

## MINUTES

**Minutes of the Corporation of the City of Unley  
Council Meeting  
Held Monday 27 November 2017 at 7pm  
Council Chambers  
181 Unley Road Unley**

# Council Minutes

### **PRESENT**

Deputy Mayor	Councillor D Palmer	A/Presiding Member
Councillors	R Sangster	M Rabbitt
	A Lapidge	P Hughes
	J Koumi	M Hudson
	B Schnell	L Smolucha
	R Salaman	M Hewitson
	J Boisvert	

### **OFFICERS PRESENT**

Chief Executive Officer, Mr P Tsokas  
General Manager Business Support & Improvement, Ms N Tinning  
General Manager City Services, Ms M Berghuis  
Director Strategic Projects, Mr D Litchfield  
Executive Manager Office of the CEO, Ms T Norman  
Principal Governance Officer, Ms D Van Wold  
Manager Finance & Procurement, Ms S Taylor  
Executive Assistant Office of the CEO, Ms L Jones  
Manager Transport & Traffic, Mr S Gandhi  
Manager Community Development, Ms M Smith  
Sport & Recreation Planner, Mr J Wilkinson  
Cultural Development Coordinator, Mr M Ives

### **ACKNOWLEDGEMENT**

The A/Presiding Member opened the meeting with the Kaurna 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 A/Presiding Member welcomed Members of Council, Senior Staff, Media and members of the gallery to the 27 November 2017, meeting of the Unley City Council.

## **APOLOGIES**

Mayor Lachlan Clyne – Leave of Absence

## **ITEM 1016** **CONFLICT OF INTEREST**

Councillor Salaman advised that he had a perceived conflict of interest in relation to confidential Item 1021, on the basis that the item would be presented to the CAP for decision at a future time, and advised he would manage the conflict by leaving the meeting and not participating in the debate in relation to that item at the time it is discussed.

## **ITEM 1017** **MINUTES – COUNCIL**

MOVED Councillor Rabbitt  
SECONDED Councillor Lapidge

That:

1. The minutes of the Council Meeting held on Monday 23 October 2017, as printed and circulated, be taken as read and signed as a correct record.

*Councillor Palmer, A/Presiding Member sought leave of the meeting to bring forward consideration of the items to which the deputations pertained in the order of the deputations, with Items 1028, 1021 and 1020 considered respectively. Leave was granted.*

**ITEM 1018****PETITION – RE WORKS IN SECOND AVENUE FORESTVILLE**

MOVED Councillor Smolucha  
SECONDED Councillor Sangster

That:

1. The petition be received.
2. The principal petitioner be advised that at the time the Petition was received, construction work on the rain garden at Second Avenue Forestville had been completed and that following a review of the communication process related to the project Council is satisfied that information was provided to relevant properties prior to the commencement of the project.

**CARRIED UNANIMOUSLY**

**ITEM 1019****DEPUTATIONS**

1. Mr Philip Alstin and Ms Alison Jokela – Goodwood.  
Re. impact of school community upon the wider community, ie building works, on-going maintenance leaf blowers, and the proposed school crossing.
2. Ms Wendy Stewart and Ms Lynda Simons – Dara School.  
Re. Item 1033, utilisation of premises currently leased by Kirinari at 18 Trimmer Terrace, Unley.
3. Dr Andrew Lothian – Unley.  
Re. Item 1028, Making Unley Road a Continuous Avenue of Trees.
4. Mr Craig Scott – on behalf of Goodwood Saints Football Club and Goodwood Cricket Club.  
Re. Item 1021, Goodwood Oval club rooms.
5. Ms Denise Tipper – Goodwood.  
Re. Item 1020, Almond Street Shared Zone.

**ITEM 1028\*\***

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

MOVED Councillor Hewitson  
SECONDED Councillor Hughes

That:

1. Council provide a report considering an estimate of the cost of planting trees down either or both sides of Unley Road, and provides an outline of the technical and other difficulties that need to be overcome. The report is to canvass a range of possibilities to plant trees in sections of the existing Footpaths and either the Road, or a new format for Unley Road. This work would include identifying individual tree planting opportunities as well as DPTI consultations.

