

## **COUNCIL MEETING**

**Minutes of the Corporation of the City of Unley  
Held on Tuesday 28 January 2014 at 7.00pm  
In the Civic Centre  
181 Unley Road Unley**

### **PRESENT**

His Worship the Mayor, Mr L Clyne (Presiding Member	
Councillors D Tipper	R Schnell (Deputy Mayor)
J Koumi	M Hudson
R Sangster	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 Community, Ms M Berghuis  
General Manager People & Governance, Mr S Faulkner  
General Manager Assets & Infrastructure, Mr J Devine  
Manager Governance & Risk, Ms R Wilson  
Manager Property Assets, Mr A Johns  
Manager Finance & ICT, Mr M Carey  
Executive Assistant to the CEO, 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 and Senior Staff, members of the gallery and the media to the 28 January 2014, meeting of the Unley City Council.

## **APOLOGIES**

Nil

## **CONFLICT OF INTEREST**

Councillor Schnell advised the Council that he had a perceived conflict of interest, due to his employment, and would leave the Council Chambers when Items 1030, 1031, 1032, 1033, 1034 and 1035 were due for discussion.

## **ITEM 1009**

### **CONFIRMATION OF MINUTES**

MOVED Councillor Palmer

SECONDED Councillor Sangster

That:

1. The Minutes of the Council meeting held on Monday 9 December 2013, as printed and circulated, be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

## **PETITIONS**

Nil

## **PRESENTATIONS**

Nil

## **DEPUTATION**

Nil

## **REPORTS OF COMMITTEES**

Nil this month.

**ITEM 1010**  
**MAYOR'S REPORT**

MOVED Councillor Boisvert  
SECONDED Councillor Hughes

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**ITEM 1011**  
**DEPUTY MAYOR'S REPORT**

MOVED Councillor Tipper  
SECONDED Councillor Hughes

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**ITEM 1012**  
**REPORTS OF MEMBERS**

Councillor Palmer referred to his report attached to the Agenda.

**Development Matters**

Councillor Palmer advised that the Development Assessment Panel had concerns using the same set up as Council for their meetings.

Councillor Saies advised that he had attended the DAP meeting on behalf of a resident who had raised an objection to an application. Councillor Saies suggested that consideration be given to establishing mediation process to sort out issues prior to the DAP meeting.

### **ITEM 1013**

#### **CODE OF PRACTICE – PROCEDURES AT MEETINGS**

Mr Michael Kelledy, from Kelledy Jones Lawyers was available to answer questions of the Council if necessary.

MOVED Councillor Hewitson  
SECONDED Councillor Boisvert

That:

1. The report be received.
2. The revised Code of Practice – Procedures at Meetings (Attachment 1 to Item 1013/14) be endorsed.
3. Council provide direction as to how it wishes the Section 41 Committees to operate.

Councillor Koumi MOVED as an AMENDMENT, SECONDED Councillor Palmer, that:

1. The report be received.
2. The revised Code of Practice – Procedures at Meetings (Attachment 1 to Item 1013/14) be endorsed and the Section 41 Committee Meeting Procedures be reviewed and reported back to Council in May 2014.

The AMENDMENT was put and **CARRIED**

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

### **ITEM 1014**

#### **PROPERTY MANAGEMENT POLICY**

MOVED Councillor Tipper  
SECONDED Councillor Hewitson

That:

1. The report be received.
2. The Draft Property Management Policy (Attachment 1 to Item 1014/14) (as amended) be endorsed:

Section 5.2 (above “the minimum fee levied...”) add the following:

“If there are no capital improvements on the site, the most recent Valuer General’s determination will be utilised as the base figure.”

Councillor Boisvert MOVED as an AMENDMENT, SECONDED Councillor Lapidge that:

1. The report be received.
2. The Draft Property Management Policy (Attachment 1 to Item 1014/14) be endorsed (as amended):

Section 5.2 (above “the minimum fee levied...” add the following:

“If there are no capital improvements on the site, the most recent Valuer General’s determination will be utilised as the base figure.”

3. The policy be amended to ensure that no lease be offered at an annual rental rate at less than the existing leasing rate.

