



**MINUTES OF COUNCIL MEETING HELD IN THE COUNCIL CHAMBER,
12 JAMES STREET, SALISBURY ON**

27 AUGUST 2018

MEMBERS PRESENT

Mayor G Aldridge
Cr L Caruso (Deputy Mayor)
Cr D Balaza
Cr S Bedford
Cr B Brug
Cr D Bryant
Cr C Buchanan
Cr G Caruso
Cr R Cook
Cr E Gill
Cr D Pilkington
Cr D Proleta
Cr S Reardon
Cr G Reynolds
Cr S White
Cr J Woodman
Cr R Zahra

STAFF

Chief Executive Officer, Mr J Harry
General Manager Business Excellence, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
General Manager City Infrastructure, Mr M van der Pennen
General Manager Community Development, Ms P Webb
Manager Governance, Mr M Petrovski
Manager Communications and Customer Relations, Mr M Bennington
Governance Support Officer, Ms K Boyd

The meeting commenced at 6:30 pm.

OPENING PRAYER AND WELCOME

The Mayor welcomed the members, staff and the gallery to the meeting.

The Chief Executive Officer read the Opening Prayer.

The Mayor read the Kurna Acknowledgement.

APOLOGIES

There were no apologies.

LEAVE OF ABSENCE

Nil

ITEM 1: PUBLIC QUESTION TIME

Mr Larry Lawless of Parafield Gardens addressed Council regarding a gum tree in front of his property which was poisoned and has been dead for about 12 months. Council has cut down some branches from the top of the tree, and will plant a new tree, but this will need to be completely established before the dead tree is removed. Mr Lawless raised concerns regarding the effect the dead tree was having on how his property looks.

ITEM 2: DEPUTATIONS

2.1 Deputation - Mawson Lakes Pedestrian Bridge

Andre Stuyt, Chair of the Mawson Lakes School Governing Council addressed Council in relation to the Mawson Lakes Pedestrian Bridge.

Mayor G Aldridge left the meeting at 06:45 pm due to personal reasons and did not return.

Deputy Mayor L Caruso assumed the Chair at 6.45pm.

Cr J Woodman left the meeting at 06:46 pm.

Cr D Balaza left the meeting at 06:46 pm.

Cr D Balaza returned to the meeting at 06:48 pm.

Cr J Woodman returned to the meeting at 06:48 pm.

Bring forward Item 7.6 – Motion on Notice – Mawson Lakes Pedestrian Bridge

Cr S White sought leave of the meeting to bring forward Item 7.6 – Motion on Notice – Mawson Lakes Pedestrian Bridge, to this point on the Agenda, and leave was granted.

7.6 Motion on Notice – Mawson Lakes Pedestrian Bridge

Moved Cr S White
Seconded Cr B Brug

That:

1. An amount of \$50,000 be approved as a non-discretionary bid in February 2019 to undertake preparatory work comprising a preliminary design, hydrology studies and costings of a suitable new structure across Dry Creek, between the East and West campuses of the Mawson Lakes School; and
2. Staff are authorised to action paragraph 1 of this motion to allow the preparatory work to be completed by the end of March 2019 to enable key stakeholders to source funding opportunities, as well as for the project to be considered for funding in the 2019/20 Budget and Annual Plan.

**CARRIED
2589/2018**

Re-ordering of Agenda Items

Moved Cr C Buchanan
Seconded Cr D Proleta

That, following the Deputations at tonight’s meeting, two agenda items be brought forward for discussion in the following order:

1. Item 1.3.1 – Rural (Aircraft Noise) Direk Industry and Residential Interface DPA;
2. Item 1.3.3 – Globe Derby Developer Funded DPA

before resumption of consideration of the remainder of the Agenda.

**CARRIED
2590/2018**

2.2 Deputation - Traffic Safety - Nelson Road, Para Hills

MsTania Norton addressed Council in relation to traffic safety issues on Nelson Road, Para Hills.

2.4 Deputation - Mawson Lakes Fishing Competition

Mr James Rendon of Indulge Dawn Til Dusk at Mawson Lakes addressed Council in relation to a fishing competition at Mawson Lakes.

Deputy Mayor L Caruso left the meeting at 07:43 pm.

The CEO sought nominations from the meeting for an Acting Chair.

Appointment of Acting Chair

Moved Cr S Reardon
Seconded Cr D Bryant

That Cr D Pilkington be the Acting Chair in the absence of the Deputy Mayor.

**CARRIED
2591/2018**

Cr D Pilkington assumed the Chair at 7.44 pm.

Deputy Mayor L Caruso returned to the meeting at 7:45 pm and resumed the Chair.

Extension of Time Allowed for Deputations

Moved Cr C Buchanan
Seconded Cr D Balaza

That both Mr D Ellis and Mr A Gilbert be allowed 10 minutes each to speak to Item 2.3 – Deputation – Globe Derby DPA.

