

COUNCIL MEETING

**Minutes of the Corporation of the City of Unley
held on
Monday 27 September 2010 at 7.02pm
in the Civic Centre
181 Unley Road Unley**

PRESENT

His Worship the Mayor, (Mr RE Thorne) Chairperson
Councillors MF Hudson, RL Salaman
L Clyne CR Sangster
AJ Lapidge, AJ Reed
LR Birch, JS Boisvert
RJ Schnell, DA Tipper
M Hewitson

OFFICERS PRESENT

Chief Executive Officer, Mr R Pincombe
Deputy Chief Executive Officer, Ms C Umapathysivam
A/General Manager City Services, Ms D Richardson
General Manager City Development, Mr P Tsokas
Manager Governance & Strategic Projects, Ms V Minenko
A/Executive Assistant CEO & Mayor, Ms C Gowland

OPENING

The Mayor opened the meeting with the Aboriginal acknowledgement and Prayer. 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 Mayor welcomed Members of Council, Senior Staff, Members of the Gallery and the media to the September 2010 meeting of the Unley City Council.

APOLOGIES

Councillor Rowe

PRESENTATION

Nil

Councillors Salaman and Hudson left the meeting at 7.05pm returning at 7.06pm, before confirmation of the minutes.

ITEM 736

CONFIRMATION OF MINUTES

MOVED Councillor Birch
SECONDED Councillor Lapidge

That the minutes of the Council meeting held on 23 August 2010, as printed and circulated, be taken as read and signed as a correct record.

CARRIED

DEPUTATIONS

The following people made a deputation to the Council:

Ms K Henderson – in relation to recognition of indigenous traditional custodians.

Mr R O'Brien – Chair of the Kurna Yerta Aboriginal Corporation.

Mr L O'Brien and Dr R Amery – Kurna Warra Pintyandi.

With the leave of the Council, the Mayor brought forward Item 751.

ITEM 751

**NOTICE OF MOTION FROM COUNCILLOR LAPIDGE RE KAURNA
ACKNOWLEDGEMENT**

MOVED Councillor Lapidge
SECONDED Councillor Boisvert

That:

1. The following wording will appear at the beginning of the agenda of all Council, Committee and Development Assessment Panel meetings:

"We would like to acknowledge this land we meet on today is the traditional lands for the Kaurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kaurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today."

2. The following to be read by the Presiding Member at the commencement of each Council, Committee and Development Assessment Panel meeting:

"Today/tonight we meet on the traditional lands of the Kaurna people and acknowledge their respect for the land."

EXTENSION OF DEBATING TIME

MOVED Councillor Clyne
SECONDED Councillor Lapidge

That Councillor Hudson be given an extension of debating time.

CARRIED

Councillor Sangster left the meeting at 8.40pm returning at 8.41pm during debate on the above Item.

The Motion was put and **LOST.**

ITEM 751

**NOTICE OF MOTION FROM COUNCILLOR LAPIDGE RE KAURNA
ACKNOWLEDGEMENT – cont'd**

DIVISION

A Division was called.

Those voting in the affirmative:

Councillors Boisvert, Birch, Lapidge and Tipper.

Those voting in the negative:

Councillors Hudson, Salaman, Clyne, Sangster, Reed, Schnell and
Hewitson.

The Mayor declared the **MOTION LOST**.

ITEM 738

**MINUTES OF CITY OF UNLEY ROAD SAFETY COMMITTEE MEETING HELD
WEDNESDAY 8 SEPTEMBER 2010**

MOVED Councillor Tipper

SECONDED Councillor Schnell

That:

1. The minutes of the City of Unley Road Safety Committee, held on Wednesday 8 September 2010, be received.
2. The recommendations listed under Items 97 – 99 inclusive, be adopted.

CARRIED UNANIMOUSLY

ITEM 739

**MINUTES OF CITY STRATEGY AND POLICY COMMITTEE MEETING HELD
ON 20 SEPTEMBER 2010**

MOVED Councillor Birch
SECONDED Councillor Hewitson

That:

1. The minutes of the City Strategy and Policy Committee Meeting held on Monday 20 September 2010, be received.
2. The recommendations listed under Items 356 - 363 inclusive, be adopted.

