an outstanding debt to Council.

Councillor Schnell - Has the Council received any indication from the State Government regarding plans to upgrade South Road and in particular will local traffic to/from Byron Road be restricted?

Given that at the March Council Meeting it was indicated that consideration of traffic calming on Byron Road, Black Forest would be delayed for a month pending advice from the State Government, has the Council received any indication from the State Government regarding plans to upgrade South Road and in particular will local traffic to/from Byron Road be restricted? Further, is it realistic to expect such advice from the State Government in the short term as was indicated at the March Council Meeting?

The CEO advised that he is having a meeting with the Minister for Transport in the next few weeks and he will ask the question then.

Councillor Palmer – Can DPTI be asked the question, does the State Government has funding for both sides of South Road?

Councillor Hudson – Requested that an Item be brought forward in the next review of this budget for roads (Windsor Street). The road has been extensively trenched for the GAP water project and it would be logical to resurface at that time rather than later.

Councillor Koumi left the meeting at 10.17pm returning at 10.18pm during discussion on this Item.

ITEM 1127 **CORRESPONDENCE**

The correspondence from

- FOCUS
- May Jackson OAM
- Hon Jay Weatherill MP

be noted.

ITEM 1128

MOTION ON NOTICE FROM COUNCILLOR SAIES RE UNLEY OVAL

MOVED Councillor Saies
SECONDED Councillor Hudson

That:

Motions 5 and 9 in Item 1044 (Unley Oval Upgrade Plans) passed at the Full Council Meeting on 24 February 2014 be rescinded.

LOST

ITEM 1129

MOTION ON NOTICE FROM COUNCILLOR HUDSON RE CAT BYLAW

Councillor Hudson requested that his Motion be withdrawn.

ITEM 1131

MOTION WITHOUT NOTICE – PROTECTION OF BANK DEPOSITS

MOVED Councillor Salaman
SECONDED Councillor Koumi

That in the interests of protecting bank deposits of City of Unley residents Council write to The Hon Kate Ellis MP, Federal Member for Adelaide, The Hon Christopher Pyne, Federal Member for Sturt, and The Hon Joe Hockey MP, Federal Treasurer stating:

That Council is unalterably opposed to the proposed legislation to enable the "bail-in" (seizure) of Australian bank deposits as happened in Cyprus in March of last year, and Urging that they encourage the Australian Parliament to, instead of passing legislation enabling "bail-in", pass legislation modelled upon the U.S. Glass-Steagall law which functioned so successfully from its passage in 1933 until its repeal in 1999, which separated commercial banking from investment banking.

LOST

DIVISION

A Division was called and the previous decision set aside.

Those voting in the affirmative:

Councillors Koumi, Salaman, Schnell and Palmer

Those voting in the negative:

Councillors Saies, Boisvert, Lapidge, Hughes, Hudson and Hewitson.

The MOTION was declared **LOST**

ITEM 1132

MOTION WITHOUT NOTICE – NOMINATION TO DEVELOPMENT ASSESSMENT COMMISSION

MOVED Councillor Boisvert
SECONDED Councillor Salaman

That a nomination for Councillor Don Palmer as the Local Government representative on the Development Assessment Commission be submitted to the Local Government Association by close of business on Monday 12 May 2014.

CARRIED UNANIMOUSLY

ITEM 1130

UNRESOLVED ITEMS

Meeting Date	Item	Status
Council 22/3/10	Item 622 (UBED Item 46 Adjourned Debate – Item 46 – Unley Business and Economic Development Committee – Glen Osmond Road Separate Rate Negotiation. (copy attached)	The Item lie on the table.

ITEM 1104

CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES

MOVED Councillor
SECONDED Councillor

That:

1. The minutes of the CEO Performance Review Committee meeting held on Wednesday 16 April 2014, be received.
2. The recommendations listed under:

Item 20

Confidentiality Motion for Item 21 – CEO Interim Performance Review 2014

Item 21 - Confidential

CEO Interim Performance Review 2014

Item 22

Confidentiality Motion to remain in confidence Item 21 – CEO Interim Performance Review

inclusive, be adopted.

EXTENSION TO MEETING TIME

The Presiding Member advised that the meeting should be extended for a period of 45 minutes from 11.00pm or until the conclusion of the debate.
This was agreed with a two thirds majority.

ITEM 1133

**CONFIDENTIALITY MOTION FOR ITEM 21 – CEO INTERIM PERFORMANCE
REVIEW 2014**

MOVED Councillor Schnell
SECONDED Councillor Palmer

That:

1. Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 the Council orders the public be excluded, with the exception of the following:

Ms C Gowland, Executive Assistant to CEO

on the basis that it will receive and consider the report on the performance review of the Chief Executive Officer, and that the Council is satisfied that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

because, information contained in this report relates to an individual employee of Council and should not be made available at this time. It would be in the best interest of Council to consider this matter in confidence.

CARRIED UNANIMOUSLY

The doors to the meeting room were closed at 11.00pm.

Councillor Hudson left the meeting at 11.00pm.

ITEM 21
CEO INTERIM PERFORMANCE REVIEW

SUSPENSION OF STANDING ORDERS

The Presiding Member advised the meeting that he thought the meeting would benefit for a short term suspension of meeting procedures (for 10 minutes) to discuss the CEO Interim Performance Review Report.
This was agreed with a two thirds majority.

Standing Orders were suspended at 11.07pm

Extension to Suspension of Standing Orders

The Presiding Member advised the meeting that he thought the meeting would benefit for a further short term suspension of meeting procedures (for 10 minutes) to discuss the CEO Interim Performance Review Report.
This was agreed with a two thirds majority.

Standing Orders were suspended at 11.17pm

Extension to Suspension of Standing Orders

The Presiding Member advised the meeting that he thought the meeting would benefit for a further short term suspension of meeting procedures (for 10 minutes) to discuss the CEO Interim Performance Review Report.
This was agreed with a two thirds majority.

Standing Orders were suspended at 11.27pm

Standing Orders resumed at 11.40pm

MOVED Mayor Clyne
SECONDED Councillor Boisvert

That:

1. The report be received.
2. AME Recruitment be asked to assist the Committee in setting the CEO's KPIs for the next financial year 2014/15.
3. AME Recruitment be asked to assist the Committee in reviewing the CEO's employment agreement and recommend changes relating to dates and

timelines regarding remuneration and Key Performance Indicators and report back to the Committee to enable a report to be presented to the Council in June.

4. The Mayor write to the CEO providing feedback on the KRAs advising that the CEO's performance has met expectations.

CARRIED

Councillor Hewitson left the meeting at 11.06pm returning at 11.07pm during discussion on the above Item.

Councillor Hewitson left the meeting at 11.37pm.

ITEM 22

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE ITEM 21 – CEO
INTERIM PERFORMANCE REVIEW**

MOVED Councillor Salaman

SECONDED: Councillor Palmer

That:

1. The report be received.

CARRIED UNANIMOUSLY

The doors to the meeting room were opened at 11.43pm.

NEXT MEETING

Monday 26 May 2014 – 7.00pm
Unley Civic Centre

CLOSURE

The Presiding Member closed the meeting at 11.43pm.

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PRESIDING MEMBER

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