The AMENDMENT was put and **LOST**

The original MOTION was put and **CARRIED**

#### **ITEM 1015**

#### **COOPERATIVE RESEARCH CENTRE FOR WATER SENSITIVE CITIES**

MOVED Councillor Hughes  
SECONDED Councillor Schnell

That:

1. The report be received.
2. The City of Unley resolves to become a participant of the Cooperative Research Centre for Water Sensitive Cities.
3. An amount of \$10,000 be included in both 2014/15 & 2015/16 budgets as Council’s contribution to the partnership.
4. The Chief Executive Officer be authorised to sign the “Other Participants Agreement “to become a participant on Council’s behalf.

**CARRIED**

**ITEM 1016**

**ACCESS REQUEST – COUNCIL LAND 671 SOUTH ROAD BLACK FOREST**

MOVED Councillor Boisvert  
SECONDED Councillor Palmer

That:

1. The report be received.
2. Council grant Optus Aust access for the term of their occupancy Agreement via the Council car park at 671 South Road Black Forest, provided Optus Aust agrees to pay (to Council) an annual licence fee of \$3 000 total, plus GST, (indexed annually to CPI).

**CARRIED**

Councillor Hudson left the meeting at 8.28pm returning at 8.29pm during discussion on the above Item.

**ITEM 1017**

**UNLEY OVAL REDEVELOPMENT INVESTIGATIONS**

MOVED Councillor Hewitson  
SECONDED Councillor Palmer

That:

1. The report be received.

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

1. The report be received.
2. A workshop be held to review options and priorities.

The AMENDMENT was put and **CARRIED**

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

Councillor Koumi left the meeting at 8.55pm returning at 8.59pm during discussion on the above Item.

**ITEM 1018**  
**2<sup>ND</sup> QUARTER BUDGET REVIEW 2013-2014**

MOVED Councillor Hewitson  
SECONDED Councillor Koumi

That:

1. The report, including Attachments 1 and 2 to Item 1018/14 be received.
2. The budget variations for the Second Quarter 2013-14 Budget Review be noted.
3. The revised budgeted Financial Statements reflecting a Budget Operating Funding Surplus of \$471K from \$756K and a reduced Net Borrowings of \$3.028M from \$3.084M be adopted.

**CARRIED UNANIMOUSLY**

Councillor Tipper left the meeting at 9.26pm returning at 9.28pm during discussion on the above Item.

**ITEM 1019**  
**FINANCE REPORT FOR THE QUARTER ENDED DECEMBER 2013**

MOVED Councillor Boisvert  
SECONDED Councillor Schnell

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**ITEM 1020**  
**COUNCIL ACTION REPORT**

MOVED Councillor Palmer  
SECONDED Councillor Lapidge

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**ITEM 1021**

**QUESTION ON NOTICE – COUNCILLOR HEWITSON – OPTIONS OTHER THAN TRAMS FOR UNLEY ROAD**

1. *Is Unley Council aware of the possibility of ultra-light rail for public transport needs along Unley Road?*

**Answer**

Administration is aware that the idea has been floated. No details have been provided that will allow the administration to undertake an assessment of the viability of the proposal. There does not appear to be a similar system operating in similar circumstances to Unley Road anywhere else.

It is interesting to note that the developers of the Heathrow system, which has performed its designated task very effectively since it was constructed, made the following statement early last year:

\*“The success of Heathrow POD has demonstrated the huge potential in PRT to deliver an effective sustainable first/last mile solution around campus locations such as airports as well as providing a distributor service from ‘heavier’ transport interchanges such as rail stations.”

Ultra light transport would not normally be considered for a mass transit application.

2. *Can our staff find out from DPTI whether the department has considered options other than trams for Unley Road?*

**Answer**

Staff will make inquiries.

3. *In ascertaining their response can we make it clear that trams up Unley Road are certainly a vast improvement for the planned High density living planned for Unley Road?*

**Answer**

The Council's support for investigations into trams along Unley Road (in preference to no trams) was made clear in the response to the Government Strategy.



**ITEM 1022**

**QUESTION ON NOTICE – COUNCILLOR SALAMAN – DEVELOPMENT APPLICATIONS**

1. *What public consultation was undertaken before Council's development controls on tall (5+ storeys) buildings were removed?*

**Answer**

None

2. *If 'none' (Question 1) what explanation was given by the Minister?*

**Answer**

No specific explanation has been provided by the Minister. The closest that there has been to an explanation is referenced in the policy, where the change is referred to as "An enhancement to the system" and "removal of duplication".