CARRIED UNANIMOUSLY

ITEM 740

**MINUTES OF UNLEY BUSINESS AND ECONOMIC DEVELOPMENT
COMMITTEE MEETING HELD ON 21 SEPTEMBER 2010**

MOVED Councillor Salaman
SECONDED Councillor Birch

1. The minutes of the Unley Business and Economic Development Committee Meeting held on Tuesday 21 September 2010, be received.
2. The recommendations listed under Items 80 – 82 inclusive, be adopted.

CARRIED

ITEM 741

MAYOR'S REPORT

MOVED Councillor Clyne
SECONDED Councillor Birch

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 742
REPORTS OF MEMBERS

Centennial Park Cemetery Authority

Councillor Sangster advised Members that the minutes of the previous meeting of Centennial Park had been received and copies forwarded to Members.

Councillor Reed left the meeting at 8.47pm returning at 8.50pm during discussion on the above Item.

Councillor Salaman left the meeting at 8.56pm returning at 8.57pm during discussion on the above Item.

ITEM 743
FUTURE SUSTAINABLE DEVELOPMENT OF THE BUILT ENVIRONMENT

MOVED Councillor Tipper
SECONDED Councillor Birch

That:

1. The report be received.
2. A budget allocation be considered in the 2011/12 budget process for a project to advise about sustainable design.

CARRIED UNANIMOUSLY

ITEM 744

NEIGHBOURHOOD DISPUTE RESOLUTION BILL 2010

MOVED Councillor Birch
SECONDED Councillor Lapidge

That:

1. The report be received.
2. The Council provide the attached (Attachment 2 to report 744/10) formal response to the Local Government Association supporting the proposed Bill by the 8 October 2010.

CARRIED UNANIMOUSLY

Councillor Hewitson left the meeting at 9.02pm returning at 9.04pm during debate on the above Item.

ITEM 745

2010 UNLEY COMPARATIVE PERFORMANCE MEASUREMENT RESULTS

MOVED Councillor Boisvert
SECONDED Councillor Reed

That:

1. The report be received.

CARRIED

ITEM 746

END OF MONTH FINANCIAL REPORT – AUGUST 2010

MOVED Councillor Schnell
SECONDED Councillor Sangster

That:

1. The report be received.

CARRIED

ITEM 747

CENTENNIAL PARK OPERATIONS COMPLEX PROPOSAL

With the agreement of the Council, this Item was deferred to the end of the meeting.

ITEM 748

QUESTIONS ON NOTICE FROM COUNCILLOR HUDSON RE GAP SALINITY

The following Questions on Notice have been received from Councillor Hudson and the answers are provided:

Questions

1. *Can Council be re-assured that the level of salinity in GAP water is sufficiently low to ensure that its continued use will not have an adverse accumulative effect?*

Answer:

In July 2009 the City of Unley engaged Turfwise Consulting to provide expert opinion as to the potential impacts of irrigation with GAP water on the turf and soils at Goodwood and Unley Ovals. This report together with the Recycled Water Management Plan (RWMP) provides assurance that concerns with the level of salt can be managed through controlled use of recycled water. The report and RWMP were tabled as Attachments 5 and 6 to the water supply for council reserves presented on the 21 September 2009.

2. *Has Council received legal assurances that GAP water will not be injurious to Unley's trees and grassed and vegetated areas?*

Answer:

It is understood that no legal assurance has been received, however, it is noted that SA Water has an obligation to supply recycled water at a quality that is defined as fit for "Unrestricted Municipal Use".

3. *What levels of salinity have been predicted in GAP water?*

Answer:

SA Water has provided test results for the Total Dissolved Solids from Feb 10 through to June 10. The readings varied between 930mg/L and 1000mg/L.

4. *Is any research material available on the potentially adverse effect of prolonged use of GAP water?*

Answer:

The GAP project has been in operation for a relatively short period of time. As such reports on its prolonged use are not readily available at this time. It is noted however that the report from Turfwise Consulting did investigate other areas where highly saline water is used on green spaces.

5. *Does the Council contract on this matter address the question(s) of salinity?*

Answer:

Legal documentation between SA Water and Department of Health and SA Water and Council require that the supply of recycled water cease if water quality standards associated with the licence are non complying.

