MINUTES

Minutes of the Corporation of the City of Unley
Council Meeting
Held Monday 27 June 2016 at 7.00 pm

Council Chambers
181 Unley Road Unley

PRESENT

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

OFFICERS PRESENT

Chief Executive Officer, Mr P Tsokas
General Manager Economic & Development, Mr D Litchfield
General Manager Community, Ms M Berghuis
General Manager Assets & Environment, Mr J Devine
Group Manager Business Support & Improvement, Ms N Tinning
Group Manager Governance, Ms R Wilson
Finance Manager, Mr M Carey
Manager Transport & Traffic, Mr S Gandhi
Sport & Recreation Planner, Mr J Wilkinson
Executive Assistant to CEO & Mayor Ms C Gowland

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 27 June 2016, meeting of the Unley City Council.

APOLOGIES

Councillor J Koumi

ITEM 484
CONFLICT OF INTEREST

Nil

ITEM 485
CONFIRMATION OF MINUTES

MOVED Councillor Palmer
SECONDED Councillor Sangster

That:

The minutes of the Council Meeting held on Monday 23 May 2016, as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

DEFERRED / ADJOURNED ITEMS

Nil

PETITIONS

Nil

PRESENTATIONS

Nil

DEPUTATIONS

Nil
ITEM 486
AUDIT AND GOVERNANCE COMMITTEE

MOVED Councillor Rabbitt
SECONDED Councillor Sangster

That:

1. The minutes of the Audit and Governance Committee meeting held on Tuesday 24 May 2016, be received.

2. The recommendations listed under:

   Item 28
   Conflict of Interest

   Item 29
   Correspondence

   Item 30
   2016-17 Draft Annual Business Plan and Budget

   Item 31
   Procurement Savings Identified

   Item 32
   Confidentiality Motions for Item 33 – Centennial Park Cemetery Authority – Future Upkeep Fund

   Item 34**
   Confidentiality Motions to Remain in Confidence 33 – Centennial Park Cemetery Authority – Future Upkeep Fund

inclusive, be adopted.

CARRIED UNANIMOUSLY
ITEM 487
UNLEY BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

MOVED Councillor Lapidge
SECONDED Councillor Palmer

That:

1. The Minutes of the Unley Business and Economic Development Committee meeting held on Wednesday 1 June 2016, be received:

2. The recommendations listed under:

   Item 23
   Association Coordinators’ Quarterly Reports for the Period Ending 31 March 2016

   be adopted and

   Item 24
   UBED Strategic Plan

   be deferred until the Council meeting to be held on 25 July 2016.

   CARRIED UNANIMOUSLY
ITEM 488
INFRASTRUCTURE AND SUSTAINABILITY COMMITTEE

MOVED Councillor Hewitson
SECONDED Councillor Hughes

That:

1. The minutes of the Infrastructure and Sustainability Committee meeting held on Tuesday 7 June 2016, be received.

2. The recommendations listed under:

   Item 25
   Infrastructure and Sustainability Committee Action Records

   Item 26
   Greening our Verges

   Item 27
   Tree Ecosystem Services Assessment, Ridge Park

   inclusive, be adopted.

   CARRIED UNANIMOUSLY

ITEM 489

This Item was withdrawn by the Chief Executive Officer.
ITEM 490
RUGBY/PORTER STREETS BIKEWAY – DESIGN AND COMMUNITY ENGAGEMENT

Mr Peter Flood, Consultant from Wallbridge & Gilbert was in attendance to answer any questions of Members.

MOVED Councillor Hewitson
SECONDED Councillor Hughes

That:

1. The report be received.
2. Concept designs outlined in Attachment 1 to Item 490/16 be endorsed.
3. Community engagement be undertaken on the matter and a funding application be made to DPTI for co-contribution towards the project.
4. If there is significant opposition to any proposed changes, further guidance be sought from Council.

CARRIED

DIVISION

A Division was called and the previous decision set aside.

Those voting in the affirmative:

Councillors Smolucha, Hudson, Palmer, Hughes, Lapidge, Sangster and Rabbitt

Those voting in the negative:

Councillors Schnell, Boisvert, Salaman and Hudson.