3. *Why was the City of Unley DAP considered not competent to assess such development proposals?*

**Answer**

In the Minister's release/comments there is no reference to the competence or otherwise of the Council DAP.

4. a. *Will development applications still be lodged with Council?*  
b. *To whom will the fees be payable?*

**Answer**

- a. No  
b. The Development Assessment Commission

5. *If 'no' (Question 4) will Council be apprised of the application and be entitled to make representations?*

**Answer**

There is no statutory process in place that will see Council notified. The State Government is proposing a Heads of Agreement that would see Council receive informal notification. A draft Heads of Agreement has been prepared by DPTI and discussions are underway with other inner rim councils about

possible enhancement of this draft. It is likely that the Government will be seeking to have the same draft in place with all of the inner rim councils.

There is also a Pre-Lodgement Process. This involves the establishment of a Pre-Lodgement Panel to work with potential applicants. The Panel will be established by the Investment Team from the Planning Division of DPTI and include *“Council representatives (this may include specialist staff from time to time)”*

The purpose of establishing Pre-Lodgement Panels is *“to reduce the time taken to assess development proposals once lodged with DAC, provide progressive certainty through established design and development processes and, improve the design quality of development proposals (through the Capital City Design Review Panel – CCDRP) in the City of Adelaide”*

It is not clear from the Terms of Reference for the Pre-Lodgement Panel whether Council will nominate its representative on the Panel, or whether the Government will nominate, but intuitively Council should be able to decide who its representative on that panel will be.

6. *Will such applications have to reasonably comply with the City of Unley Development Plan, or be considered exempt?*

Answer

Regulatory changes that change the relevant authority do not impact on the essential provisions of the Development Act. Applications are required to be assessed by the Development Assessment Commission against the provisions of the City of Unley Development Plan, as per s33 (1) (a) of the Development Act 1993.

7. *In the event of a proposed development out of the main corridor areas, eg the vacant site between Arthur and Mary Streets Unley, for a tall building, will the current restrictions on notification still apply, ie only adjoining properties?*

Answer

The City of Unley DAP remains the authority for all development in the City other than Development where DAC is the Authority as per Schedule 10 of the Development Regulations, or for State Agency Development. In general terms, this would mean the Council DAP is the authority for all development outside of the Urban Corridor Zones. The nature of the application will determine whether it is Category 1, 2 or 3 public notification. Any proposal above two stories outside of the Urban Corridor Zones will almost certainly require Category 3 Public Notification.

8. *Can the DAC's decisions be appealed to the ERD Court or elsewhere? If so, by whom and in what circumstances?*

Answer

Whilst the theoretical answer is yes, the practical reality is no. Only Cat 3 development can be appealed. The only development in the Urban Corridor zones that will be Cat 3 is non-complying development. It is extremely unlikely that there will be applications for any of the categories of non-complying development that will exceed four stories in height.

9. *If a 'tall building' is given development approval by the DAC and building rules approval by a private certifier, what fees will be payable to the Council? If yes, how much?*

Answer

\$57 Lodgement Fee

10. *Will these fees be sufficient to cover the cost of Council and Council building inspectors?*

Answer

The responsibility of Council to undertake building inspection work for development over four storeys in the urban corridor zones is still being resolved. If Council has any involvement, clearly there is a cost. \$57 would not cover that cost.

11. *If 'no' (to Question 10), can Council legitimately require certificates of inspection from a suitable technical expert at the developer's cost? This is common practice for footings which generally are inspected and certified by the designing engineer.*

Answer

This is a matter still to be resolved as per question 11.

12. *Has the Council and/or the LGA lobbied both the current Government and the opposition to ensure that a "user pays" scheme is introduced to fully cover Council's costs in administering such developments, including the cost of numerous inspections?*

Answer

This is a matter that is not related to the decision regarding Council DAP and the Urban Corridor Zones. As a generalisation, whenever a developer uses a private building certifier, Council does not cover its costs in performing its role. These matters have been raised previously with the Government but there has been no specific representation in relation to Urban Corridor Zone development in recent times.

13. *Has the current opposition got a policy of returning responsibility of approving "tall buildings" to local DAPs?*

Answer

David Pisoni, MP has provided the following response:

"The Shadow Minister for Infrastructure, Vickie Chapman MP, has stated that the State Liberals are considering policy options concerning South Australia's planning system. The State Liberal Party will ensure the City of Unley is provided a copy of the policies when they are announced."