6. *In the event of GAP water reaching an unacceptable level of salinity, what recourse is available to Council under the contract?*

Answer:

The current water supply agreements that all users of mains water have with SA Water does not guarantee a continuous supply. The GAP water may still be subject to the same interruptions due to breakdown, water quality or other issues.

The contract between SA Water and Council ensures availability to water is protected over the life of the contract. In particular, its minimum rights of supply will be until Council has recouped its investment through the savings associated with the use of recycled water.

7. *If necessary, will an unsatisfactory answer to any one of these questions be the basis of a report to Council as a matter of extreme urgency?*

Answer:

In the event of an unsatisfactory answer a report to Council can be produced at Council's request.

ITEM 749

QUESTION ON NOTICE FROM COUNCILLOR HEWITSON RE GAP WATER

The following Questions on Notice have been received from Councillor Hewitson and the answers are provided:

GAP Water

1. *Given the recent heavy rain and full storages will we be able to water our parks with mains water without restriction this summer if the GAP water is not installed this summer?*

Answer

Premier Rann announced on Sunday 29 August 2010 that Water Restrictions currently enforced in South Australia will be relaxed in most parts of the state to updated Permanent Water Conservation Measures (PWCM) on December 1, 2010. The Administration has been advised by the Water Conservation Coordinator of SA Water that the updated PWCM will be finalised and communicated to Councils prior to this date. The Administration has further been advised that the updated PWCM's are likely to allow greater flexibility in watering practices.

2. *If there are restrictions what are they?*

Answer

As outlined in the above answer, the Administration is yet to be advised to what extent the current water restrictions will be modified. The advise from SA Water is that as soon as the information is supplied to SA Water Council's will be notified of any change.

3. *Has the administration given instruction to our engineering staff to build at least one of the two GAP schemes ASAP so that we can benefit from the 75% trade off for the water we do not consume from the mains?*

Answer

SA Water have agreed in principle to manage the two pipeline legs separately and therefore we can lodge the drawings for the Unley leg now and lodge the drawings for the Goodwood leg when we have comments/approval from Australian Rail Track Corporation (ARTC) and TransAdelaide on the easements.

We can also proceed with the assembly of tender documents and the tender call for both legs using the draft documents with reasonable confidence that the drawings/specifications will be signed off by SA Water in due course. We would be able to proceed with the construction of Unley leg separately subject to receiving suitable tenders within budget for the whole project.

4. *Previous staff now left indicated that the Unley Oval scheme would be the one with the greatest return and the quicker build. Is this still the case?*

Answer

Yes.

Unley Oval has a high water use and its connection to GAP water is a high priority.

5. *When can we expect the first GAP water to flow onto our ovals and parks?*

Answer

Whilst we will have a more accurate timeframe when tenders have been received it is anticipated that the Unley leg could be well advanced by April 2011. Sections of this leg are now tied to the Glen Osmond Creek Project as the GAP pipeline will be installed in conjunction with the culvert installation. We will have access to a tanker refill point in Victoria Park during summer and this GAP water will be available at our GAP contract price.

ITEM 750

**QUESTION ON NOTICE FROM COUNCILLOR HEWITSON RE PLANNING
DPA3 AND 2**

The following Questions on Notice have been received from Councillor Hewitson and the answers are provided:

1. *What strategic plans are there for Unley and Greenhill Roads for high density development?*

Answer

Council's strategic plan entails protection of the majority of the heritage and character areas and the focussing of higher density development in suitable key precincts, and particularly the main road transit corridors, near public transport and existing services and facilities. Greenhill Road and Unley Road are prime corridors that lend themselves to higher density. To date, an urban design study has been undertaken of parts of Greenhill Road.

2. *I was phoned up by the Messenger paper to ask about the high-rise development detailed plans along Unley Road. Why are we negotiating with the State Government without a coherent plan of our own that has been endorsed and approved by Council?*

Answer

The Village Living and Desirable Neighbourhoods Development Plan Amendment (VL&DN DPA), endorsed by Council in 2008 with Stage 1 implemented in 2009, provides a coherent plan for accommodating growth and higher density development on Unley Road and other main road corridors. The State Government is keen to advance the policy change for key corridors particularly in the inner metropolitan area and Council is well placed with its work to continue the pursuit of the VL&DN DPA.