The MOTION was declared CARRIED

Councillor Hewitson left the meeting at 7.40pm returning at 7.41pm after discussion on this Item.
ITEM 491
REVOCATION OF COMMUNITY LAND CLASSIFICATION, PART 168 UNLEY ROAD

MOVED Councillor Schnell
SECONDED Councillor Boisvert

That:

1. This report, and the letter received from the Department of Planning, Transport and Infrastructure dated 24 May 2016, approving the Council’s proposal to revoke the community land classification over a portion of 168 Unley Road, Unley (Allotment 1000 in DP 58810, being a portion of Certificate of Title volume 5880 folio 539) (the Land) be received.

2. Pursuant to sections 194(1) and 194(3)(b) of the Local Government Act 1999, Council hereby resolve to revoke the classification of the Land, as community land.

3. The CEO give notice of the revocation of the classification of the land as community land to the Registrar-General in accordance with Section 195(2) of the Local Government Act 1999.

4. The CEO publish a notice of the revocation in the Eastern Courier Messenger.

5. The confidentiality provisions relating to those sections of previous reports 356/2015 and 428/2016 that deal with matters other than the revocation remain at this time, but the provisions be removed for the balance of those reports.

CARRIED UNANIMOUSLY
ITEM 492
FUTURE GRANDSTAND UPGRADES AT UNLEY OVAL – STURT FOOTBALL CLUB PROPOSAL

Mr David Reynolds from the Sturt Football Club was available to answer any questions of Members.

MOVED Councillor Palmer
SECONDED Councillor Sangster

That:

1. The report be received.

2. The reduced space requirements for the Sturt Football Club are acknowledged, and the Sturt Football Club Option 2 proposal (Attachment 1 to Item 492/16 now becomes the Council preferred redevelopment option for Unley Oval.

3. Discussions continue with external funding bodies on this option.

4. Information be placed on Council’s website and in the Unley Life column of the Eastern Courier messenger, which will include the Sturt Football Club proposal, a summary of this report and the outcomes of Council’s decision.

Councillor Boisvert MOVED an AMENDMENT, SECONDED Councillor Salaman, that:

1. The report be received.

2. The reduced space requirements for the Sturt Football Club are acknowledged, and the Sturt Football Club Option 2 proposal (Attachment 1 to Item 492/16 now becomes the Council preferred redevelopment option for Unley Oval.

3. Discussions continue with external funding bodies on this option.

4. Information be placed on Council’s website and in the Unley Life column of the Eastern Courier messenger, which will include the Sturt Football Club proposal, a summary of this report and the outcomes of Council’s decision.

5. Council’s share of funding should be no greater than 1/3 of the total costs.

The AMENDMENT was put and LOST

The original MOTION was put and CARRIED

Councillor Smolucha left the meeting at 7.53pm returning at 7.56pm during discussion on the above Item.
CHANGE TO ORDER OF AGENDA

The Presiding Member advised the Council that he would like to change the order of Items in the Agenda to enable the CEO of Centennial Park Cemetery Authority to speak to the confidential items.
It was requested that Items 512, 513, 514 and Items 509, 510 and 511 be brought forward.
This was agreed with a two thirds majority.

ITEM 512
CONFIDENTIALITY MOTION FOR ITEM 513 – CENTENNIAL PARK CEMETERY AUTHORITY OPERATING BUDGET

MOVED Councillor Palmer
SECONDED Councillor Hughes

That:

1. Pursuant to Section 90(2) and 90(3)(d) 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
   Ms M Berghuis, General Manager Community
   Mr J Devine, General Manager Assets and Infrastructure
   Mr D Litchfield, General Manager Economic Development and Planning
   Ms R Wilson, Group Manager Governance
   Ms N Tinning, Group Manager Business Support and Improvement
   Mr M Carey, Manager Finance
   Ms C Gowland, Executive Assistant to CEO and Mayor
   Ms J Miller, Chief Executive, Centennial Park Cemetery Authority

   on the basis that it will receive and consider the report and attachments on the Centennial Park Cemetery Authority’s Operating Budget 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 on the grounds that they contain:

   (d) commercial information of a confidential nature (not being a trade secret)
   the disclosure of which –

   (i) 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; and

   (ii) would, on balance, be contrary to the public interest.