14. *Has Council/LGA made any progress in their previous joint campaign to recover Council inspection costs in full from developers?*

Answer

No

15. *With the recent Government decision to "privatise" as many SAHT properties as possible by transferring them to Housing Cooperatives or similar, and the consequent 75% discount on the rates payable, will there be a like compulsory discount on development application fees for new "affordable housing" and housing cooperative developments?*

Answer

Council has not been made aware of any such proposals.

16. *Referring to question 15 and also the answers provided to previous question on notice (Item 803, Q8 – Council 24 June 2013 – copy attached), has any positive progress been made by the LGA, SAIRA (South Australian Institute of Rates Administrators) and Unley Council, with lobbying the State Government to ensure this significant subsidising of rates to an expanding number of properties to ensure this does not become simple "cost shifting"?*

### Answer

The LGA has advised it is continuing dialogue with the State Government in relation to this matter, including no further reduction in council revenue. The Minister has indicated that he would consider the idea of a contribution for revenue lost, however there has been nothing formal at this time and a mechanism has yet to be determined.

### **ITEM 1023**

### **QUESTION ON NOTICE – COUNCILLOR PALMER – RATES AND STREET SWEEPING**

#### **Question**

1. In order to assist in the deliberations on the potential rate increase this year and better assess our communities capacity to contribute can administration advise on the following historic 10 year statistics
  - a) The CPI.
  - b) The LGPI.
  - c) Average yearly wage increases in South Australia in this time.
  - d) Average increase in pensions likewise.

### Answer

The CPI, LGPI and wages (WPI) data is annualised figures for the period stated and is sourced from ABS and SA Centre for Economic Studies.

The pension data is sourced from FAHCSIA and is annualised at March each year. (Attachment 1)

2. At the recent public consultation on public consultation one of the biggest concerns expressed was the lack of street sweeping. I notice too that the street sweepers have been out an about, including in streets that could have had their footpaths swept first. Given this I ask what is the situation with the recent trial on street sweeping. It was my understanding that the trial was successful and that a report was due for late last year.

### Answer

A memo was sent to Councillors on 14 August 2013 providing a summary of the SMS trial. A copy is attached (Attachment 2).

**CPI & LGPI**

	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Adelaide Consumer Price Index	3.0%	2.3%	3.2%	2.6%	3.3%	3.2%	2.2%	3.3%	2.6%	2.1%
Local Government Price Index	4.3%	3.1%	3.5%	3.9%	3.8%	4.5%	2.8%	3.5%	3.7%	2.8%

CPI Source: abs.gov.au (6401.0 CPI)

LGPI Source :[www.adelaide.edu/saces/economy/lgpi/](http://www.adelaide.edu/saces/economy/lgpi/)

**Average Yearly Wage Increase**

	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Wage Price Index - SA	4.0%	3.4%	3.8%	4.0%	4.7%	4.0%	2.8%	3.5%	3.4%	3.4%

Source :[www.abs.gov.au](http://www.abs.gov.au) - 6345.0 Wage Price Index, Australia

**Pension Rates Standard**

	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Standard Rate % Increase	5.5	2.6%	5.0	5.2	4.2	4.2	17.1	4.1	3.6	5.5

Source: FAHCSIA

**Pension Rates Partner**

	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Partner Rate % Increase	5.6	2.6	5.0	5.2	4.2	4.2	5.7	4.1	3.6	5.5

Source: FAHCSIA

## **City of Unley Short Message Service (SMS) Street Sweeping Notification Trial - 2012**

### **Background**

The Street Sweeping Notification Trial was initiated by a suggestion from Elected Members following requests from some constituents who thought it would be advantageous to know when the road sweeper would be in their street. By knowing when the sweeper is due residents are able to sweep the footpaths and move cars off the street to enable a clear area for the sweeper drivers.

After consideration of this request, the Administration decided to trial a street sweeping notification procedure which would advise residents when the street sweeper was going to be in their street. Residents who had previously contacted Council to request a street sweep were invited by letter to participate in the trial. Residents could be notified by SMS, Facebook, Twitter, email and telephone. Elected Members were also included in the trial. The majority of participants chose to be sent a SMS with only a few requesting an email and phone call.