Council has sought a partnership arrangement with the Department of Planning and Local Government for their assistance to facilitate the earlier conclusion of the necessary investigations and new policy development of Council's DPA.

3. *Will we make public our planning to date to enable a coherent community discussion on the method of implementing State policy of increasing urban density close to the CBD?*

Answer

The concept of higher density development on the corridors has been available to the public via VL&DN DPA. There is no other plan that has been developed for any of the road corridors. We are currently exploring the implications of the State's growth targets and as the desired design of higher density development evolves, and the details of the policy approach is resolved by Council, public consultation will occur.

4. *Our admirable plans for the Keswick TOD have been discussed by the Elected Members, are they now available for public comment?*

Answer

The Keswick Barracks and Surrounds Urban Design Framework initial scoping report was received by Council in October 2009. Work has continued on an extended framework area and further investigations are currently concluding to address the broader State Government Keswick/Wayville TOD proposal. This is expected to be available for Council consideration in October 2010, when its status and basis for consultation can also be considered.

5. *Do we have a target date for our DPA2 and 3 being approved by Council and if so when is it?*

Answer

The VL&DN DPA 2 (Residential) and VL&DN DPA 3A (Unley and Greenhill Roads) drafts are anticipated at this time to be available for Council consideration in mid 2011.

ITEM 751
NOTICE OF MOTION FROM COUNCILLOR LAPIDGE RE KAURNA
ACKNOWLEDGEMENT

See Page 3 of the Council Minutes.

ITEM 752
UNRESOLVED ITEMS

Meeting Date	Item	Status
Council 27/10/08	Item 363 Notice of Motion from Councillor Hewitson re Sturt Football Club.	The question remain laid on the table.
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.	The Item lay on the table.

ITEM 753
CONFIDENTIALITY MOTION FOR CENTENNIAL PARK OPERATIONS
COMPLEX PROPOSAL

MOVED Councillor Salaman
SECONDED Councillor Hewitson

That:

1. The report be received.
2. Pursuant to sections 90(2) and 90(3)(d)(i) of the *Local Government Act 1999* the public be excluded, with the exception of the

Mr Ray Pincombe, Chief Executive Officer,
Ms Christine Umapathysivam, Deputy Chief Executive Officer,
Mr Peter Tsokas, General Manager City Development,

Ms Deb Richardson, A/General Manager City Services,
Ms Victoria Minenko, Manager Governance and Strategic Projects,
Ms Carol Gowland, A/Executive Assistant to CEO & Mayor,

on the basis that Council will receive and consider a report titled
“Centennial Park Operations Complex Proposal” (“the report”) 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
documents being considered 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, without losing its element
of confidentiality,

and

in weighing up the factors for and against the report, the public’s interest is
best served by not disclosing or discussing the report at this point in time.

CARRIED

Councillor Clyne left the meeting at 9.24pm during discussion on the above Item.

The doors to the Council Chamber were closed at 9.25pm.

Councillor Hudson left the meeting at 9.26pm returning at 9.27pm during
discussion on the above Item.

CONFIDENTIAL

ITEM 747

CENTENNIAL PARK OPERATIONS COMPLEX PROPOSAL

ITEM 754

**CENTENNIAL PARK OPERATIONS COMPLEX PROPOSAL – REMAIN IN
CONFIDENCE**

MOVED Councillor Schnell
SECONDED Councillor Boisvert

That:

1. The report be received.
2. Pursuant to sections 91(7) and 91(9) of the *Local Government Act 1999*:

2.1 The

- ☒ Report
- ☒ Attachments
- ☒ Minutes

For this report remain confidential on the basis that the information considered by the Council was provided on the basis that it remain confidential (Section 90 (3) (d)(i).

- 2.2 The report will be kept confidential until the order is revoked by the Chief Executive Officer.
- 2.3 A copy of the resolution be provided to the City of Mitcham and Centennial Park Cemetery Authority.

CARRIED

Doors to the Council Chamber opened at 9.52pm.

CLOSURE

The Mayor closed the meeting at 9.52pm.

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MAYOR

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