

COUNCIL MEETING

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

PRESENT

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

OFFICERS PRESENT

Chief Executive Officer, Mr P Tsokas
General Manager Economic Development & Planning, Mr D Litchfield
A/General Manager Assets & Infrastructure, Mr B Curtis
General Manager Community, Ms M Berghuis
General Manager People & Governance, Mr S Faulkner
Manager Governance & Risk, Ms R Wilson
Manager Property Assets, Mr A Johns
Manager Community, Ms M Smith
Manager Urban Design, Mr K Davis
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 July 2014, meeting of the Unley City Council.

APOLOGIES

Nil

CONFLICT OF INTEREST

Councillor Boisvert, advised that she was employed by the Department of Education, but did not see this as a conflict regarding the item on Parkside Primary School.

ITEM 1189

CONFIRMATION OF MINUTES

MOVED Councillor Hewitson
SECONDED Councillor Koumi

That the minutes of the Council meeting held on Monday 14 July 2014, as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

PETITIONS

Nil

PRESENTATIONS

Nil

ITEM 1190

DEPUTATIONS

Ms Sonya Gow
Representative of the Clarence Park Community Centre's Board of Management on retaining the TOYS program.

Mr Peter Moors
Re the future of the TOYS Shed program run at Clarence Park Community Centre.

ITEM 1191
MINUTES OF THE CEO PERFORMANCE REVIEW COMMITTEE

The Presiding Member requested that this Item be moved to the end of the Meeting as it will be discussed in confidence. This was agreed with a two thirds majority.

ITEM 1192
CLARENCE PARK TOGETHER OFFERING YOUR SKILLS (TOYS) PROGRAM

MOVED Councillor Palmer
SECONDED Councillor Lapidge

1. The report be received.
2. Council provide \$15,000 transitional funding to the Clarence Park Community Centre Inc in 2014/15 and funding of \$15,000 be considered in the 2015/16 financial year to support the continued employment of a paid coordinator for the T.O.Y.S men's shed program.
3. The Clarence Park Community Centre Board of Management be formally advised of Council's decision.

CARRIED UNANIMOUSLY

ITEM 1193
COMMUNITY ENGAGEMENT REVIEW

MOVED Councillor Hughes
SECONDED Councillor Hudson

That:

1. The report be received.
2. The revised Community Engagement Policy (Attachment 1 to Item 1193/14) be endorsed.
3. The Community Engagement Toolkit, as amended by the CEO, as an internal process and procedures guide for the staff conducting community engagement (Attachment 3 to Item 1193/14) be endorsed.

CARRIED UNANIMOUSLY

ITEM 1194
KING WILLIAM ROAD PROJECT

MOVED Councillor Koumi
SECONDED Councillor Palmer

That:

1. The report be received.
2. The concepts outlined in the King William Road Project Report (Attachment 1 to Item 1194/14) be adopted as the long term vision for the precinct.
3. Approval be granted to proceed with community engagement and the implementation of the parklet pilot program (Attachment 2 to Item 1194/14) for final review and approval of the CEO.

CARRIED UNANIMOUSLY

ITEM 1195**
PROPOSAL TO DISALLOW REGULATIONS UNDER THE DEVELOPMENT ACT 1993

MOVED Councillor Palmer
SECONDED Councillor Salaman

That:

1. The report be received.
2. The response outlined in this report be provided to Mr Parnell as the formal response from this Council.

CARRIED UNANIMOUSLY

ITEM 1196
PARKSIDE PRIMARY SCHOOL COMMUNITY GARDEN

MOVED Councillor Hudson
SECONDED Councillor Koumi

That:

1. The report be received.
2. Council support amending the current South Australian Government Joint Use Agreement with the Minister for Education covering the Parkside Primary School oval to include a new community garden on the school grounds.
3. Council authorise the Mayor and/or Chief Executive Officer to sign the amended Joint Use Agreement.

