MINUTES

Minutes of the Corporation of the City of Unley
Council Meeting
Held Monday 12 September 2016 at 7.00 pm
Council Chambers
181 Unley Road Unley

PRESENT

Mayor L Clyne - Presiding Member
Councillors A Lapidge P Hughes
M Rabbitt (Deputy Mayor)
M Hewitson R Salaman
B Schnell L Smolucha
J Boisvert D Palmer
J Koumi M Hudson

OFFICERS PRESENT

Chief Executive Officer, Mr P Tsokas
General Manager Community, Ms M Berghuis
A/General Manager Economic & Development, Mr P Weymouth
General Manager Assets & Environment, Mr J Devine
Group Manager Business Support & Improvement, Ms N Tinning
Group Manager Governance, Ms R Wilson
Executive Assistant to CEO & Mayor Ms C Gowland
Manager Urban Design, Mr K Davis
Team Leader Community Centres, Ms R Cox
Sport & Recreation Planner, Mr J Wilkinson
Manager Property Assets, Mr A Johns
Manager Transportation & Traffic, Mr S Gandhi

ACKNOWLEDGEMENT

The 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 Presiding Member welcomed Members of Council, Senior Staff, Media and members of the gallery to the 12 September 2016, meeting of the Unley City Council.

APOLOGIES

Councillor R Sangster

ITEM 580
CONFLICT OF INTERESET

Nil

ITEM 581
CONFIRMATION OF MINUTES

MOVED Councillor Palmer
SECONDED Councillor Schnell

That:

The minutes of the Council Meeting held on Monday 22 August 2016, as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

(This is page 2 of the Council Minutes for 12 September 2016)
ITEM 582
PETITION RE ROAD CLOSURES

MOVED Councillor Smolucha
SECONDED Councillor Salaman

That:

1. The petition be received.
2. The principal petitioner be notified of Council’s proposed actions.

CARRIED UNANIMOUSLY

ITEM 583
DEPUTATIONS

The Presiding member advised that he would, with the agreement of Members, hear the 3 deputations regarding the Millswood Sporting Complex Detailed Design, and bring forward Item 584, and then hear the deputation regarding the Unley, Goodwood and Wayville Local Area Traffic Management. This was agreed with a two thirds majority.

Deputations regarding Millswood Sporting Complex Detailed Design:

Ms Jane Lewis
Vice President
Millswood Croquet Club Inc

Mr Nicholas Meiers
Millswood Bowling Club

Jutta Galbory
Resident of Millswood Crescent

Deputation regarding Petition and Unley, Goodwood and Wayville Local Area Traffic Management – LATM 1

Ms Heather Brown
Principal Petitioner
ITEM 584**
MILLSWOOD SPORTING COMPLEX DETAILED DESIGN

MOVED Councillor Hughes
SECONDED Councillor Palmer

That:

1. The report be received.

2. No further action be undertaken at this time regarding changes to the layout of the sports playing areas and recreation areas at Millswood Sporting Complex.

3. Commence negotiations with the Croquet and Bowling Clubs about building upgrades with the intention of gaining some agreement on opportunities for shared amenities and/or facilities.

4. Following these negotiations a report is presented back to Council that includes the option of commencing design work.

5. Discussions commence with user groups on funding contributions towards any upgrades.

6. The community and Clubs be advised of the Council’s decision.

Councillor Boisvert moved as an amendment seconded Councillor Salaman, that:

1. The report be received.

2. No further action be undertaken at this time regarding changes to the layout of the sports playing areas and recreation areas at Millswood Sporting Complex.

3. Commence negotiations with the Croquet and Bowling Clubs about building upgrades with the intention of gaining some agreement on opportunities for shared amenities and/or facilities.

4. Following these negotiations a report is presented back to Council that includes the option of commencing design work.

5. Discussions commence with user groups on funding contributions towards any upgrades.

6. The community and Clubs be advised of the Council’s decision.

7. Further discussion be facilitated between the Clubs regarding the shared use of the western green.
ITEM 584**
MILLSWOOD SPORTING COMPLEX DETAILED DESIGN – Cont’d

MOVED Councillor Koumi
SECONDED Councillor Lapidge

That this Item lay on the table until the 24 October 2016 meeting of the Council.

