COUNCIL MEETING

Minutes of the Corporation of the City of Unley
Council Meeting
Held on Monday 28 May 2012 at 7.00
In the Civic Centre
181 Unley Road Unley

PRESENT

His Worship the Mayor, Mr L Clyne (Presiding Member)
Councillors J Koumi M Hudson (arr 7.51pm)
M Saies
J Boisvert D Palmer
D Tipper B Schnell
R Salaman M Hewitson

OFFICERS PRESENT

Chief Executive Officer, Mr P Tsokas
General Manager Economic Development & Planning, Mr D Litchfield
A/General Manager Corporate Services, Ms V MacKirdy
A/General Manager City Services, Mr M Clarke
Organisational Development Manager, Mr S Buley
Principal Policy Planner, Mr D Brown
A/Manager Community Development, Mr C Linnell
A/Manager Governance, Ms D Horton
A/Executive Assistant to CEO & Mayor, Ms C Gowland

ACKNOWLEDGEMENT

The Presiding Member opened the meeting with the Aboriginal Acknowledgement.

PRAYER AND SERVICE ACKNOWLEDGEMENT

Members stood in silence in memory of those who had made the Supreme Sacrifice in the service of their country, at sea, on land and in the air.

(This is page 1 of the Council Minutes for 28 May 2012)
WELCOME
The Presiding Member welcomed Members of Council, Senior Staff, members of the
gallery and the media to the May 2012 meeting of the Unley City Council.

APOLOGIES:

Councillor R Sangster
Councillor A Lapidge
Councillor P Hughes

ITEM 418
CONFIRMATION OF MINUTES

MOVED Councillor Palmer
SECONDED Councillor Schnell

That the minutes of the Council Meeting held on Monday 23 April 2012, as printed
and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 419
CITY OF UNLEY ROAD SAFETY COMMITTEE

MOVED Councillor Tipper
SECONDED Councillor Boisvert

That:

1. The minutes of the City of Unley Road Safety Committee Meeting held on
   Wednesday 9 May 2012 be received.

2. The recommendations listed under Item 70, be adopted.

CARRIED UNANIMOUSLY

(This is page 2 of the Council Minutes for 28 May 2012)
ITEM 420
CITY STRATEGY AND POLICY COMMITTEE MEETING

MOVED Councillor Schnell
SECONDED Councillor Palmer

That:

1. The minutes of the City Strategy and Policy Committee Meeting held on Monday 14 May 2012, be received.

2. The recommendations listed under Items 105 - 109 inclusive, be adopted.

3. The following item be reserved:

   Item 104 – Adjourned Item 95 – CSP – March 2012 – Electronic Waste (e-waste) Review
   Reserved by Councillor J Koumi.

   CARRIED UNANIMOUSLY
RESERVED ITEM 104 – ADJOURNED ITEM 95 – CSP – MARCH 2012 – ELECTRONIC WASTE (E-WASTE) REVIEW

MOVED Councillor Schnell
SECONDED Councillor Palmer

That:

1. The report be received.
2. A budget allocation of $40 000 be considered in the 2012-2013 budget process to fund the services outlined below.
3. The City of Unley offer two service options to allow residents to dispose of e-waste items. These are:
   - A council fully subsidised (100%) Disposal Service at a local Waste Transfer Station.
   - Maintain existing Hard Waste Collection Service which includes the collection of e-waste.
4. A further report be provided to Council in September 2012 outlining alternative e-waste collection and disposal options.

Extension of Debating Time

MOVED Councillor Hewitson
SECONDED Councillor Tipper

That Councillor Koumi be given an extension to debating time.

CARRIED

The Motion was put and CARRIED
ITEM 421
UNLEY BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

MOVED Councillor Salaman
SECONDED Councillor Tipper

That:

1. The minutes of the Unley Business and Economic Development Committee Meeting held on Tuesday 15 May 2012, be received.

2. The recommendations listed under Items 49 - 52 inclusive, be adopted.

CARRIED UNANIMOUSLY

ITEM 422
CEO PERFORMANCE DEVELOPMENT REVIEW COMMITTEE

The Presiding Member advised the meeting that this Item should be moved to the end of the meeting in order to be discussed under the confidentiality motion. This was supported with a two thirds majority.

See Page 16 of these Minutes.

ITEM 423
MAYOR’S REPORT

MOVED Councillor Tipper
SECONDED Councillor Hewitson

That:

1. The report be received.

CARRIED UNANIMOUSLY

(This is page 5 of the Council Minutes for 28 May 2012)
ITEM 424
REPORTS OF MEMBERS

(a) Items of particular interest, concern or urgency

Councillor Saies – Parliament Question Time re carbon tax on local councils. Would only affect major councils. Hansard last Thursday.
Councillor Salaman – Attended Messenger local business awards on behalf of the Mayor.
Report provided as attachment to Road Safety Minutes – encourage Members to read.
DPTI upgrading of pedestrian crossing on Goodwood Road near tram lines, no plans provided to Council. Concern that the present crossing is not cyclist friendly.
Councillor Schnell – Attended function to farewell the casual staff at the Pool. Many will be kept on as casual workers throughout Council. Another successful year for the pool.

(b) Centennial Park Cemetery Authority

No report as Councillor Hudson and Councillor Lapidge not present.

(c) Development Matters

Nil.

ITEM 425
ADJOURNED ITEM 407 – COUNCIL – LOCAL GOVERNMENT (PROCEDURES AT MEETINGS) REGULATIONS 2000 – RESPONSE TO THE LGA

MOVED Councillor Schnell
SECONDED Councillor Tipper

That:

1. The report be received.

2. The Proposals for Meeting Procedures Regulations 2012 as provided in Attachment 2 to Item 407/12 be endorsed.

CARRIED UNANIMOUSLY

(This is page 6 of the Council Minutes for 28 May 2012)
ITEM 426
MEMBERSHIP MURRAY DARLING ASSOCIATION

MOVED Councillor Boisvert
SECONDED Councillor Salaman

That:

1. The report be received.

2. The City of Unley submits an application to become a member council of the Murray Darling Association.

3. Councillor Saies be nominated as the City of Unley Representative to attend meetings of the Murray Darling Association.

CARRIED

ITEM 427
REVIEW OF ADELAIDE CITY DEVELOPMENT PLAN AMENDMENTS

MOVED Councillor Boisvert
SECONDED Councillor Tipper

That:

1. The report be received.

2. The potential implications of the Capital City Ministerial Development Plan Amendment, in accord with Attachment 1 to Item 427/12, be submitted to the Development Policy Advisory Committee.

3. The potential implications of the City Centre Heritage Development Plan Amendment, in accord with Attachment 2 to Item 427/12, be submitted to the Adelaide City Council.

CARRIED UNANIMOUSLY

Councillor Salaman left the meeting at 7.43pm returning at 7.44pm during discussion on the above Item.

(This is page 7 of the Council Minutes for 28 May 2012)
ITEM 428
NOMINATION ON THE INDUSTRIAL RELATIONS ADVISORY COMMITTEE

MOVED Councillor Schnell
SECONDED Councillor Boisvert

That:

1. The report be received.

2. A nomination from Councillor Saies and Councillor Palmer for the position on the Industrial Relations Advisory Committee be supported.

3. Administration submit Councillor Saies’s and Councillor Palmer’s nominations on the Industrial Relations Advisory Committee to the Local Government Association’s (LGA) Senior Executive Committee by 5pm Tuesday 19 June 2012.

CARRIED UNANIMOUSLY

Councillor Hudson arrived at the meeting at 7.51pm during debate on the above Item.

RECOMMENDATIONS ADOPTED EN BLOC

MOVED Councillor Hudson
SECONDED Councillor Tipper

That Items 429 – 431 inclusive, be adopted en bloc.

ITEM 429
END OF MONTH FINANCIAL REPORT

That:

1. The report be received.

ITEM 430
COUNCIL ACTION RECORDS

That:

1. The report be received.

(This is page 8 of the Council Minutes for 28 May 2012)
ITEM 431
CHIEF EXECUTIVE OFFICER’S MONTHLY REPORT

That:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 432
QUESTION ON NOTICE FROM COUNCILLOR HEWITSON RE PEDESTRIAN CYCLE PATH

The following Question on Notice has been received from Councillor Hewitson and the answers are provided:

**Question**

1. What are the administration plans for the pedestrian cycle path from Ridge Park across Unley Road to Goodwood?

**Answer**

There is no formal plan in place at this time; however, there is a long term vision to investigate all opportunities for off road linkages throughout the City, in conjunction with the Bike & Pedestrian Plan 2005 and the Open Space Recreation Strategy (revised) 2011.