*With leave of the meeting and consent of the seconder, Cr Hewitson varied his motion as follows:*

1. Council provide a report on the feasibility of planting trees on either or both sides of Unley Road.

**CARRIED UNANIMOUSLY**

**ITEM 1021**

**PRIORITY PROJECTS AT GOODWOOD OVAL AND MILLSWOOD SPORTING COMPLEX**

MOVED Councillor Boisvert  
SECONDED Councillor Smolucha

In accordance with his conflict of interest declaration Councillor Salaman left the Chamber at 8.06pm.

That:

1. The report be received.
2. The State Government offer of a grant of up to \$2.5m towards the construction of a new facility for the Goodwood Football and Cricket Clubs on Goodwood Oval be accepted, supported by financial contributions from the sporting clubs/SANFL of up to \$150,000 and a Council contribution of \$950,000 with the Chief Executive Officer authorised to enter into the necessary funding agreement with the State Government and any other agreement with funding contributors in order to deliver the project.
3. Community engagement on the proposed new facility on Goodwood Oval occur from January to March 2018, and a report be brought back to Council upon the completion of the engagement process.

4. \$40,000 be allocated towards the sports lighting upgrade at the Millswood Tennis Complex, and discussions continue with external funding partners to achieve this project. Subject to confirmation of a funding contribution from Tennis SA:
  - a. a development application for the project is to be submitted by the Administration; and
  - b. at the appropriate time in 2018, a grant funding application is to be submitted to the Office for Recreation & Sport for additional funds to enable delivery of this project.
5. \$260,000 be allocated towards the development of a new club building and surrounds at the Millswood Croquet Club and discussions continue with possible external funding partners before a commitment to proceed with this project is made.

*With the leave of the meeting and consent of the seconder, Councillor Boisvert varied her motion as follows:*

1. The report be received.
2. The State Government offer of a grant of up to \$2.5m towards the construction of a new facility for the Goodwood Football and Cricket Clubs on Goodwood Oval be accepted, supported by financial contributions from the sporting clubs/SANFL of up to \$150,000 and a Council contribution of \$950,000 with the Chief Executive Officer authorised to enter into the necessary funding agreement with the State Government and any other agreement with funding contributors in order to deliver the project.
3. The two-storey option proposed as the preferred option for the new facility on Goodwood Oval be endorsed, subject to discussions with the Office of Recreation and Sport and the sporting clubs, not proposing any major variations to the options.
4. Community engagement on the proposed new facility on Goodwood Oval occur from January to March 2018, and a report be brought back to Council upon the completion of the engagement process.
5. \$40,000 be allocated towards the sports lighting upgrade at the Millswood Tennis Complex, and discussions continue with external funding partners to achieve this project. Subject to confirmation of a funding contribution from Tennis SA:
  - a. a development application for the project is to be submitted by the Administration; and
  - b. at the appropriate time in 2018, a grant funding application is to be submitted to the Office for Recreation & Sport for additional funds to enable delivery of this project.

6. \$260,000 be allocated towards the development of a new club building and surrounds at the Millswood Croquet Club and discussions continue with possible external funding partners before a commitment to proceed with this project is made.

**CARRIED UNANIMOUSLY**

**ITEM 1020**

**ALMOND STREET GOODWOOD – SHARED ZONE**

*Councillor Hewitson left the Chamber at 8.21pm.*

*Councillor Salaman re-joined the meeting at 8.21pm*

*Councillor Hewitson re-joined the meeting at 8.21pm*

*Councillor Sangster left the Chamber at 8.23pm*

*Councillor Sangster re-joined the meeting at 8.25pm*

MOVED Councillor Smolucha  
SECONDED Councillor Koumi

That:

1. The report be received.
2. The creation of a shared zone in Almond Street is considered as part of the budget process for the 2018/19 financial year.
3. A budget provision of \$10,000 is considered at the second Budget Review in 2017/18 to allow the preparation of concept design works for a shared zone in Almond Street.

*With the leave of the meeting and consent of the seconder, Councillor Smolucha varied his motion as follows:*

1. The report be received.
2. The creation of a shared zone or street in Almond Street is considered as part of the budget process for the 2018/19 financial year.
3. A budget provision of \$10,000 is considered at the second Budget Review in 2017/18 to allow the preparation of concept design works for a shared zone or street in Almond Street.