CARRIED

ITEM 583
DEPUTATION – Cont’d

Deputation regarding Petition and Unley, Goodwood and Wayville Local Area Traffic Management – LATM 1

Ms Heather Brown
Principal Petitioner

EXTENSION OF TIME

An extension of a further 2 minutes to enable the deputation to be completed was granted to Ms Brown, with a two thirds majority.

CHANGE TO ORDER OF AGENDA

The Presiding Member advised the Council that he thought the meeting would benefit from a change to the order of the Agenda, by bringing forward Item 586 – Unley, Goodwood and Wayville Local Area Traffic Management – LATM 1. This was agreed with a two thirds majority.

ITEM 585
HIRE OF COMMUNITY CENTRES AND TOWN HALL FEE DISCOUNT POLICY

See page 7 of these Minutes.

ITEM 586
UNLEY, GOODWOOD AND WAYVILLE LOCAL AREA TRAFFIC MANAGEMENT – LATM 1

CONFLICT OF INTEREST

Councillor Luke Smolucha advised the meeting that he had a perceived conflict of interest as he resided in Hardy Street and would leave the meeting. Councillor Smolucha left the meeting at 8.19pm.
ITEM 586
UNLEY, GOODWOOD AND WAYVILLE LOCAL AREA TRAFFIC MANAGEMENT
– LATM 1

MOVED Councillor Schnell
SECONDED Councillor Salaman

That:

1. The report be received.

2. The final LATM Plan for Unley, Goodwood and Wayville be noted and the High priority actions outlined in Attachment 2 to Item 586/16, be endorsed for implementation.

3. The Medium and Low priority actions outlined in Attachment 2 to Item 586/16 be considered as part of the budget process for the 2017/18 financial year.

4. The community be notified of the Council’s decision by direct mail-out to those originally consulted in the community, publicity in the Eastern Courier Messenger and on the Council Website.

Councillor Koumi MOVED as an AMENDMENT, SECONDED by Councillor Hughes, that:

1. The report be received.

2. The final LATM Plan for Unley, Goodwood and Wayville be noted and the High priority actions outlined in Attachment 2 to Item 586/16, be endorsed for implementation with the exclusion of the proposed treatment at Salisbury Street and Palmerston Road ($40,000).

3. The Medium and Low priority actions outlined in Attachment 2 to Item 586/16 be considered as part of the budget process for the 2017/18 financial year.

4. The community be notified of the Council’s decision by direct mail-out to those originally consulted in the community, publicity in the Eastern Courier Messenger and on the Council Website.

The AMENDMENT was put and LOST

The MOTION was put and CARRIED

Councillor Smolucha returned to the meeting at 8.37pm.

Councillor Boisvert left the meeting at 8.37pm.
**ITEM 585**

**HIRE OF COMMUNITY CENTRES AND TOWN HALL FEE DISCOUNT POLICY**

MOVED Councillor Rabbitt
SECONDED Councillor Palmer

That:

1. The report be received.

2. The Hire of Community Centre Policy (Attachment 1 to Item 585/16) and the Hire of Civic Centre and Town Hall Policy (Attachment 2 to Item 585/16) be revoked.

3. The Hire of Community Centres and Town Hall Fee Discount Policy (Attachment 3 to Item 585/16) be adopted.

**CARRIED UNANIMOUSLY**

**ITEM 586**

**UNLEY, GOODWOOD AND WAYVILLE LOCAL AREA TRAFFIC MANAGEMENT – LATM 1**

See page 6 of these Minutes

**ITEM 587**

**ISSUE OF NEW LICENCE TO B&M GLASS – PORTION OF CHARLES WALK**

MOVED Councillor Salaman
SECONDED Councillor Hewitson

That:

1. The report be received.

2. Council Administration undertake public consultation in accordance with Council’s Community Engagement and Public Consultation Policy, regarding issuing a new licence to B & M Glass.

   If no objections are received during the public consultation process regarding the issuing of the licence to B&M Glass, Administration proceed to issue a new licence to B&M Glass for a period of 5 years with the terms of the licence to be substantially the same as the licence issued in 2006. The Licence Fee however, be adjusted to the rental fee of $75 per annum (plus GST).
ITEM 587**
ISSUE OF NEW LICENCE TO B&M GLASS – PORTION OF CHARLES WALK – cont’d.