CARRIED UNANIMOUSLY

Councillors Saies and Boisvert left the meeting at 8.26pm returning at 8.28pm during discussion on the above Item.

ITEM 1197
LAND ENCROACHMENT – 52 FERGUSON AVENUE MYRTLE BANK

MOVED Councillor Lapidge
SECONDED Councillor Hughes

That:

1. The report be received.
2. Council formally request the Minister for State and Local Government Relations to support the revocation of Community Land Status on land identified as portion of Allotment 53 within Deposited Plan 3456 in the area named Myrtle Bank, CT 5866/415 as a pre-cursor to the negotiation for sale of the portion of land to the owner of 52 Ferguson Avenue Myrtle Bank.

CARRIED

ITEM 1198
ELECTED MEMBER INDUCTION POLICY REVIEW

MOVED Councillor Hughes
SECONDED Councillor Koumi

That:

1. The report be received.
2. The Elected Member Induction Policy (*Attachment 2* to item 1198/14) be adopted.

CARRIED UNANIMOUSLY

ITEM 1199**
LOCAL GOVERNMENT FINANCE AUTHORITY; MOTIONS TO AGM, COUNCIL REPRESENTATIVE AND BOARD NOMINATION

MOVED Councillor Sangster
SECONDED Councillor Tipper

That:

1. The report be received.
2. Mayor Lachlan Clyne be appointed as the Council representative to the Local Government Finance Authority Annual general Meeting for 2014.

CARRIED UNANIMOUSLY

ITEM 1200**
KAURNA ILUA LIAISON COMMITTEE – EXPRESSIONS OF INTEREST

MOVED Councillor Palmer
SECONDED Councillor Salaman

That:

1. The report be received.
2. Council nominates Mayor Lachlan Clyne as a Local Government representative on the Kaurna Indigenous Land Use Agreement Liaison Committee.

CARRIED UNANIMOUSLY

ITEM 1201
COUNCIL ACTION RECORDS

MOVED Councillor Hudson
SECONDED Councillor Tipper

That:

1. The report be received.

CARRIED UNANIMOUSLY

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

ITEM 1202
CORRESPONDENCE

The correspondence from

- Vino Ristorante
- Senator Sarah Hanson-Young
- Australia Day Council of South Australia
- Australian Local Government Association
- Hon Stephen Mullighan MP
- Kids Helpline

be noted.

ITEM 1203
MAYOR'S REPORT

MOVED Councillor Hewitson
SECONDED Councillor Sangster

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 1204
DEPUTY MAYOR'S REPORT

MOVED Councillor Schnell
SECONDED Councillor Hewitson

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 1205
REPORTS OF MEMBERS

Items of Urgency, Particular Interest or Concern

Councillor Hewitson – advised Council that he is now a member of the Board of ACARA and would like to acknowledge the work of Council and the important role Local Government has in education.

Councillor Schnell – SALA event going back to Unley Road. Pleased to see Unley Road being favoured.

Councillor Palmer left the meeting at 9.05pm returning at 9.06pm during discussion on the above Item.

ITEM 1206**

NOTICE OF MOTION FROM COUNCILLOR HUDSON RE COST OF PRINTING

MOVED Councillor Hudson
SECONDED Councillor Sangster

That:

Council rescinds the budget item concerning the \$2 per page charge for the provision of agendas and minutes and, instead replaces that fee with a fee that is consistent with other photo copying / printing fees set by Council.

FORMAL MOTION

Moved Councillor Hewitson
Seconded Councillor Sangster

That the Motion be put.

Carried

The Motion was put and **CARRIED**

DIVISION

A Division was called and the previous decision set aside.

Those voting in the affirmative:

Councillors Palmer, Boisvert, Salaman, Hewitson, Hudson, Koumi, Hughes, Lapidge and Saies.

Those voting in the negative:

Councillors Schnell, Tipper and Sangster.