CARRIED UNANIMOUSLY

The doors to the Council Chambers were closed at 8.05pm.
This page is deliberately left blank.
ITEM 514
CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – ITEM 513 – CENTENNIAL PARK CEMETERY AUTHORITY OPERATING BUDGET

MOVED Councillor Boisvert
SECONDED Councillor Rabbitt

That:

1. The report be received.

2. Pursuant to Section 91(7) and (9) of the Local Government Act:

   2.1 The

      ☑ Minutes

      ☑ Report

      ☑ Attachment

      remain confidential on the basis that the information supplied is commercial in confidence and disclosure of which may confer a commercial advantage on a third party; and would on balance be contrary to the public interest.

   2.2 The Minutes, Report and Attachments be kept confidential until the item is revoked by the Chief Executive Officer.

        CARRIED UNANIMOUSLY

The doors to the Council Chambers were opened at 9.13pm.

CHANGE TO ORDER OF AGENDA

The Presiding Member advised Members he would like to put Items 509, 510 and 511 back in the normal order of the Agenda.

This was agreed with a two thirds majority.

ADJOURNMENT

The Presiding Member adjourned the meeting at 9.14pm and the meeting reconvened with all Members at 9.17pm.
ITEM 493
GREENING OPPORTUNITIES – LEADER STREET STREETSCAPE PROJECT

MOVED Councillor Schnell
SECONDED Councillor Sangster

That:

1. The report be received.

2. The Leader Street Streetscape design includes the removal of 10 car parking spaces to incorporate the installation of raingardens.

CARRIED UNANIMOUSLY
ITEM 494
2016-17 ANNUAL BUSINESS PLAN AND BUDGET ADOPTION

MOVED Councillor Rabbitt
SECONDED Councillor Hughes

That:

1. The report be received.

2. That the following formal resolutions 1 to 7 be adopted separately and in the following order:

   1. Adoption of the 2016-17 Annual Business Plan and Budget.
   2. Adoption of Valuations.
   3. Declaration of General Rates.
   4. Minimum Amount (General Rates)
   5. Maximum Increase (General Rates)
   6. Declaration of Separate Rates.
   7. Payment of Rates.

   CARRIED

2.1 Adoption of the 2016-17 Annual Business Plan and Budget

MOVED Councillor Rabbitt
SECONDED Councillor Hughes

(a) That pursuant to the provisions of Section 123 of the Local Government Act 1999 and regulations 6 and 7 of the Local Government (Financial Management) Regulations 2011 and having considered all prescribed matters as per Attachment 1 to Item 494/16 – the Council adopts, firstly, the 2016-17 Annual Business Plan and secondly, the 2016-17 Budget.

Attachment 1

CARRIED

2.2 Adoption of Valuations

MOVED Councillor Salaman
SECONDED Councillor Palmer

That in accordance with Section 167(2)(a) of the Local Government Act 1999, the capital values provided by the Valuer-General for rating purposes in relation to the Council area and totalled below, be adopted for the year ending 30 June 2017.

(This is page 14 of the Council Minutes for 27 June 2016)
Rateable Assessed Capital Values $12,694,531,590
Non Rateable $325,150,970
Total Assessed Capital Value as reconciled with the Valuer-General at 5 June 2016 $13,019,682,560

CARRIED UNANIMOUSLY

2.3 Declaration of General Rates

MOVED Councillor Palmer
SECONDED Councillor Hewitson

That for the year ending 30 June 2017 the Council declares differential general rates, based on the capital value of the rateable land subject to the rate and varying according to the use of the land, pursuant to Sections 153 (1)(b) and 156(1)(a) of the Local Government Act, 1999 and regulation 14(1) of the Local Government (General) Regulations 2013 and otherwise resolves as follows:

(a) In respect to land with a land use of Residential, a differential general rate in the dollar of 0.002586.
(b) In respect to land with a land use of Commercial Shop, Industry Light, Industry – Other, Primary Production, Vacant Land or Other, a differential general rate in the dollar of 0.005101.
(c) In respect to land with a land use of Commercial Office or Commercial Other, a differential general rate in the dollar of 0.006043.

Councillor Boisvert MOVED as an AMENDMENT, SECONDED Councillor Schnell:

That for the year ending the 30 June 2017 the Council declares differential general rates, based on the capital value of the rateable land subject to the rate and the varying according to the use of to land, pursuant to Sections 153 (1)(b) and 156 (1)(a) of the Local Government Act, 1999 and regulation 14(1) of the Local Government (General) Regulations 2013 and otherwise resolves as follows:

(a) In respect of the land with the land use of Residential, a differential rate the dollar of 0.002599.
(b) In respect to the land with a land use of Commercial Shop, Industry Light, Industry – Other, Primary Production, Vacant Land or Other, a differential general rate in the dollar of 0.005125.
(c) In respect to the land with a land use of Commercial Office or Commercial Other, a differential general rate in the dollar of 0.006072.