**CARRIED**

**ITEM 1022****GOODWOOD COMMUNITY CENTRE PERFORMANCE REVIEW**

MOVED Councillor Schnell  
SECONDED Councillor Lapidge

That:

1. The report be received.
2. The renewal of Goodwood Community Services Inc. Lease Agreement for the management of Goodwood Community Centre for a further three years (expiry date 16 May 2021) in accordance with the terms of the current lease, be approved.
3. Further discussion occur with GCS to further align KPI requirements.

**CARRIED**

**ITEM 1023****MULTI-YEAR COMMUNITY IMPACT GRANTS PROGRAM**

MOVED Councillor Hughes  
SECONDED Councillor Hewitson

That:

1. The report be received.
2. Funding be awarded under the multi-year Community Impact Grants program annually for three years as follows:
  - \$6,000 per annum to the Unley Concert Band for the 2018-2020 Concert Series;
  - \$9,700 per annum to Access2Arts for a program of creative activities designed by and for adults with learning disability;
  - \$6,100 per annum to Sustainable Communities SA – Unley Group for a program to promote and encourage the community to grow more of its own food, in particular those groups who are marginalised and vulnerable in terms of nutrition;
  - \$9,820 per annum to Social Entrepreneurship and Education Design (SEED) for a half-day excursion enabling participants to meet and interact with successful entrepreneurs.
3. All applicants to the multi-year Community Impact Grants program be notified of the outcome of their application.
4. Individual agreements for the multi-year be prepared with the successful applicants and the Chief Executive Officer be delegated to sign the agreement on behalf of Council.

**CARRIED UNANIMOUSLY**

## **ITEM 1024**

### **COMMUNITY GRANTS PROGRAM – RECOMMENDATIONS FOR FUNDING**

MOVED Councillor Rabbitt

SECONDED Councillor Schnell

That:

1. The report be received.
2. Funding be awarded under Round 1 of the 2017/18 financial year for the Community Grants program as follows:
  - \$1,500 to Studio Flamenco for instruction by international artist, Angel Atienza, for the Studio's Youth Company and to other young emerging artists aged 10-25 years;
  - \$4,000 to Student Robotics Club of SA to develop student skills in all aspects associated with the building of a training/demonstration robot for use at outreach activities;
  - \$2,450 to The Caring Choir for assistance towards the fees for and attendance by the choir's musical director at regular practice and concerts;
  - \$3,200 to Bangladesh Club Australia for promotion of children's and young people's access to South Asia by developing their skills in cultural activities;
  - \$3,120 to Parkinson's SA for a 10 week exercise/education program with qualified instructors based on the PD Warrior model, an advanced exercise program that incorporates both physical and cognitive activity for people in the early stages of Parkinson's;
  - \$3,600 to Forestville Hockey Club for purchase of playing, coaching and fundraising equipment;
  - \$3,000 to Unley Physiotherapy for a display featuring the work and story of artists in Unley with disabilities;
  - \$1,000 to Unley United Soccer Club for purchase of equipment requiring renewal;
  - \$3,533.22 to Tornado Association Inc for purchase of new volleyball equipment to assist in the development of the Club's junior players;
  - \$1,500 to Scouts Australia – Mawson District for purchase of a kayak for coastal and sheltered waters use;
  - \$1,400 to Alternative 3 Inc for development of a rain garden using an existing pond site;
  - \$4,000 to Effective Living Centre for a series of parenting sessions for parents to address common issues experienced in raising children;
  - \$3,200 to Louise Place (Catholic Services) for an 8 week wellbeing program for current Louise Place residents with past residents acting as mentors;
  - \$2,760 to Gold Foundation for establishment of a Youth Group social program for 12-20 year olds in the Unley Council area with Asperger Syndrome.



3. All applicants to Round 1 of the 2017/18 financial year for the Community Grants Program be notified of the outcome of their application.

**CARRIED UNANIMOUSLY**

**ITEM 1025**

**FIRST QUARTER BUDGET REVIEW 2017-18**

MOVED Councillor Sangster  
SECONDED Councillor Hudson

*Councillor Smolucha left the Chamber at 9.23pm*  
*Councillor Boisvert left the Chamber at 9.24pm*

That:

1. The report, including Attachments 1 – 3 to Item 1025/17 be received.
2. The budget variations totalling \$680k (Attachments 2-3 to item 1025/17) from the First Quarter 2017-18 Budget Review be approved.
3. The revised budgeted Uniform Presentation of Finances reflecting a decrease to the Budgeted Operating Surplus from \$2.8m to \$2.2m, and an increase in Net Borrowing from \$1.8m to \$2.5m be adopted.