**CARRIED
2592/2018**

2.3 Deputation - Globe Derby DPA

Mr Damien Ellis, Director, Intro Design Pty Ltd, addressed Council in relation to the Globe Derby DPA.

The following people requested to make deputations on the same matter and were invited to address the meeting:

Mr Andrew Gilbert, Globe Derby Park addressed Council in relation to the Globe Derby DPA.

Ms Angela Nolan, Globe Derby Park addressed Council in relation to the Globe Derby DPA.

Mr Des Nolan, Globe Derby Park addressed Council in relation to the Globe Derby DPA.

The Deputy Mayor thanked the speakers for their contribution.

1.3.1 Rural (Aircraft Noise) Direk Industry and Residential Interface Development Plan Amendment

Cr L Caruso declared an actual conflict of interest on the basis of being a resident of Diment Road and having a family member who owns land in the DPA area. Cr L Caruso left the meeting at 8:14 pm.

Cr Pilkington assumed the Chair at 8:14 pm.

Cr G Caruso declared a perceived conflict of interest on the basis of family members owning land in the DPA area. Cr G Caruso left the meeting at 08:14 pm.

Cr G Reynolds declared a perceived conflict of interest on the basis of his employment. Cr G Reynolds left the meeting at 8:14 pm.

Cr B Brug left the meeting at 08:15 pm.

Cr B Brug returned to the meeting at 08:19 pm.

Moved Cr C Buchanan

Seconded Cr D Proleta

1. Council endorse the City of Salisbury Rural (Aircraft Noise) Direk Industry and Residential Interface Development Plan Amendment, subject to the following amendments:
 - a. Amend Residential Zone boundary to include the whole of 16 Beadell Street.
 - b. Include into the Residential Zone allotments 24 and 25 in F18218 (1 and 3 Wyatt Road) that are currently in the Rural Living Zone.
 - c. Minor adjustment to zone boundary to follow the cadastre of portion of 117 Bolivar Road but not increase residential development potential.
 - d. Minor adjustment to zone boundary to follow the cadastre of portion of 105 Bolivar Road but not increase residential development potential.
 - e. In the proposed Neighbourhood Centre Zone, Non Complying Development list, add to Horticulture an exception which identifies ‘Areas 4 and 5 in Concept Plan Sal/11 Waterloo Corner Road Neighbourhood Centre.’
 - f. Wording changed on Map Concept Plan Sal/35 so that it reads ‘no road link for industrial/commercial vehicles’ at Beadell Street and Currawong Street.
 - g. Minor editing requirements as identified by DPTI.

2. The CEO sign the Schedule 4B Certificate certifying that the Rural (Aircraft Noise) Direk Industry and Residential Interface DPA is suitable for approval and submit the amended DPA that is Attachment 6 to Policy and Planning Committee item 1.3.1 and supporting documents to the Minister for Planning requesting the Minister's approval pursuant to Section 25(14) and (15) of the Development Act 1993.
3. The General Manager City Development be authorised to make minor administrative amendments and changes as necessary to the Rural (Aircraft Noise) Direk Industry and Residential Interface DPA that do not alter the approved policy intent of the DPA, to ensure it is suitable for approval by the Minister.

CARRIED
UNANIMOUSLY
2593/2018

Cr L Caruso returned to the meeting at 08:21 pm and resumed the Chair.

Cr G Caruso returned to the meeting at 08:22 pm.

Cr G Reynolds returned to the meeting at 08:22 pm.

1.3.3 Globe Derby Developer Funded DPA

Cr S Bedford declared a perceived conflict of interest on the basis of his employment. Cr S Bedford left the meeting at 08:21 pm.

Moved Cr C Buchanan
 Seconded Cr D Proleta

1. That Council declines to proceed with a developer-funded Development Plan Amendment for the land comprising the Globe Derby Park harness racing facility, having consideration of:
 - a) The current Development Plan policy settings for the locality seeking to support the continuation of harness racing and associated activities on the land; and
 - b) The desirability of considering future land use policy and zoning for the Port Wakefield Road/Northern Connector corridor, of which the subject land is a part, holistically.
2. Noting the intent to support the continuation of the harness racing industry in the Globe Derby area, the State Government be requested to consider the issue of the future zoning of the Globe Derby area as part of a broader review of planning policy applying to the Port Wakefield Road/Northern Connector corridor, and that the current planning policy provisions for the area also be reflected in the transition to the Planning and Design Code as part of the proposed Sub-Zones layer of the code that reflects local variations to zones.
3. That Council encourage the club, Harness Racing SA, to work together with stakeholders and approach the State Government to identify a mutually acceptable option to secure the long term future of harness races at Globe Derby.