(This is page 15 of the Council Minutes for 27 June 2016)
(d) The Chief Executive Officer is authorised to make any necessary changes to the 2016 – 17 Annual Business Plan and Budget to reflect this rating decision of Council.

EXTENSION TO DEBATING TIME

Councillor Schnell requested an extension to debating time for an additional 2 minutes. This was agreed with a two thirds majority.

The AMENDMENT was put and LOST

DIVISION

A Division was called and the previous decision set aside.

Those voting in the affirmative:

Councillors Schnell, Boisvert, Salaman and Hudson

Those voting in the negative:

Councillors Smolucha, Hewitson, Palmer, Hughes, Lapidge, Sangster and Rabbitt

The AMENDMENT was declared LOST

The original MOTION was put and declared CARRIED

DIVISION

A Division was called and the previous decision set aside.

Those voting in the affirmative:

Councillors Smolucha, Salaman, Hewitson, Palmer, Hughes, Lapidge, Sangster and Rabbitt

Those voting in the negative:

Councillors Schnell, Boisvert and Hudson

The MOTION was declared CARRIED
2.4 Minimum Amount (General Rates)

MOVED Councillor Salaman
SECONDED Councillor Schnell

That for the year ending 30 June 2017 a minimum amount of $758 shall be payable by way of general rates on each piece of rateable land within the whole of the Council area is fixed, pursuant to Section 158(1)(a) of the Local Government Act 1999.

CARRIED UNANIMOUSLY

2.5 Maximum Increase (General Rates)

MOVED Councillor Sangster
SECONDED Councillor Smolucha

That for the year ending 30 June 2017 pursuant to Section 153(3) of the Local Government Act 1999 the Council will not fix a maximum increase in the general rate to be charged on any rateable land that constitutes the principal place of residence of a principal ratepayer.

CARRIED UNANIMOUSLY

2.6 Declaration of Separate Rates

That for the year ending 30 June 2017 the Council declares differential separate rates, based on the capital value of the rateable land subject to the rate and varying according to the use of the land, pursuant to Sections 154 and 156(1)(a) of the Local Government Act, 1999 and regulation 14(1) of the Local Government (General) Regulations 2013 and otherwise individually resolves as follows:

MOVED Councillor Hughes
SECONDED Councillor Hudson

(a) A rate in the dollar of 0.00009396 on all land within the area of the Adelaide and Mount Lofty Ranges Natural Resources Management Board to reimburse the Council the amount contributed to the Board totalling $1,175,788 in accordance with Section 95 of the Natural Resources Management Act 2004.

CARRIED
MOVED Councillor Palmer  
SECONDED Councillor Smolucha

(b) A rate in the dollar of 0.0003788 on land with a land use of Commercial Shop, Commercial Office and Commercial Other, with addresses along the entirety of Unley Road, to raise $107 700 for use by the Unley Road Association Inc. to fund a marketing program for the financial year ending 30 June 2017.

CARRIED UNANIMOUSLY

MOVED Councillor Palmer  
SECONDED Councillor Schnell

(c) A rate in the dollar of 0.001438 on land with a land use of Commercial Shop, Commercial Office and Commercial Other, with addresses along Goodwood Road between Leader Street / Parsons Street to the north and Mitchell Street / Arundel Avenue to the south, to raise $51 500 for use by the Goodwood Road Business Association to fund a marketing program for the financial year ending 30 June 2017.

CARRIED UNANIMOUSLY

MOVED Councillor Boisvert  
SECONDED Councillor Salaman

(d) A rate in the dollar of 0.001982 on land with a land use of Commercial Shop with addresses along King William Road between Greenhill Road and Commercial Road, to raise $141 000 for use by the King William Road Traders' Association Inc to fund a marketing program for the financial year ending 30 June 2017.

CARRIED

MOVED Councillor Palmer  
SECONDED Councillor Salaman

(e) A rate in the dollar of 0.0008287 on land with a land use of Commercial Shop with addresses along the western side of Glen Osmond Road (between Greenhill Road and Katherine Street), to raise $14 300 for use by the Glen Osmond Road Precinct Association Inc. to fund a marketing program for the financial year ending 30 June 2017.

