

COUNCIL MEETING

**Minutes of the Corporation of the City of Unley
Held on Monday 12 August 2013 at 7.00pm
in the Civic Centre
181 Unley Road Unley**

PRESENT

His Worship the Mayor, Mr L Clyne (Presiding Member)
Councillors J Koumi M Hudson
R Sangster M Saies
J Boisvert D Palmer
A Lapidge
D Tipper B Schnell (Deputy Mayor)
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
Manager Governance & Risk, Ms R Wilson
Manager Property Assets, Mr A Johns
Recreation Planner, Ms J Andrews
Executive Assistant to 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, Senior Staff and the media to the 12 August 2013 meeting of the Unley City Council.

APOLOGIES:

Councillor Peter Hughes

CONFLICT OF INTEREST

Councillor Schnell advised that he had a conflict of interest in Item 851 and would leave the meeting when that Item was discussed.

CHANGE IN ORDER OF AGENDA ITEMS

The Presiding Member advised the Council that he thought the meeting would benefit from a change in the order of Agenda Items. Item 850 to be dealt with first, followed by Item 857 after the Deputation, then return to the Agenda as printed. This was agreed with a two thirds majority.

ITEM 847

CONFIRMATION OF MINUTES

MOVED Councillor Palmer
SECONDED Councillor Sangster

That the Minutes of the Council meeting held on Monday 22 July 2013, as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 850**DEFERRED ITEM 831 – REVIEW OF CONSULTATION AND DECISION MAKING
– KING WILLIAM ROAD PEDESTRIAN REFUGE**

MOVED Councillor Hewitson
SECONDED Councillor Salaman

That:

1. The report be received.
2. The Safety Audit and the correspondence from the RAA in relation to the safety of the proposed Refuge be received and noted.
3. A review be undertaken of existing consultation policies and processes to identify strategies for improvement.
4. The refuge be constructed in accordance with the decision of May 2012 (434/12)

Extension to Debating Time

MOVED Councillor Salaman
SECONDED Councillor Hudson

That Councillor Hewitson be given an extension to debating time.

Carried

POINT OF ORDER

Councillor Saies advised the Council that he was of the opinion that this particular motion was ultra vires of Council, and requested that this be recorded in the Minutes.

ADJOURNMENT

MOVED Councillor Boisvert
SECONDED Councillor Palmer

That the Item be adjourned until the Council meeting of 26 August 2013.

CARRIED

DEPUTATION

Mr John Gasper made a deputation to the Council, re the re-opening of Millswood Station.

ITEM 857

NOTICE OF MOTION FROM COUNCILLOR BOISVERT RE MILLSWOOD STATION

MOVED Councillor Boisvert
SECONDED Councillor Saies

That Council support the work of the recently formed Reopen Millswood Station Group in their endeavour to convince the government of the day that Millswood Station be reopened as soon as practicable.

CARRIED UNANIMOUSLY

ITEM 848

DEFERRED ITEM 789 AND ITEM 811 – NEW LEASE OF PART 1 TRIMMER TERRACE UNLEY TO STURT LAWN TENNIS CLUB

MOVED Councillor Hudson
SECONDED Councillor Palmer

That:

1. The report be received.
2. The Administration prepare and execute a lease agreement for Sturt Lawn Tennis Club Incorporated to conduct lawn tennis activities at Part 1 Trimmer Terrace, Unley, based upon the attached lease summary (Attachment 1 to Item 789/13 (Deferred Item 848)) AS AMENDED (Master Plan be removed and replaced with Concept Plan) and consistent with the standard lease document.

CARRIED UNANIMOUSLY

ITEM 849

DEFERRED ITEM 812 AND ITEM 790 – NEW LEASE OF PART 1 TRIMMER TERRACE UNLEY TO STURT BOWLING CLUB

MOVED Councillor Schnell
SECONDED Councillor Boisvert

That:

1. The report be received.
2. The Administration prepare and execute a lease agreement for Sturt Bowling Club Incorporated to conduct bowls activities at Part 1 Trimmer Terrace, Unley, based upon the attached lease summary (Attachment 1 to Item 790/13 (Deferred Item 849/13)) AS AMENDED (Master Plan be removed and replaced with Concept Plan) and consistent with the standard lease document.