**CARRIED
 2594/2018**

BREAK

In accordance with the Code of Practice for Meeting Procedures, the presiding member provided a break to all present. The meeting was suspended at 8.33 pm.

Cr R Cook left the meeting at 8.33 pm and did not return.

The meeting reconvened at 8.46 pm.

Cr S Bedford returned to the meeting at 08:48 pm.

Bring forward Item 7.8 – Motion on Notice – Traffic Safety: Nelson Road, Para Hills

Moved Cr D Bryant
Seconded Cr S Reardon

That Item 7.8 – Motion on Notice – Traffic Safety: Nelson Road, Para Hills, be brought forward to this point on the agenda.

**CARRIED
2595/2018**

7.8 Motion on Notice - Traffic Safety: Nelson Road, Para Hills

Moved Cr D Bryant
Seconded Cr S Reardon

1. That staff bring back a report to Council investigating whether any traffic calming devices can be installed in regard to increased traffic and vehicles coming too fast over a blind hill on Nelson Road, Para Hills between Milne Road and Miller Avenue, Para Hills.

**CARRIED
2596/2018**

ITEM 3: PETITIONS

3.1 Petition Opposing the Rezoning of Globe Derby Park

Cr D Balaza left the meeting at 08:53 pm.

Moved Cr C Buchanan
Seconded Cr D Proleta

1. The attached notice of petitions in relation to Opposing the Rezoning of Globe Derby Park be received.
2. That it be noted that the proposal for rezoning of a portion of the Globe Derby trotting facility land is the subject of a separate report to August Council, and the petitioners be advised of Council's decision on this matter.

**CARRIED
2597/2018**

3.2 Petition Seeking Review of Footpath Trading Policy for Coffee Amigo in John Street, Salisbury

Cr D Balaza returned to the meeting at 08:54 pm.

Cr Balaza declared a perceived conflict of interest on the basis of being a member of the Salisbury Business Association. Cr Balaza managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr C Buchanan

Seconded Cr E Gill

1. The attached notice of petitions in relation to seeking review of Footpath Trading Policy for Coffee Amigo in John Street, Salisbury be received.
2. Council note that staff will report back to Council addressing the petition and a revised Footpath Trading Policy after the Caretaker period has concluded.

**CARRIED
2598/2018**

*The majority of members present voted IN FAVOUR of the MOTION.
Cr D Balaza voted IN FAVOUR of the MOTION.*

Bring forward Item P&P-OB2

Moved Cr S White

Seconded Cr B Brug

That Item P&P-OB2 – Carp Fishing Competition in Mawson Lakes, be brought forward to this point on the Agenda.

**CARRIED
2599/2018**

P&P-OB2 Carp Fishing Competition at Mawson Lakes

Cr C Buchanan left the meeting at 09:10 pm.

Cr C Buchanan returned to the meeting at 09:13 pm.

Cr D Balaza declared a perceived conflict of interest on the basis of his employment. Cr Balaza managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr D Bryant left the meeting at 09:24 pm.

Cr D Bryant returned to the meeting at 09:26 pm.

Cr D Balaza left the meeting at 09:46 pm.

Cr D Balaza returned to the meeting at 09:47 pm.

Cr S Reardon sought leave of the meeting to speak for a second time and leave was granted.

Cr B Brug sought leave of the meeting to speak for a further one minute and leave was granted.

Moved Cr B Brug

Seconded Cr S White

That:

1. The City of Salisbury approach local fishing and angling groups, service clubs, community groups and local businesses to ascertain interest in a community organised event run with the funding support of the Council Sponsorship Grants program.
2. If no interest is received by 1 December 2018, from a lead organisation, that the City of Salisbury utilise the existing allocated budget for the Salisbury Plays event of \$22,500 to run a fishing competition, in Mawson Lakes in April 2019.

With leave of the meeting and consent of the seconder Cr B Brug **VARIED** the **MOTION** as follows:

1. The City of Salisbury approach local fishing and angling groups, service clubs, community groups and local businesses to ascertain interest in a community organised event run with the funding support of the Council Sponsorship Grants program.
2. If no interest is received by 1 December 2018, from a lead organisation, that the City of Salisbury incorporate a fishing competition into the existing Salisbury Plays events budget.

**CARRIED
2600/2018**

The majority of members present voted IN FAVOUR of the MOTION.

Cr D Balaza voted IN FAVOUR of the MOTION

*A **DIVISION** was requested by Cr G Caruso and the following members responded to the Deputy Mayor's call as having voted in favour of the **MOTION**:*

Crs D Balaza, S Bedford, B Brug, C Buchanan, D Pilkington, D Proleta, S White, J Woodman and R Zahra

*The following members responded to the Deputy Mayor's call as having voted against the **MOTION**:*

Crs D Bryant, G Caruso, E Gill, S Reardon and G Reynolds

*The Deputy Mayor declared the **MOTION** was **CARRIED***

ITEM 4: PRESENTATION OF MINUTES

Moved Cr S White
 Seconded Cr J Woodman

The Minutes of the Council Meeting held on 23 July 2018, be taken and read as confirmed.