CARRIED
MOVED Councillor Hughes
SECONDED Councillor Sangster

(f) A rate based upon a fixed charge of $250 on land with a land use of Commercial Shop, Commercial Office and Commercial Other with addresses along Fullarton Road situated between Cross Road and Fisher Street to raise $13 250 for use by the Fullarton Road South Traders Association Inc. to fund a marketing program for the financial year ending 30 June 2017.

CARRIED UNANIMOUSLY

2.7 Payment of Rates

MOVED Councillor Palmer
SECONDED Councillor Schnell

That for the fiscal year ending 30 June 2017, all rates declared and imposed shall, pursuant to Section 181(1) and 181(2) and subject to Section 181(4)(b) of the Local Government Act, 1999, fall due in a single instalment on 1 September 2016 or four equal or approximately equal instalments on 1 September 2016, 1 December 2016, 1 March 2017 and 1 June 2017.

CARRIED UNANIMOUSLY

ITEM 495
2016-17 FEES AND CHARGES SCHEDULE

MOVED Councillor Hughes
SECONDED Councillor Smolucha

That:

1. The report be received.

2. The schedule of fees and charges referred to in Attachment 1 of Item 495/16 for the 2016-17 financial year be approved to take effect from 1 July 2016, or until varied.

3. Council notes that the statutory fees will be included on the schedule of fees and charges available for public inspection subsequent to being gazetted.

CARRIED UNANIMOUSLY

Councillor Boisvert left the meeting at 10.06pm returning at 10.08pm after discussion on the above Item.

(This is page 19 of the Council Minutes for 27 June 2016)
ITEM 496
VARIATION TO OPERATING HOURS

MOVED Councillor Hughes
SECONDED Councillor Rabbitt

That

1. The report be received.  

CARRIED UNANIMOUSLY

ITEM 497
COUNCIL ACTION RECORDS

MOVED Councillor Smolucha
SECONDED Councillor Boisvert

That:

1. The report be received.  

CARRIED UNANIMOUSLY

ITEM 498
QUESTIONS ON NOTICE – COUNCILLOR PALMER RE NRM LEVY, COMMUNITY HOUSING COST SHIFTING AND LITTER CONTROL ACT

Councillor Palmer has asked the following Questions on Notice for the Council meeting on 27 June 2016, and the answers are provided.

NRM Levy
Background

I learnt at the recent LGA Elected Members Forum that the Government collects the full 100% of the levy from all rate payers whether or not they default with us. This infers that we subsidise the Government in the collection of this Levy.

Questions

1. Is this correct?

Answer

Yes, although it is considered that no subsidy would arise.
Currently, the due dates for payment of rates, including the NRM levy by ratepayers is prior to the due dates for payment of the levy by Council.

In the event of a late payment, the ratepayer is charged a fine (2% of the instalment amount owing) and then ongoing monthly interest charges. The 2015-16 annual prescribed interest charge of 7.25% is calculated as a 3% margin over and above the LGFA cash advance debenture rate as at 1 July). As such, the fines and interest charged on a late payment are higher than any interest cost incurred by Council for the delay in receiving payment.

In addition, as with rate charges, NRM levy amounts are secured over the property and therefore it is virtually certain that Council will recover the relevant charges including the levy over time. We are not aware of having to write off any rates or levies in recent history.

Further, if there is an adjustment to the NRM rates collected as a result of objections or in the unlikely event of default, the amount raised for the next year would be adjusted accordingly to cover the amount not collected.

2. If it is correct do we have records over the last 3 years we may have paid them that we, in turn, have been unable to collect?

Answer

There are no records to indicate that we have been unable to collect.

3. Has the Government been made aware of how much we have subsidized the levy?

Answer

As discussed above, no subsidy has arisen in recent years.

Community Housing Cost shifting

Background

As we all know we will not be able to collect rates on current SAHT properties once their ownership falls into the hands of private providers such as Anglicare etc.

Questions

1. Have we calculated the potential fall in revenue that will potentially result from this and the negative impact on our budget?

Answer

Yes. The amount of rates collected from SA Housing Trust properties for 2015-16 is $409k for 488 Assessments. If a 75% rebate was applied being the mandatory
rebate for registered housing associations that provide supported accommodation (commonly referred to as Community Housing) this would result in a negative impact on rate income in the order of $307k.