The proposed Ridge Park and Ferguson/Braeside Park development plans are opportunities where the integration of a bike and pedestrian path will be undertaken to meet the long term vision as outlined above.
ITEM 433
CORRESPONDENCE

The correspondence from

- Hon Patrick Conlon MP, Minister for Transport and Infrastructure
- Mitcham Historical Society
- Kaurna Nation Cultural Heritage Association
- Conservation Council SA
- Local Government Association – Office of President
- Response Letter to Hon Ian Hunter MLC
- Local Government Association – Office of President
- Urban Myth Theatre of Youth

be noted.

The Mayor read out a copy of correspondence received from Mrs E Birnie, thanking Council and Administration.

ITEM 434
NOTICE OF MOTION FROM COUNCILLOR HEWITSON RE KING WILLIAM ROAD PEDESTRIAN REFUGE SOUTH UNION STREET

MOVED Councillor Hewitson
SECONDED Councillor Salaman

That:

1. Council endorses that the pedestrian refuge on King William Road, be constructed south of Union Street and north of Arthur Street as per the plan attached, and as recommended by the City of Unley Road Safety Committee, and that the adjacent businesses be notified of the decision.

2. The design consider incorporation of bicycle lanes adjacent to the pedestrian refuge.

Extension of Debating Time

MOVED Councillor Hewitson
SECONDED Councillor Tipper

That Councillor Salaman be given an extension to debating time.

CARRIED

The Motion was put and CARRIED

(This is page 10 of the Council Minutes for 28 May 2012)
ITEM 435
NOTICE OF MOTION FROM COUNCILLOR BOISVERT RE PEDESTRIAN CROSSING SOUTH ROAD GLANDORE

MOVED Councillor Boisvert
SECONDED Councillor Palmer

That:

1. The Mayor writes a letter to the Minister for Transport and Infrastructure on behalf of Council, seeking the installation of a pedestrian overpass on South Road, within the vicinity of the Black Forest Primary School.

2. Copies of the letter are forwarded to the Mayor and relevant Ward Councillors at the City of Marion.

3. Copies of the letter be forwarded to the Black Forest Primary School Principal and Chairperson of the School Council.

CARRIED UNANIMOUSLY

ITEM 436
NOTICE OF MOTION FROM COUNCILLOR SCHNELL RE IMPACT OF THE CARBON PRICE – MOTION 1

MOVED Councillor Schnell
SECONDED Councillor Tipper

That:

The Administration prepare the 2012-2013 operating budget for adoption based on an increase to total general rates revenue by 6.6%. Each of the 3 differential general rates categories and minimum rate are to be affected by the increase approximately the same.

Extension of Debating Time

MOVED Councillor Tipper
SECONDED Councillor Hudson

That Councillor Schnell be granted an extension to debating time.

CARRIED
ITEM 436
NOTICE OF MOTION FROM COUNCILLOR SCHNELL RE IMPACT OF THE CARBON PRICE – MOTION 1 – Cont’d.

Extension of Debating Time

MOVED Councillor Salaman
SECONDED Councillor Hewitson

That Councillor Hudson be granted an extension to debating time.

CARRIED

Extension of Debating Time

MOVED Councillor Hudson
SECONDED Councillor Hewitson

That Councillor Koumi be granted an extension to debating time.

CARRIED

The Motion was put and LOST

A Division was called and the previous division set aside.

DIVISION

Those voting in the affirmative:

Councillors Tipper and Schnell.

Those voting in the negative:

Councillors Hudson, Koumi, Saies, Boisvert, Palmer, Salaman and Hewitson.

The Motion was then declared LOST

Councillor Boisvert left the meeting at 8.39pm returning at 8.40pm during discussion on the above Item.