**CARRIED UNANIMOUSLY**

**ITEM 1026**

**BROWN HILL KESWICK CREEK REGIONAL SUBSIDIARY CHARTER**

*Councillor Smolucha re-joined the meeting at 9.26pm*  
*Councillor Boisvert re-joined the meeting at 9.26pm*

MOVED Councillor Rabbitt  
SECONDED Councillor Sangster

That:

1. The report be received.
2. As a partner in the delivery of the Brown Hill Keswick Creek (BHKC) Storm Water Management Plan approve the following recommendations of the Brown Hill Keswick Creek Project Steering Group regarding the draft Charter (Brown Hill Keswick Creek Regional Subsidiary).
  - 2.1 Approve the draft Charter (Brown Hill Keswick Creek Regional Subsidiary) as per Attachment 1 - Draft Brown Hill Keswick Creek Regional Subsidiary Charter, as recommended by the Brown Hill Keswick Creek Project Steering Group.

- 2.2 In conjunction with the catchment councils, (Cities of Burnside, Mitcham, Unley and West Torrens), make an application to The Honourable Geoff Brock, Minister for Local Government to establish the Regional Subsidiary (to be known as the Brown Hill Keswick Creek Stormwater Authority) as a separate body corporate in accordance with section 43 of and Schedule 2 (Parts 2 and 3) to the *Local Government Act 1999* ('the Act').
  - 2.3 Provide all necessary approvals and, as required, delegations to the Regional Subsidiary to exercise the powers, functions and responsibilities set out in its Charter as recognised and approved by Council in providing its approval to the Charter.
3. The Chief Executive Officer is delegated authority to do all things necessary to finalise and clarify items relating to the Draft Brown Hill Keswick Creek Regional Subsidiary Charter, namely;
  - 3.1 Ensure that the application to establish the Regional Subsidiary is in a form acceptable to the Minister and accompanied by the information required by the Minister;
  - 3.2 Liaise with the office of the Minister and the other proposed catchment councils for the purpose of making any necessary amendments to the draft Charter (which are not material in nature) for the purpose of satisfying any requirements of the Minister;
  - 3.3 Co-ordinate with the Chief Executive Officers of the other proposed catchment Councils to ensure publication of a copy of the Charter in the Gazette in conjunction with the Minister's notice of approval to the establishment of the Regional Subsidiary; and
  - 3.4 Notes that the Stormwater Management Authority has set 28 February 2018 as the date by which the Regional Subsidiary is to be established.

## DIVISION

A **DIVISION** was requested by Councillor Schnell and the previous vote was set aside.

*The following members responded to the Presiding Member's call as having voted **IN FAVOUR** of the **MOTION**:*

*Councillors Schnell, Smolucha, Boisvert, Salaman, Rabbit, Sangster, Hudson, Koumi, Hughes, Lapidge.*

*The following members responded to the Presiding Member's call as having voted **AGAINST** the **MOTION**:*

*Councillor Hewitson.*

The A/Presiding Member declared the **MOTION** was **CARRIED**

**ITEM 1027**  
**COUNCIL ACTION REPORT**

MOVED Councillor Boisvert  
SECONDED Councillor Hughes

That:

1. The report is noted.

**CARRIED UNANIMOUSLY**

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

Councillor Hudson asked a question in relation to the percentage of properties on Unley Road that have verandahs.

The Question was **TAKEN ON NOTICE.**

Councillor Schnell asked a question in relation to correspondence received regarding a request for Sister City relationship and the question was answered by the Chief Executive Officer.

Councillor Schnell asked a question in relation to responsibility for maintenance of land adjacent to the tramline and the question was answered by the General Manager City Development.

**ITEM 1029**  
**CORRESPONDENCE**

The correspondence from:

- The Hon John Rau MP, re Inner and Middle Metropolitan Corridor (Sites) Development Plan Amendment
- Mr MA Zhongyi re Expression of Interest to be Sister Cities with Xining City in China
- The Hon John Rau MP re consultation process for the Inner and Middle Metropolitan Corridor (Sites) Development Plan Amendment
- The Hon Darren Chester MP, Roads to Recovery

is noted.