2. Are councils able to take on the function of community housing and if they are, is this something admin would consider being worth exploring?

Answer

 Provision of Community Housing is not a traditional role of local government. Further information and extensive analysis outlining cost benefit and feasibility would need to be considered in order to determine if this is a recommended future function/service for Council to pursue.

Local Nuisance & Litter Control Act

Background

This legislation was given Royal Assent on May 27 this year. As I read it we are going to be responsible for all nuisance including such things as noise unless the entity is licences by the EPA and/or has environmental significance.

Question

1. Have we evaluated what the changes of this act will likely have on our resources?

Answer

The Local Nuisance and Litter Control Act, which was just passed through parliament, is expected to commence operation on 1 July 2017. Under this Act, councils will inherit an array of functions and responsibilities previously undertaken by the Environmental Protection Authority (EPA). These responsibilities will include the investigation of complaints about:

- Noise
- odours
- smoke, fumes or dust
- animals, whether dead or alive (currently part of the Local Government Act)
- insanitary conditions on premises
- unsightly conditions on premises, caused by human activity or lack of activity
- public litter reporting

The EPA since it was established in 1995 has administered local nuisance complaints. Council has broadly investigated some incidents relating to environmental nuisances but this new Act places the onus on councils to deal with all local nuisance complaints. The Act also involves significant changes to litter regulation. These changes include tiered penalties for various types of littering (including higher penalties for illegal dumping offences) and applying responsibility for littering offences from vehicles, to the owner of the vehicle. These reforms are
intended to support more effective use of surveillance of illegal dumping hotspots and public litter reporting.

With this shift in legislative responsibility, along with the significant increase in powers conferred to Council, and the EPA’s subsequent promotion of local government as the responsible authority, it is expected that the number of customer enquiries and complaints to Council will increase significantly.

The EPA considers that local government is best placed to respond quickly and effectively to local nuisance complaints and considers Council’s services to be easier to access by the community. Unfortunately, the EPA has not taken into account the impact that the additional responsibilities will have on Councils service levels, resources and costs. It is anticipated that workloads will increase as a result of increased customer requests and subsequently response times will be impacted. This Act will impact the Regulatory Services and the Development teams.

The regulations under the Act have not yet been developed and the LGA is working with the EPA on the content of proposed regulations. The administration staff have been attending information sessions and are keeping up to date with the changes. At this stage is difficult to determine the exact impacts, this will be clearer when the regulations are released.

A copy of the Bill that was passed by the Parliament without amendments is available at www.legislation.sa.gov.au

ITEM 499
QUESTIONS ON NOTICE FROM COUNCILLOR RABBITT RE MEETING WITH MINISTER FOR TRANSPORT AND INFRASTRUCTURE AND PAID PARKING TRIAL

Councillor Rabbitt has asked the following Questions on Notice, and the answers are provided.

The response to my question on 23 May 2016 regarding this matter was that a meeting with the Minister had been organised for 31 May 2016.
I understand that meeting did take place and now ask:

Question

1. Was the Minister amenable to finding a resolution to this matter?

Answer

The Minister reiterated his desire to make public transport a dominant mode of transport, and as such free parking was something he would like to retain. He indicated that DPTI staff will contact Council staff to explore a number of options to resolve this matter. An initial meeting is to be held on 23 June 2016.
2. Presuming that he was, will Council be working with the Minister and/or his staff to undertake a survey to ascertain the location of the boundary between Council land and State Government land at Railway Terrace South, Goodwood?

   a) If yes, when will this be undertaken and will the cost be shared?

   b) Also if yes, will there be a fence or other form of boundary to facilitate maintenance of Council land as opposed to State Government land?

   c) If no, what arrangements will be made regarding 2.a) & 2.b)?

   Answer

   2a) This survey has already been undertaken.

   2b) It is not intended to have a fence or other form of boundary between the Council land and State Government land.

   2c) Not applicable.

3. Given that Council agreed to a Paid Parking Trial for 12 months at Bartley Crescent, Wayville and Railway Terrace South, Goodwood and the trial at Railway Terrace South was suspended due to this issue, when can we expect the trial at Railway Terrace South to resume?

   Answer

   This will depend on the discussions with DPTI scheduled for 23 June.