### **Current Sweeping Program**

The City of Unley street sweeping operations includes the use of two road sweepers. The major objective of the program is to sweep the cities roads once every 10-20 working days (depending on time of year). In addition, heavy leaf fall streets are swept on demand (eg Victoria Avenue and Northgate Street). When compared to other Councils the City of Unley is considered to offer a high level of service.

The current program divides the City into 20 similar sized areas and approximately one area is swept during each shift. The SMS trial involved the sending of a notification to participants the day before sweeping was scheduled to occur. . This advance warning would give the participating residents an opportunity to sweep footpath debris onto the road to be collected by the sweeper or to move vehicles off the street. This was subject to terms and conditions listed on the website (ie mechanical breakdown, staff absences etc).

### **Evaluation**

A questionnaire was sent out to the 115 participants at the conclusion of the trial and a brief summary of the results showed that:

Surveys returned via mail: 56

Surveys returned online: 15

Total returned: 71

This represents a 62% response to the survey.

- 54% of the participants found the trial beneficial
- 30% of the participants did not find the trial beneficial as the sweeper did not arrive on the day as notified.

- 26% of the participants did not find the notification beneficial as the cars parked on the street were not theirs.
- 31% of the participants always swept their street prior to the sweeper coming down their street with 34% of the participants sometimes sweeping their street prior to the sweeper coming down their street.
- 70% of participants moved their vehicle off the street when notified the street sweeper was coming down their street.
- 35% of participants advised their street was swept as advised however 40% of participants advised it was only swept sometimes as per the notification.
- 71% of the participants advised they would continue using the service it was ongoing.
- 52% of the participants thought the trial improved the sweeping of the street.

Feedback from the survey included:

- Locating the information on Council's website in an easy to find location.
- Information needs to be accurate.
- More frequent sweeps during Autumn (heavy leaf fall).
- More than one days notice required, suggested 2-3 days or week in advance.
- Placement of no parking signs on the street the day before the street is to be swept
- Use of sandwich boards to advise residents street sweeper is coming down the street.

## **Conclusion**

The overall feedback indicated the trial was well received by participants and that they would continue to use the service if it was provided on an ongoing basis.

There were some concerns regarding the accuracy of the notification of when the street sweeper would be in the allocated area. The inability to accurately indicate when the sweeper would be in the area were caused by:

- A considerable number of vehicle breakdowns resulting in a greater than usual time off the road
- Programming difficulties in some areas is inequitable due to size of area, number of trees, heavy leaf fall etc.

The process of notifying residents by SMS is relatively simple once the data base is set up. Obviously the more residents in the street who participate in the notification process, the more successful the sweeping outcomes will be. There were concerns regarding cars that do not belong to property owners remaining on the street which is difficult to address.

An internal review of the sweeping services is to be completed by December 2013. The following suggestions, as a result of this trial, will be considered as part of the review.

- Review the schedule of the street sweeper



- Consideration of frequency of street sweeping dependent on types of trees located in the street.
- Review of the heavy leaf fall schedule and locations.
- Discourage 'on demand' pick ups of leaf piles as requested by residents
- Accurate and reliable notifications to residents.
- Using bollards as a way to indicate to residents the sweeper is coming and to discourage people from parking on the street (one side only leaving one side of the street for parking)
- Sweeper drivers advising of 'problem' areas and organising for bollards to be placed on street prior to the sweep.
- How the notification service is to be promoted to residents if it is to be continued.

A major factor in the success of the Street Sweeping notification is the notifications need to be accurate and this will need to be considered within the review. The schedule will need to fit in with the notifications to ensure a more positive response from residents.

**ITEM 1024**  
**QUESTIONS WITHOUT NOTICE**

The following Questions will become Questions on Notice at the February meeting of Council.

What powers has the Council to revoke parking permits gained by spurious means.

Councillor Palmer left the meeting at 9.36pm returning at 9.38pm during discussion on the above Item.

**ITEM 1025**  
**CORRESPONDENCE**

The correspondence from

- Royal Agricultural and Horticultural Society re 175<sup>th</sup> Anniversary
- Copy of representation from Mr Nick Stott to Council on 9 December 2013 re Palmerston Place Traffic Management proposal
- The Hon John Rau re Inner Metropolitan Council Development Plan Amendments (DPAs)
- Mayor Lorraine Rosenberg acting President of LGA re role of acting President
- Ms Fiona Pledger resident of Fullarton re parking controls in Anderson Street Unley
- Mayor Lorraine Rosenberg acting President of LGA re LGA State Election launch
- Hon Ian Hunter MLC re Natural Resources Management Plan for the Adelaide and Mount Lofty Ranges Region
- The Hon Warren Truss MP re Community Development Grants programme
- Thank you for support to Daniela Nudo – Community Grants Scheme
- Thank you for support to Tom Baily – Community Grants Scheme
- Thank you – Christmas Party for Special Children

be noted.