The MOTION was then declared **CARRIED**

ITEM 1207
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 1208

CONFIDENTIALITY MOTION FOR ITEM 1209 – DOMESTIC HEALTH ISSUE

MOVED Councillor Hewitson
SECONDED Councillor Schnell

That:

1. Pursuant to Section 90 (3)(a) 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 B Curtis, A/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 the proposed actions to resolve the severe domestic squalor issues at the property 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 the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

CARRIED UNANIMOUSLY

The doors to the Council Chambers were closed at 9.20pm.

ITEM 1209
DOMESTIC ENVIRONMENTAL HEALTH ISSUE

MOVED Councillor Lapidge
SECONDED Councillor Hughes

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 1210
CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – ITEM 1209 –
UPDATE ON DOMESTIC ENVIRONMENTAL HEALTH ISSUE

MOVED Councillor Schnell
SECONDED Councillor Salaman

That:

1. The report be received.
2. Pursuant to Section 90 (3)(d) of the *Local Government Act 1999*:

2.1 The

Report

remain confidential on the basis that the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), and

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

CARRIED UNANIMOUSLY

The doors to the Council Chambers were opened at 9.28pm.

ITEM 1211

CONFIDENTIALITY MOTION FOR ITEM 1212 – KERBSIDE WASTE AND RECYCLING TENDER

MOVED Councillor Schnell
SECONDED Councillor Palmer

That:

1. Pursuant to Section 90(2) and (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 B Curtis, A/General Manager Assets & Infrastructure
Mr 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 the Waste Contract, 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,

because, the provision of services to other parties, may confer a commercial advantage to a third party causing an unfair advantage and a higher price to be paid. Disclosure of this information would be contrary to the public interest.

CARRIED UNANIMOUSLY

The doors to the Council Chambers were closed at 9.28pm.

CONFIDENTIAL

ITEM 1212**

KERBSIDE WASTE AND RECYCLING COLLECTION TENDER

ITEM 1213
CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – ITEM 1212
KERBSIDE WASTE AND RECYCLING CONTRACT

MOVED Councillor Schnell
SECONDED Councillor Salaman

That:

1. The report be received.
2. Pursuant to Section 91(7) and (9) of the Local Government Act:

2.1 The

- Minutes
- Report
- Attachments

remain confidential on the basis that the information supplied could confer a commercial advantage on a third party, and

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

CARRIED UNANIMOUSLY

The doors to the Council Chambers were opened at 9.38 pm.

ITEM 1214
CONFIDENTIALITY MOTION FOR ITEM 1191 – CEO PERFORMANCE REVIEW
COMMITTEE MINUTES (ITEM 27)

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:

Mr P Tsokas, Chief Executive Officer
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

The doors to the Council Chambers were closed at 9.39 pm.

CONFIDENTIAL

ITEM 27**

CEO PERFORMANCE AND REMUNERATION REVIEW

Councillor Saies left the meeting at 9.39pm returning at 9.41pm during discussion on the above Item.

ITEM 1215

**CONFIDENTIALITY MOTION FOR ITEM 1191 TO REMAIN IN CONFIDENCE –
CEO PERFORMANCE REVIEW COMMITTEE MINUTES (ITEM 27)**

MOVED Councillor Schnell
SECONDED Councillor Tipper

That:

1. The report be received.
2. Pursuant to Section 91(7) and (9) of the Local Government Act:
 - 2.1 The
 - Minutes
 - Reportremain confidential on the basis that the information contained in this report details information concerning the personal affairs of an employee, and
 - 2.2 the minutes and report will be kept confidential until the item is revoked by the Chief Executive Officer

CARRIED UNANIMOUSLY

The doors to the Council Chambers were opened at 10.06pm.

NEXT MEETING

Monday 11 August – 7.00 pm.
Civic Centre, 181 Unley Road Unley.

CLOSURE

The Presiding Member closed the meeting at 10.07pm.

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PRESIDING MEMBER

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