ITEM 500
QUESTIONS ON NOTICE FROM COUNCILLOR SCHNELL RE LGA ORDINARY GENERAL MEETING

Councillor Schnell has asked the following Questions on Notice for the Council meeting on 27 June 2016, and the answers are provided.

Questions:

1. Who was the City of Unley delegate at the LGA Ordinary General Meeting held in April 2016?

   Answer

   The Mayor is the City of Unley’s delegate.

2. Did the City of Unley vote on Item 6.1 on rate capping?
Answer

The Mayor attended the LGA OGM on the morning of the 15 April, but due to a previous commitment left the meeting prior to any voting taking place. Therefore the City of Unley did not vote on this item.

ITEM 501
QUESTIONS WITHOUT NOTICE

ITEM 502
CORRESPONDENCE

The correspondence (attached) from

- FOCUS – received 13 May 2016
- Department of Planning Transport and Infrastructure
- Minister for Regional Development / Minister for Local Government
- Australia Day Council of South Australia
- Country Arts SA – Copy received for Mayor and CEO
- SANFL
- Community Achievement Awards – received 20 June 2016

be noted.

ITEM 503
MAYOR’S REPORT

MOVED Councillor Hughes
SECONDED Councillor Palmer

That:

1. The report be received.  

   CARRIED
ITEM 504
DEPUTY MAYOR’S REPORT

MOVED Councillor Boisvert
SECONDED Councillor Hewitson

That:

1. The report be received.

   CARRIED UNANIMOUSLY

ITEM 505
REPORTS OF MEMBERS

Council to note the attached reports from Members

1. Councillor Palmer
2. Councillor Hughes
3. Councillor Schnell

ITEM 506
MOTION ON NOTICE FROM COUNCILLOR HUDSON RE UNDERGROUND TRAM SERVICE

MOVED Councillor Hudson
SECONDED Councillor Schnell

That:

Council publicly disassociate itself from any suggestion of an underground tram service along Unley Road.

MOTION was put and declared LOST

DIVISION

A Division was called and the previous decision set aside.

Those voting in the affirmative:

   Councillors Schnell and Hudson

Those voting in the negative:

   Councillors Smolucha, Boisvert, Salaman, Hewitson, Palmer, Hughes, Lapidge, Sangster and Rabbitt

The MOTION was declared LOST

(This is page 26 of the Council Minutes for 27 June 2016)
Councillor Salaman left the meeting at 10.26pm returning at 10.27pm after discussion on the above Item.

**ITEM 507**  
**MOTION ON NOTICE FROM COUNCILLOR BOISVERT RE PAGE PARK**

MOVED Councillor Boisvert  
SECONDED Councillor Salaman

That:

The Administration undertake community consultation about extending the off-leash hours in the following parks:

- Everard Park Reserve, **Everard Park**
- Forestville Reserve, **Forestville**
- Fraser Reserve, **Myrtle Bank**
- Fullarton Park, **Fullarton**
- Heywood Park (western sector), **Unley Park**
- Howard Florey Reserve, **Parkside**
- McLeay Park, **Unley**
- Page Park, **Clarence Park**
- Scammell Reserve, **Myrtle Bank**
- Soutar Park (open play area and south of the east/west path), **Goodwood**
- Village Green, **Unley**
- Wayville Reserve, **Wayville**

The consultation will propose the following options for the community’s consideration:

1. Make no changes to the off-leash hours in the parks listed: off leash hours to remain 5pm to 10am.

2. Amend the off-leash hours in the parks listed to: off leash between 4pm and 10am from 1 April to 30 September only, with 1 October to 31 March to remain 5pm to 10am.

3. Amend the off-leash hours in the parks listed to: off leash between 4.30pm and 10am from 1 April to 30 September only, with 1 October to 31 March to remain 5pm to 10am.

**CARRIED**
ITEM 508
MOTION ON NOTICE FROM COUNCILLOR SALAMAN RE BOFFA STREET
FREE PARKING TICKET TRIAL

MOVED Councillor Salaman
SECONDED Councillor Smolucha

That:

1. The decision to charge $1.00 for 3 hours parking in the Boffa Street carpark (Item 58, Council 23 February 2015) be rescinded.

2. The recent amendments to the South Australian Road Traffic Act, 1961 clarifying the legality of the issue of parking tickets without fee (Clauses 86 & 86A) be noted.