**CARRIED
 2601/2018**

Moved Cr R Zahra
 Seconded Cr S Reardon

The Minutes of the Confidential Council Meeting held on 23 July 2018, be taken and read as confirmed.

**CARRIED
 2602/2018**

ITEM 5: COMMITTEE REPORTS

5.1 Policy and Planning Committee - Recommendations for Council Ratification

Moved Cr D Proleta
 Seconded Cr R Zahra

1. That Council adopt the recommendations of the Policy and Planning Committee meeting on 20 August 2018, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 27 August 2018), and listed below, with the exception of **Items 1.3.1, 1.3.3 and P&P-OB2** which were considered separately earlier in the meeting:
 1. Item 1.0.1 – Future Reports for the Policy and Planning Committee
 2. Item 1.1.1 – Minutes of the Youth Council Sub Committee meeting held on Tuesday 14 August 2018
 3. Item 1.2.1FI - Parliamentary Inquiry into Investment Attraction
 4. Item 1.3.2 - Implementation of Planning, Development & Infrastructure Act (2016)
 5. Item 1.3.4 – Salisbury Community Hub - Project and Construction Progress Report
 6. Item P&P-OB1 – Community Hub for South Ward

**CARRIED
 2603/2018**

5.2 Works and Services - Committee Recommendations for Council Ratification

Moved Cr R Zahra
Seconded Cr B Brug

1. That Council adopt the recommendations of the Works and Services Committee meeting on 20 August 2018, contained in the report to Council (Item No. 5.2 on the agenda for the Council meeting held on 27 August 2018), and listed below, with the exception of **Items 2.5.1, 2.8.1 and 2.8.2** which will be considered separately:
 1. Item 2.0.1 – Future Reports for the Works and Services Committee
 2. Item 2.2.1 – Connection and Safety in Mawson Lakes
 3. Item 2.5.2 – Grant of Easement to Department for Education and Child Development - Portion of Target Hill Road Reserve.
 4. Item 2.6.1 - Capital Works Report - July 2018

**CARRIED
2604/2018**

2.5.1 Burton Park Community Recreation Facility - Sub Lease request for assistance.

Moved Cr C Buchanan
Seconded Cr R Zahra

1. This report be received and noted.
2. Council endorse the Community Based Not for Profit Organisation discounted water price for Salisbury United Football Club for all Salisbury Water used, and paid for by SUFC, for irrigation of playing fields at the Burton Park Recreation Facility.

**CARRIED
2605/2018**

2.8.1 Recycling Opportunities for the Disposal of Coffee Pods and Food Containers

Cr D Balaza declared a perceived conflict of interest on the basis of being a member of the NAWMA Board. Cr Balaza managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr J Woodman declared a perceived conflict of interest on the basis of being a member of the NAWMA Board. Cr Woodman managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr B Brug
Seconded Cr R Zahra

1. The information within this report be received.

**CARRIED
2606/2018**

*The majority of members present voted IN FAVOUR of the MOTION.
Cr J Woodman voted IN FAVOUR of the MOTION.
Cr D Balaza voted IN FAVOUR of the MOTION.*

2.8.2 Appointment of NAWMA Board Member

Cr D Balaza declared a perceived conflict of interest on the basis of being a member of the NAWMA Board. Cr Balaza managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr B Brug
Seconded Cr S White

With leave of the meeting and consent of the seconder Cr G Caruso VARIED the MOTION as follows:

1. Mr Charles Mansueto, General Manager Business Excellence, be appointed as a Board Member on the Northern Adelaide Waste Management Authority Board for the remainder of the current term of Council.
2. The General Manager City Infrastructure be appointed as the Deputy Board Member on the Northern Adelaide Waste Management Authority Board for the remainder of the term of Council.

**CARRIED
2607/2018**

*The majority of members present voted IN FAVOUR of the MOTION.
Cr D Balaza voted IN FAVOUR of the MOTION.*

Confidential Items

Refer to CONFIDENTIAL ITEMS section of Council Minutes

2.9.1 Former Council Road Reserve - Ryans Road, Greenfields

2.9.2 Acquisition of 25-29 Kiekebusch Road, Gulfview Heights

5.3 Resources and Governance Committee - Recommendations for Council Ratification

Moved Cr E Gill
Seconded Cr S White

1. That Council adopt the recommendations of the Resources and Governance Committee meeting on 20 August 2018, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 27 August 2018), and listed below, with the exception of **Items 3.0.2 and 3.6.4** which will be considered separately:
 1. Item 3.0.1 – Future Reports for the Resources and Governance Committee
 2. Item 3.6.1 - