

## **COUNCIL MEETING**

**Minutes of the Corporation of the City of Unley  
Held on Monday 8 July 2013 at 7.00 pm  
in the Civic Centre  
181 Unley Road Unley**

### **PRESENT**

Mayor Lachlan Clyne (Presiding Member)	
Councillors J Koumi	M Hudson
R Sangster	M Saies
	D Palmer
A Lapidge	P Hughes
	R Schnell
	R Salaman

### **OFFICERS PRESENT**

A/Chief Executive Officer, Mr J Devine  
General Manager Economic Development & Planning, Mr D Litchfield  
General Manager Community, Ms M Berghuis  
A/General Manager People & Governance, Mr S Buley  
Manager Governance & Risk, Ms R Wilson  
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, members of the gallery and the media to the 8 July 2013 meeting of the Unley City Council.

**APOLOGIES:**

Councillor Boisvert  
Councillor Tipper  
Councillor Hewitson

**CONFLICT OF INTEREST**

None

**ITEM 810**

**CONFIRMATION OF MINUTES**

MOVED Councillor Hudson  
SECONDED Councillor Palmer

That:

1. The Minutes of the Council Meeting held on Monday 24 June 2013, as printed and circulated, be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**ITEM 811**

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

**PROCEDURAL MOTION**

MOVED Councillor Salaman  
SECONDED Councillor Hughes

That:

1. The Item be deferred to the August 2013 meeting of Council.

**CARRIED**

**ITEM 812**

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

**PROCEDURAL MOTION**

MOVED Councillor Hughes  
SECONDED Councillor Sangster

That:

1. The Item be deferred to the August 2013 meeting of Council.

**CARRIED**

The Mayor advised the Council, that he thought it would be of benefit to bring forward Item 817, Draft Unley Oval Precinct Master Plan, to enable the number of deputations to be heard. This was agreed with a two thirds majority.

**DEPUTATIONS**

Michael Gerrard, Sturt Lawn Tennis Club  
John Griffiths, Sturt Bowling Club  
David Reynolds, Sturt Football Club  
Andrew Watson, Sturt Cricket Club  
Greg McLeod, Unley Rotary Club

**SUSPENSION OF STANDING ORDERS**

The Presiding Member advised the Council he thought the meeting would benefit from a short term suspension of meeting procedures, for up to 30 minutes, to enable the Council to ask questions and have a discussion in relation to Item 817. This was supported with a two thirds majority.

The standing orders were suspended at 8.04pm.

Resumption of standing orders at 8.34pm.

**ITEM 817**

**DRAFT UNLEY OVAL PRECINCT MASTER PLAN**

MOVED Councillor Palmer  
SECONDED Councillor Lapidge

That:

1. The report be received.
2. The draft Unley Oval Precinct Master Plan be endorsed in principle.
3. A further report be presented to Council at the first available opportunity that clearly details the issues and cost implications surrounding the potential return of the Sturt District Cricket Club to the Unley Oval.
4. The next stage of the project to develop draft concept design and preliminary cost estimates be approved, but without designing and costing the cricket club component until further advised by Council.
5. A report be presented to Council in September 2013 seeking Council's endorsement of the draft concepts and preliminary cost estimates for further community consultation.

Councillor Saies MOVED as an AMENDMENT, SECONDED Councillor Hughes,  
that:

1. The report be received.
2. The redevelopment of the Unley Oval Precinct be endorsed in principle.
3. A further report be presented to Council at the first available opportunity that clearly details the issues and cost implications surrounding the potential return of the Sturt District Cricket Club to the Unley Oval.
4. The next stage of the project to develop draft concept design and preliminary cost estimates be approved, but without designing and costing the cricket club component until further advised by Council.
5. A report be presented to Council in September 2013 seeking Council's endorsement of the draft concepts and preliminary cost estimates for further community consultation.

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**ITEM 817**

**DRAFT UNLEY OVAL PRECINCT MASTER PLAN – cont'd**

**Extension of Debating Time**

Moved Councillor Salaman  
Seconded Councillor Lapidge

That Councillor Hughes be given an extension to debating time.

Carried

The AMENDMENT on being put was **CARRIED UNANIMOUSLY**

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

Councillor Salaman left the meeting at 9.14pm returning at 9.15pm during debate on the above Item.

Councillor Hudson left the Chambers at 9.20pm.

Councillor Hughes left the meeting at 9.21pm returning at 9.22pm.

**ITEM 813**

**REVIEW OF DELEGATIONS**

MOVED Councillor Schnell  
SECONDED Councillor Sangster

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

MOVED Councillor Schnell  
SECONDED Councillor Palmer

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 Chief Executive Officer of those powers and functions under the following:
  - 2.1.1 Expiation of Offences Act 1996
  - 2.1.2 Local Government Act 1934
  - 2.1.3 Local Government Act 1999
  - 2.1.4 Roads (Opening & Closing) Act 1991
  - 2.1.5 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 1999 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999
  - 2.1.6 Unclaimed Goods Act 1987

**CARRIED UNANIMOUSLY**

MOVED Councillor Schnell  
SECONDED Councillor Palmer

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 Appendices 2-8 (each of which is individually identified as indicated below) are hereby delegated this 8<sup>th</sup> day of July 2013 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.
  - 3.1.1 Expiation of Offences Act 1996 (Appendix 2)
  - 3.1.2 Local Government Act 1934 (Appendix 3)
  - 3.1.3 Local Government Act 1999 (Appendix 4)
  - 3.1.4 Roads (Opening and Closing) Act 1991 (Appendix 5)
  - 3.1.5 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 1999 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999 (Appendix 6)
  - 3.1.6 Unclaimed Goods Act 1987 (Appendix 8)
- 3.2 Such powers and functions may be further delegated by the 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**