3. The 12 month trial of free ticketed parking in the Boffa Street carpark, as approved by Council on 12 August 2013, be recommenced, and a report 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 should remain there permanently.

EXTENSION TO DEBATING TIME

Councillor Salaman requested an extension to his debating time. This was not agreed.

The MOTION was put and declared LOST

EXTENSION TO COUNCIL MEETING TIME

The Presiding Member advised Members that an extension to the Council meeting time for an additional ½ hour would be required.

This was agreed with a two thirds majority.
ITEM 509

MOVED Councillor Schnell
SECONDED Councillor Palmer

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 D Litchfield, 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 and Improvement
   Ms R Wilson, Group Manager Governance
   Ms C Gowland, Executive Assistant to CEO and Mayor

   on the basis that it will receive and consider the report on the Centennial Park Cemetery Authority – Future Upkeep Fund, 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

The doors to the Council Chambers were closed at 10.55pm.

Councillor Hudson left the Chambers at 10.55pm.

Councillor Lapidge left the Chambers at 10.55pm.

(This is page 29 of the Council Minutes for 27 June 2016)
ITEM 510
CONFIRMATION OF ITEM 33 – MINUTES OF THE AUDIT AND GOVERNANCE COMMITTEE – 24 MAY 2016

MOVED Councillor Rabbitt
SECONDED Councillor Hewitson

That:

1. Item 33 of the minutes of the Audit and Governance Committee meeting held on Tuesday 24 May 2016, be received.

2. The recommendations listed under:

Item 33**
Centennial Park Cemetery Authority – Future Upkeep Fund

1. The report be received.

2. The report at Attachment 1, from BRM Holditch on the Centennial Park Upkeep Fund, be received.

3. Council request the CPCA Board to develop a new strategic plan and associated asset management plan for Centennial Park by the end of September 2016 for Council approval.

4. Elected Members from both Unley and Mitcham Councils be involved in workshops with the Centennial Park Board to provide direction on the development of both plans.

5. Elected members from Unley and Mitcham Councils formulate strategic objectives they require from CPCA in relation to capital distributions and ongoing dividends, or consider whether the continuing investment in Centennial Park is appropriate.

6. Any upkeep provision funds received from CPCA should be quarantined for major capital projects or debt reduction.

be adopted.

CARRIED UNANIMOUSLY
ITEM 511
CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE

MOVED Councillor Palmer
SECONDED Councillor Hewitson

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 report and attachment 1 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 11.14 pm.
ITEM 512
CONFIDENTIALITY MOTION FOR ITEM 513 – CENTENNIAL PARK CEMETERY AUTHORITY OPERATING BUDGET

See page 9 of these Minutes.

ITEM 513
CONFIDENTIAL ITEM
CENTENNIAL PARK CEMETERY AUTHORITY OPERATING BUDGET

See pages 10 - 11 of these Minutes.

ITEM 514
CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – ITEM 513 – CENTENNIAL PARK CEMETERY AUTHORITY OPERATING BUDGET

See page 12 of these Minutes.
ITEM 515
CONFIDENTIALITY MOTION FOR ITEM 516 – MINUTES OF SPECIAL COUNCIL – ITEM 6

MOVED Councillor Smolucha
SECONDED Councillor Hughes

That:

1. Pursuant to Section 90(2) and (3)(a) 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
   Ms C Gowland, Executive Assistant to CEO

   on the basis that it will receive and consider the Minutes on the performance review of the Chief Executive Officer, 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:

   (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

   because, information contained in this report relates to an individual employee of Council and should not be made available at this time. 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 11.15pm.
CONFIDENTIAL

ITEM 516
CONFIRMATION OF MINUTES FOR SPECIAL COUNCIL MEETING HELD ON 20 JUNE 2016 – ITEM 6
ITEM 517
CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE – MINUTES OF SPECIAL COUNCIL MEETING – ITEM 6

MOVED Councillor Sangster
SECONDED Councillor Hughes

That:

1. The report be received.

2. Pursuant to Section 91(7) and (9) of the Local Government Act:
   2.2 The Minutes

   ☑ The Minutes remain confidential on the basis that the information contained in this report details information concerning the personal affairs of an employee, and

   2.2 the minutes 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 11.17pm.

CLOSURE

The Presiding Member closed the meeting at 11.17 pm.