**ITEM 1026**

**MOTION ON NOTICE – COUNCILLOR TIPPER – RE LOW IMPACT  
TELECOMMUNICATIONS FACILITIES LOCATION IN THE CITY OF UNLEY**

MOVED Councillor Tipper  
SECONDED Councillor Boisvert

That:

1. Council consider, as a new initiative in the 2014/15 budget, the establishment of a Register containing technical details and photographic record of all Low Impact Telecommunications Facilities located in the City of Unley, and that this Register be updated by planning staff whenever Council is notified of new or modified facilities being constructed or existing facilities being decommissioned.
2. On an annual basis, Council receive a 'For Information' report from Administration summarising the changes to the Register over the previous twelve months (based on the notifications received from the telecommunications companies or their representatives), with the first report to be provided one calendar year after the Register is completed.
3. The Register is to be available at any time to Elected Members on request and provision of reasonable notice to the Administration.
4. The Administration continue the existing regime of notification to Elected Members when new facilities are to be constructed.

**Explanation**

The Presiding Member asked Members if they would agree to Councillor Tipper giving a further explanation regarding her motion.  
This was agreed with a two thirds majority.

**CARRIED**

Councillor Saies left the meeting at 9.44pm returning at 9.48pm during discussion on the above Item.

Councillor Sangster left the meeting at 9.50pm returning at 9.52pm during discussion on the above Item.

Councillor Hudson left the meeting at 9.50pm returning at 9.51pm during discussion on the above Item.

**ITEM 1027**

**NOTICE OF MOTION – COUNCILLOR HEWITSON – RATES INCREASE 2014/15**

MOVED Councillor Hewitson  
SECONDED Councillor Hughes

That in framing the 2014/15 Budget, Council requests the Administration to provide options and their implications within the target rate range of a 3.3 – 4.0 percent increase in rates.

**Extension of Time**

Moved Councillor Koumi  
Seconded Councillor Lapidge

That Councillor Hewitson be given an extension of debating time.

Carried

Councillor Schnell MOVED an AMENDMENT, SECONDED by Councillor Sangster

That in framing the 2014/15 Budget, Council requests the Administration to provide options and their implications within the target rate range of a 3.3 – 6.0 percent increase in rates.

**Extension of Time**

Moved Councillor Tipper  
Seconded Councillor Lapidge

That Councillor Hudson be given an extension of debating time.

Carried

The AMENDMENT was put and **LOST**

The original MOTION was put and **LOST**

**DIVISION**

A Division was called and the previous decision put aside.

Those voting in the affirmative:

Councillors Koumi, Hughes and Hewitson

Those voting in the negative:

Councillors Tipper, Saies, Boisvert, Lapidge, Salaman, Schnell, Sangster,  
Palmer and Hudson

The MOTION was declared **LOST**

Councillor Boisvert left the meeting at 10.08pm returning at 10.12pm during  
discussion on the above Item.

**ITEM 1028**

**NOTICE OF MOTION – COUNCILLOR HUDSON – RE RIDGE PARK RIVER RED  
GUM**

MOVED Councillor Hudson  
SECONDED Councillor Saies

That, subject to the necessary environmental checks, the 300 year old plus River  
Red Gum situated near the proposed flood mitigation dam in Ridge Park be included  
in Unley's Heritage list and Significant Tree list.

**Explanation**

The Presiding Member asked Members if they would agree to Councillor Hudson  
giving a further explanation regarding her motion.  
This was agreed with a two thirds majority.

**CARRIED UNANIMOUSLY**

**MOTIONS WITHOUT NOTICE**

Councillor Salaman wanted to move a Motion Without Notice regarding the  
pedestrian crossing on King William Road. This was refused by the Mayor.

**ITEM 1029**  
**UNRESOLVED ITEMS**

<b>Meeting Date</b>	<b>Item</b>	<b>Status</b>
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.

**EXTENSION OF MEETING TIME**

MOVED Councillor Koumi  
SECONDED Councillor Salaman

That an extension to the meeting time until 11.45pm be agreed.