CARRIED UNANIMOUSLY

ITEM 850

DEFERRED ITEM 831 – REVIEW OF CONSULTATION AND DECISION MAKING – KING WILLIAM ROAD PEDESTRIAN REFUGE

See Page 3 of these Minutes.

Councillor Schnell left the Chambers at 8.01pm declaring a conflict of interest in the following Item.

ITEM 851

MINUTES OF DEVELOPMENT STRATEGY AND POLICY COMMITTEE

MOVED Councillor Hewitson
SECONDED Councillor Lapidge

That:

1. Item 7
Post Consultation Review – Village Living and Desirable Neighbourhoods Development Plan Amendment – Main Road Corridor Mixed Use and Residential Vitalisation (Greenhill and Unley Roads) recommendation in the Minutes of the Development Strategy and Policy Committee of 17 July 2013, be received.

CARRIED

Councillor Boisvert left the meeting at 8.22pm returning at 8.24pm during discussion on the above Item.

Councillor Saies left the meeting at 8.30pm returning at 8.31pm.

Councillor Schnell returned to the Chamber at 8.31pm after debate on the above Item.

Councillors Hudson and Hewitson left the meeting at 8.31pm returning at 8.32pm.

Councillor Salaman left the meeting at 8.31pm returning at 8.33pm.

Councillor Palmer left the meeting at 8.32pm returning at 8.33pm.

ITEM 852

LEASE OF UNLEY OVAL TO STURT FOOTBALL CLUB FOR FOOTBALL TRAINING ACTIVITIES

MOVED Councillor Hewitson
SECONDED Councillor Boisvert

That:

1. The report be received.
2. The Administration prepares and executes a lease agreement for Sturt Football Club Incorporated to conduct football and associated activities at Part 1 Trimmer Terrace, Unley, with a lease fee of \$20,000 per annum (including GST).
3. The lease agreement is to be based upon the attached lease summary (Attachment 1 to Item 852/13) and consistent with the standard lease document.

CARRIED UNANIMOUSLY

ITEM 853
LEASE OF AREA 2 – 39 OXFORD TERRACE

MOVED Councillor Palmer
SECONDED Councillor Hudson

That:

1. The report be received.

CARRIED

ITEM 854
TRIAL OF TICKET PARKING MACHINES IN BOFFA STREET CAR PARK

MOVED Councillor Salaman
SECONDED Councillor Boisvert

That:

1. The report be received.
2. Installation of a ticket parking machine in the Boffa Street car park be supported for a twelve month trial.
3. A report be brought back to Council, not later than the end of the trial period, outlining the success or otherwise of the trial and recommending whether the machine remain there permanently.
4. Any costs associated with the trial be funded from the King William Road Car Parking Fund.

Councillor Koumi MOVED as an AMENDMENT, SECONDED Councillor Sangster,

That:

1. The report be received.
2. Installation of a ticket parking machine in the Boffa Street car park be supported for a twelve month trial.
3. A report be brought back to Council, not later than the end of the trial period, outlining the success or otherwise of the trial and recommending whether the machine remain there permanently.
4. Any costs associated with the trial be funded from the King William Road Car Parking Fund.

ITEM 854

TRIAL OF TICKET PARKING MACHINES IN BOFFA STREET CAR PARK –

Cont'd

5. Any funds received through the issuance of expiation notices through the trial period be paid into the King William Road Car Parking fund.

The AMENDMENT was put and **LOST**

The MOTION was then put and **CARRIED**

DIVISION

A Division was called and the previous recommendation put aside.

Those voting in the affirmative:

Councillors Tipper, Boisvert, Lapidge, Salaman, Schnell, Sangster, Palmer and Hewitson.