Councillor Schnell MOVED an AMENDMENT, SECONDED by Councillor Rabbitt, that:

1. The report be received.
2. Council Administration undertake public consultation in accordance with Council’s Community Engagement and Public Consultation Policy, regarding issuing a new licence to B & M Glass.

If no objections are received during the public consultation process regarding the issuing of the licence to B&M Glass, Administration proceed to issue a new licence to B&M Glass for a period of 5 years with the terms of the licence to be substantially the same as the licence issued in 2006. The Licence Fee however, be adjusted to the minimal rental fee of $750 per annum (plus GST) in accordance with Council’s Property Management Policy.

The AMENDMENT was put and LOST

The MOTION was put and CARRIED

DIVISION

A Division was called and the previous decision set aside.

Those voting in the affirmative:

Councillors Smolucha, Palmer, Boisvert, Salaman, Hewitson, Koumi, Hughes, Lapidge and Rabbitt.

Those voting in the negative:

Councillors Schnell and Hudson.

The MOTION was declared CARRIED

(This is page 8 of the Council Minutes for 12 September 2016)
ITEM 588
QUARTERLY PERFORMANCE REPORT

MOVED Councillor Palmer
SECONDED Councillor Salaman

That:

1. The report be received.

CARRIED UNANIMOUSLY

Councillor Salaman left the meeting at 8.55pm returning at 8.58pm during debate on
the above item.

ITEM 589
ANNUAL SUMMARY SECTION 270 INTERNAL REVIEW REQUESTS

MOVED Councillor Schnell
SECONDED Councillor Hewitson

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 590**
NOMINATIONS FOR LGA PRESIDENT AND BOARD

MOVED Councillor Lapidge
SECONDED Councillor Palmer

That:

1. The report be received.

CARRIED UNANIMOUSLY
ITEM 591
CONFIDENTIALITY MOTION FOR ITEM 592 – PROPERTY DEVELOPMENT PROJECT

MOVED Councillor Schnell
SECONDED Councillor Rabbitt

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:

   Mr P Tsokas, Chief Executive Officer
   Mr J Devine, General Manager Assets and Environment
   Ms M Berghuis, General Manager Community
   Ms N Tinning, Group Manager Business Support & Improvement
   Mr P Weymouth, Acting General Manager Economic Development & Planning
   Ms R Wilson, Group Manager Governance and Risk
   Ms C Gowland, Executive Assistant to CEO and Mayor
   Mr K Davis, Manager Urban Design

   on the basis that it will receive and consider the report on the Property Development Project 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:

   (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 doors to the Council Chambers were closed at 9.06pm.
ITEM 592
PROPERTY DEVELOPMENT PROJECT

MOVED Councillor Boisvert
SECONDED Councillor Lapidge

That:

1. The report be received.  

CARRIED UNANIMOUSLY

ITEM 593**
CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – ITEM 592 – PROPERTY DEVELOPMENT PROJECT

MOVED Councillor Salaman
SECONDED Councillor Hudson

That:

1. The report be received.

2. Pursuant to Section 91(7) and (3)(b) of the Local Government Act:

2.1 The Report

☑ Attachments

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, 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 9.18 pm.
ITEM 594
CONFIDENTIALITY MOTION FOR ITEM 595 – PROPERTY ACQUISITION

MOVED Councillor Schnell
SECONDED Councillor Smolucha

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:

   Mr P Tsokas, Chief Executive Officer
   Mr P Weymouth, A/General Manager Economic Development & Planning
   Mr J Devine, General Manager Assets and Environment
   Ms M Berghuis, General Manager Community
   Ms N Tinning, Group Manager Business Support & Improvement
   Ms R Wilson, Group Manager Governance and Risk
   Ms C Gowland, Executive Assistant to CEO and Mayor
   Mr K Davis, Manager Urban Design

   on the basis that it will receive and consider the report on the Acquisition of 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:

   (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 doors to the Council Chambers were closed at 9.19pm.
ITEM 596
CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – ITEM 595 – PROPERTY ACQUISITION

MOVED Councillor Schnell
SECONDED Councillor Lapidge

That:

1. The report be received.

2. Pursuant to Section 91(7) and (3)(b) of the Local Government Act:

   2.2 The

      ☑ Minutes
      ☑ Report
      ☑ Attachments

   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, 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 9.48pm.
NEXT MEETING

Monday 26 September 2016 – 7.00pm.

CLOSURE

The Presiding Member closed the meeting at 9.49pm.