**CARRIED**

Councillor Schnell left the Chambers at 11.00pm due to his conflict of interest.

Councillors Hewitson, Sangster and Hudson left the Chambers at 11.00pm.

**ITEM 1030**  
**CONFIDENTIAL MOTION FOR ITEM 1031 – DPTI – RAIL ELECTRIFICATION**

MOVED Councillor Tipper  
SECONDED Councillor Palmer

That:

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

Mr P Tsokas, Chief Executive Officer  
Mr D Litchfield, General Manager Economic Development and Planning  
Mr S Faulkner, General Manager People and Governance  
Ms M Berghuis, General Manager Community  
Mr J Devine, General Manager Assets and Infrastructure

Ms R Wilson, Manager Governance and Risk  
Ms C Gowland, Executive Assistant to CEO

on the basis that it will receive and consider the report on DPTI – Rail Electrification 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:

- (j) information the disclosure of which
  - (i) 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); and
  - (ii) would, on balance, be contrary to the public interest.

The disclosure of this information could prejudice the commercial position of the person who has supplied the information.

**CARRIED**

## **DIVISION**

A Division was called and the previous decision put aside.

Those voting in the affirmative:

Councillors Tipper, Lapidge, Palmer, Hughes and His Worship the Mayor.

Those voting in the negative:

Councillors Saies, Boisvert, Koumi and Salaman

The MOTION was declared **CARRIED**

The doors to the Council Chamber were closed at 11.03 pm.

# CONFIDENTIAL

**ITEM 1031**

**DPTI – RAIL ELECTRIFICATION**

Councillor Koumi left the meeting at 11.22pm returning at 11.24pm during discussion on the above Item.



**ITEM 1032**

**CONFIDENTIAL MOTION TO REMAIN IN CONFIDENCE ITEM 1031 – DPTI –  
RAIL ELECTRIFICATION**

MOVED Councillor Salaman  
SECONDED Councillor Lapidge

That:

1. The report be received.
2. Pursuant to Section 90(3)(j) of the Local Government Act:

2.1 The

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remain confidential on the basis that the information contained in this report contains information with regard to compensation regarding the trees, and

- 2.2 the report and attachments will be kept confidential until the item is revoked by the Chief Executive Officer.

**CARRIED**

The doors to the Council Chambers were opened at 11.37 pm.

**EXTENSION OF MEETING TIME**

MOVED Councillor Lapidge  
SECONDED Councillor Salaman

That an extension to the meeting time until 12 midnight be agreed.

**CARRIED**

**ITEM 1033**

**CONFIDENTIAL MOTION FOR ITEM 1034 – DPTI LAND**

MOVED Councillor Salaman

SECONDED Councillor Lapidge

That:

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

Mr P Tsokas, Chief Executive Officer

Mr D Litchfield, General Manager Economic Development and Planning

Mr S Faulkner, General Manager People and Governance

Ms M Berghuis, General Manager Community

Mr J Devine, General Manager Assets and Infrastructure

Ms R Wilson, Manager Governance and Risk

Ms C Gowland, Executive Assistant to CEO

on the basis that it will receive and consider the report on DPTI land 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:

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
  - (i) 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; and
  - (ii) Would, on balance, be contrary to the public interest.

The information contained in the report could prejudice the position of the person who has supplied the information.

**CARRIED**

The doors to the Council Chamber were closed at 11.37 pm.

# CONFIDENTIAL

ITEM 1034  
DPTI LAND

**ITEM 1035**

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – ITEM 1034 – DPTI LAND**

MOVED Councillor Salaman  
SECONDED Councillor Lapidge

1. The report be received.
2. Pursuant to Section 90 (3)(d) of the Local Government Act:

2.1 The

- ☒ Minutes
- ☒ Report
- ☒ Attachments

remain confidential on the basis that the information contained in this report contains information with regard to DPTI land and

- 2.2 the report and attachments will be kept confidential until the item is revoked by the Chief Executive Officer.

**CARRIED UNANIMOUSLY**

The doors to the Council Chamber were opened at 11.42pm.

## **NEXT MEETING**

Monday 24 February 2014 – 7.00pm.

## **CLOSURE**

The Presiding Member closed at the meeting at 11.42 pm.

.....  
PRESIDING MEMBER

.....  
DATE