MOVED Councillor Schnell  
SECONDED Councillor Palmer

That:

**4. Authorisations and Sub-delegation under the Road Traffic Act 1961**

- 4.1 In accordance with the Notice to the Council dated 27 April 2009 from the Minister for Transport ('the Minister's Notice'), the Council authorises the following officers to exercise, for, and on behalf of the Council, the power conferred on the Council pursuant to the following clauses of the Minister's Notice in relation to the *Road Traffic Act 1961*:

Clause A.1 - Traffic control devices

General Manager Economic Development & Planning  
General Manager Assets and Infrastructure  
Manager Public Realm and Integrated Movement  
Manager Operational Services  
Traffic Engineer  
Transport and Traffic Technical Officer  
Coordinator Civil Works  
Coordinator Open Space

Clause A.7 - Traffic impact statement

General Manager Economic Development & Planning  
Manager Public Realm & Integrated Movement  
Traffic Engineer  
Transport & Traffic Technical Officer;

Clause B.1 - Speed limits at works on roads

General Manager Economic Development & Planning  
General Manager Assets and Infrastructure  
Manager Public Realm and Integrated Movement  
Manager Operational Services  
Traffic Engineer  
Transport and Traffic Technical Officer  
Coordinator Civil Works  
Coordinator Open Space;

Clause C.1 – Traffic control devices signs at works on roads

General Manager Economic Development & Planning  
General Manager Assets and Infrastructure  
Manager Public Realm and Integrated Movement  
Manager Operational Services  
Traffic Engineer  
Transport and Traffic Technical Officer  
Coordinator Civil Works  
Coordinator Open Space;

Clause D.1 – Temporary Parking Controls

General Manager Economic Development & Planning

General Manager Assets and Infrastructure  
Manager Public Realm and Integrated Movement  
Manager Operational Services  
Traffic Engineer  
Transport and Traffic Technical Officer  
Coordinator Civil Works  
Coordinator Open Space;

Clause E.1 – Specific approval for installation of traffic control devices by another authority

General Manager Economic Development & Planning  
Manager Public Realm and Integrated Movement  
Traffic Engineer  
Transport and Traffic Technical Officer

subject to –

- (i) The conditions contained in the Minister's Notice, and
  - (ii) Where applicable the conditions contained within the 'Notice from the Commissioner of Highways for the Temporary use of Traffic Control Devices by persons other than Road Authorities' dated 8 April 2002, as amended from time to time
  - (iii) Any conditions contained in this Resolution or in such instrument, and
  - (iv) The creation of a separate instrument in writing reflecting such authorisations under the Minister's Notice and this Resolution.
- 4.2 The said instrument shall be in substantially the same form as the proposed instrument of authorisation annexed to the Council Report dated 8 July 2013 and entitled Review of Delegations and marked Appendix 7.
- 4.3 In exercise of the power contained in, and in accordance with, Clause F.1 of the Notice to the Council dated 27 April 2009 from the Minister for Transport ('the Minister's Notice'), the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause F of the Minister's Notice is hereby sub-delegated to the person occupying the office of Chief Executive Officer of the Council subject to:
- (i) The conditions contained in the Minister's Notice, and
  - (ii) Any conditions contained in this Resolution or in such instrument, and
  - (iii) The creation of a separate instrument in writing reflecting such sub-delegation under the Minister's Notice and this Resolution.
- 4.4 The said instrument shall be in substantially the same form as the proposed instrument of sub-delegation annexed to the Council Report dated 8 July 2013 and entitled Review of Delegations and marked Appendix 7.

**CARRIED UNANIMOUSLY**



**ITEM 814**

**DELEGATIONS – SOUTH AUSTRALIAN PUBLIC HEALTH (LEGIONELLA) REGULATIONS 2013 AND SOUTH AUSTRALIAN PUBLIC HEALTH (WASTEWATER) REGULATIONS 2013**

MOVED Councillor Schnell  
SECONDED Councillor Salaman

That:

1. The report be received.
2. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the South Australian Public Health (Legionella) Regulations 2013 and South Australian Public Health (Wastewater) Regulations 2013 and specified in the proposed Instrument of Delegation contained in Appendix 1 are hereby delegated this 8<sup>th</sup> day of July 2013 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.
3. Such powers and functions may be further delegated by the 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 815**

**WHERE BUSINESS MEETS YOUTH**

**PROCEDURAL MOTION**

MOVED Councillor Lapidge  
SECONDED Councillor Koumi

That:

1. The item be deferred to the 22 July meeting of Council to enable members of the Unley Youth Advisory Group to be present.

**CARRIED UNANIMOUSLY**

**ITEM 816**

**ANIMAL MANAGEMENT PLAN 2012-2016 YEAR 1 ANNUAL REPORT**

Ms Celine Luya, Manager Community Services, was available to answer questions of the Council.

MOVED Councillor Salaman  
SECONDED Councillor Sangster

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**NEXT MEETING**

Monday 22 July 2013, 7.00pm

**CLOSURE**

The Presiding Member closed the meeting at 9.44pm.

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**PRESIDING MEMBER**

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