**ITEM 1030**  
**MAYOR'S REPORT**

MOVED Councillor Rabbitt  
SECONDED Councillor Boisvert

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**ITEM 1031**  
**DEPUTY MAYOR'S REPORT**

MOVED Councillor Smolucha  
SECONDED Councillor Sangster

That:

1. The report be received.

**CARRIED UNANIMOUSLY**

**ITEM 1032**  
**REPORTS OF MEMBERS**

Council noted the attached reports from Members:

1. Councillor Michael Rabbitt.
2. Councillor Peter Hughes.
3. Councillor Bob Schnell.

**ITEM**  
**MOTIONS WITHOUT NOTICE**

Nil

**ITEM 1033**

**CONFIDENTIALITY MOTION FOR ITEM 1034 – KIRINARI SCHOOL**

MOVED Schnell

SECONDED Councillor Sangster

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:

Chief Executive Officer, Mr P Tsokas  
General Manager Business Support & Improvement, Ms N Tinning  
General Manager City Services, Ms M Berghuis  
Director Strategic Projects, Mr D Litchfield  
Executive Manager Office of the CEO, Ms T Norman  
Manager Finance & Procurement, Ms S Taylor  
Principal Governance Officer, Ms D Van Wold  
Executive Assistant Office of the CEO, Ms L Jones

on the basis that it will receive and consider a report on Kirinari School, and that the Council is satisfied that the requirement that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because the report contains:

- (a) Information the disclosure of which
  - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
  - (ii) would, on balance, be contrary to the public interest.

It would be in the best interest of Council to consider this matter in confidence.

**CARRIED UNANIMOUSLY**

The meeting moved into confidence and the doors to the Council Chambers were closed at 9.33pm.

**ITEM 1035**

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – ITEM 1034 –  
KIRINARI SCHOOL**

MOVED Councillor Schnell  
SECONDED Councillor Rabbitt

That:

1. The report be received.
2. Pursuant to Section 91(7) and (3)(a)(b) of the Local Government Act:

2.1 The

- ☒ Minutes
- ☒ Report
- ☒ Attachment

remain confidential on the basis that the information contained in this report could confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, and

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

2.3 Pursuant to Section 91(9)(c) of the Local Government Act 1999, the power to revoke the order under Section 91(7)(a) & (b) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

**CARRIED UNANIMOUSLY**

The meeting moved out of confidence and the doors to the Council Chamber were opened at 10.09pm.

**ITEM 1036**

**CONFIDENTIALITY MOTION FOR ITEM 1037 – UNLEY CENTRAL UPDATE**

MOVED Councillor Hewitson  
SECONDED Councillor Hudson

That:

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

Chief Executive Officer, Mr P Tsokas  
General Manager Business Support & Improvement, Ms N Tinning  
General Manager City Services, Ms M Berghuis  
Director Strategic Projects, Mr D Litchfield  
Executive Manager Office of the CEO, Ms T Norman  
Manager Finance & Procurement, Ms S Taylor  
Principal Governance Officer, Ms D Van Wold  
Executive Assistant Office of the CEO, Ms L Jones

on the basis that it will receive and consider the report on Unley Central, and that the Council is satisfied that the requirement that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because the report contains:

- (b) Information the disclosure of which
  - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
  - (ii) would, on balance, be contrary to the public interest.

It would be in the best interest of Council to consider this matter in confidence.

**CARRIED UNANIMOUSLY**

The meeting moved into confidence and the doors to the Council Chamber were closed at 10.10pm.

**ITEM 1038**

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – ITEM 1037 –  
UNLEY CENTRAL UPDATE**

MOVED Councillor Schnell  
SECONDED Councillor Smolucha

That:

1. The report be received.
2. Pursuant to Section 91(7) and (3)(a)(b) of the Local Government Act:
  - 2.1 The
    - ☒ Minutes
    - ☒ Reportremain confidential on the basis that the information contained in this report could confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, and
  - 2.2 the minutes and report will be kept confidential until the item is revoked by the Chief Executive Officer.
  - 2.3 Pursuant to Section 91(9)(c) of the Local Government Act 1999, the power to revoke the order under Section 91(7)(a) & (b) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

**CARRIED**

The meeting moved out of confidence and the doors to the Council Chambers were opened at 10.35pm.



## **NEXT MEETING**

Monday 11 December 2017 – 7.00pm.

## **CLOSURE**

The A/Presiding Member closed the meeting at 10.36pm.

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A/PRESIDING MEMBER

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