Councillor Palmer left the meeting at 9.08pm returning at 9.10pm during discussion on the above Item.
ITEM 436
NOTICE OF MOTION FROM COUNCILLOR SCHNELL RE IMPACT OF THE CARBON PRICE – MOTION 2

MOVED Councillor Schnell
SECONDED Councillor Tipper

That:

The Administration be asked to prepare a draft operational budget for 2012-2013 to achieve an additional increase in rates income of 1.5% to cater for the potential impact of the carbon price and it be presented at the next budget workshop for review and consideration.

LOST

A Division was called and the previous decision set aside.

DIVISION

Those voting in the affirmative:

Councillors Tipper and Schnell.

Those voting in the negative:

Councillors Hudson, Koumi, Saies, Boisvert, Palmer, Salaman and Hewitson.

The Motion was then declared LOST

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## ITEM 437
### UNRESOLVED ITEMS

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Item</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council 27/10/08</td>
<td>Item 363 Notice of Motion from Councillor Hewitson re Sturt Football Club. (copy attached)</td>
<td>The question remain laid on the table.</td>
</tr>
<tr>
<td>Council 22/3/10</td>
<td>Item 622 (UBED Item 46 Adjourned Debate – Item 46 – Unley Business and Economic Development Committee – Glen Osmond Road Separate Rate Negotiation. (copy attached))</td>
<td>The Item lie on the table.</td>
</tr>
<tr>
<td>Council 28/11/11</td>
<td>Item 301 Appointment of Deputy Mayor (copy attached)</td>
<td>The Item lie on the table.</td>
</tr>
</tbody>
</table>

(This is page 14 of the Council Minutes for 28 May 2012)
ITEM 438
CONFIDENTIAL MOTION FOR RESERVED ITEM 3 – CEO PERFORMANCE REVIEW COMMITTEE

MOVED Councillor Schnell
SECONDED Councillor Hewitson

That:

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:

- Mr P Tsokas, Chief Executive Officer
- Mr D Litchfield, General Manager Economic Development and Planning
- Ms V MacKirdy, A/General Manager Corporate Services
- Mr M Clarke, A/General Manager City Services
- Mr S Buley, Organisational Development Manager
- Ms D Horton, A/Manager Governance
- Ms C Gowland, A/Executive Assistant to CEO and Mayor

on the basis that it will receive and consider the Reserved Item 3 – CEO Performance Appraisal 2012 – Consideration of Proposal from Stillwell Management Consultants, 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:

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

(ii) 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.

This debate will involve discussions about information and the costs associated with the provision of services to be undertaken by an independent consultant, and the performance review of the Chief Executive Officer. It would be contrary to the public interest if this information was made public prior to the completion of the CEO Performance Review.

CARRIED UNANIMOUSLY.

Councillor Hudson left the Chamber at 9.56pm.

Councillor Salaman left the meeting at 9.55pm returning at 9.56pm.

The doors to the Council Chamber were closed at 9.56pm.

(This is page 15 of the Council Minutes for 28 May 2012)
ITEM 422
CEO PERFORMANCE DEVELOPMENT REVIEW COMMITTEE

MOVED Mayor Clyne
SECONDED Councillor Tipper

That:

1. The minutes of the CEO Performance Review Committee meeting held on Wednesday 16 May 2012, be received.

2. The following Item be reserved:

   Item 3 – CEO Performance Appraisal 2012 – Consideration of Proposal from Stillwell Management Consultants
   Reserved by Councillor Boisvert

   CARRIED

RESERVED ITEM 3 – CEO PERFORMANCE APPRAISAL 2012 – CONSIDERATION OF PROPOSAL FROM STILLWELL MANAGEMENT CONSULTANTS

MOVED Councillor Boisvert
SECONDED Councillor Schnell

That:

1. The report be received.

2. The fee proposal from Stillwell Management Consultants be accepted.

3. The proposal from Stillwell Management Consultant be utilised to facilitate the end of year CEO Performance Review.

   CARRIED

(This is page 16 of the Council Minutes for 28 May 2012)
The doors to the Council Chamber were opened at 10.22pm.

**CLOSURE**

The Presiding Member closed the meeting at 10.22pm.