Those voting in the negative:

Councillors Saies, Koumi, and Hudson.

The MOTION was then declared **CARRIED**

Councillor Salaman tabled the attached documents regarding Parking Controls.

***ITEM 855**

PAY FOR USE PARKING POLICY AND PAID PARKING TRIAL

MOVED Councillor Schnell
SECONDED Councillor Tipper

That:

1. The report be received.
2. The Draft Pay for Use Parking Policy as outlined in Attachment 1 to Item 855/13 (as amended) be noted.
3. The local community in Wayville/Goodwood be consulted about the proposal.
4. A report summarising the community consultation be presented to Council.

Extension of Debating Time

MOVED Councillor Sangster,
SECONDED Councillor Salaman

That Councillor Schnell be given an extension to debating time.

Carried

CARRIED

DIVISION

A Division was called and the previous recommendation put aside.

Those voting in the affirmative:

Councillors Tipper, Saies, Boisvert, Lapidge, Koumi, Salaman, Schnell, Sangster, Palmer and Hewitson.

Those voting in the negative:

Councillor Hudson.

The MOTION was then declared **CARRIED**

(*denotes change)

ITEM 856
REVIEW OF DELEGATIONS

MOVED Councillor Hudson
SECONDED Councillor Boisvert

That:

1. The report be received.

CARRIED

MOVED Councillor Hewitson
SECONDED Councillor Koumi

That:

2. Having conducted a review of the Council's Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Council:

Revocations

- 2.1 Hereby revokes its previous delegations to the CEO of those powers and functions under the following:
 - 2.1.1 Community Titles Act 1996
 - 2.1.2 Dog & Cat Management Act 1995
 - 2.1.3 Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010
 - 2.1.4 Fences Act 1975
 - 2.1.5 Fire & Emergency Services Act 2005 and Fire & Emergency Services Regulations 2005
 - 2.1.6 Food Act 2001
 - 2.1.7 Freedom of Information Act 1991 and Freedom of Information (Fees & Charges) Regulations 2003
 - 2.1.8 Housing Improvement Act 1940
 - 2.1.9 Land & Business (Sale & Conveyancing) Act 1994
 - 2.1.10 Liquor Licensing Act 1997
 - 2.1.11 Natural Resources Management Act 2004 and Natural Resources Management (General) Regulations 2005
 - 2.1.12 Supported Residential Facilities Act 1992

CARRIED UNANIMOUSLY

MOVED Councillor Hewitson
SECONDED Councillor Koumi

That:

3. Delegations made under Local Government Act 1999

- 3.1 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 Attachments 1-12 (each of which is individually identified as indicated below) are hereby delegated this 22nd day of July 2013 to the person occupying the office of CEO subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.
- 3.1.1 Community Titles Act 1996
 - 3.1.2 Dog & Cat Management Act 1995
 - 3.1.3 Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010
 - 3.1.4 Fences Act 1975
 - 3.1.5 Fire & Emergency Services Act 2005 and Fire & Emergency Services Regulations 2005
 - 3.1.6 Food Act 2001
 - 3.1.7 Freedom of Information Act 1991 and Freedom of Information (Fees & Charges) Regulations 2003
 - 3.1.8 Housing Improvement Act 1940
 - 3.1.9 Land & Business (Sale & Conveyancing) Act 1994
 - 3.1.10 Liquor Licensing Act 1997
 - 3.1.11 Natural Resources Management Act 2004 and Natural Resources Management (General) Regulations 2005
 - 3.1.12 Supported Residential Facilities Act 1992
- 3.2 Such powers and functions may be further delegated by the CEO 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 857

NOTICE OF MOTION FROM COUNCILLOR BOISVERT RE MILLSWOOD STATION

See page 4 of these Minutes.

NEXT MEETING

Monday 26 August 2013 – 7.00 pm.

CLOSURE

The Presiding Member closed the meeting at 9.26pm.

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PRESIDING MEMBER

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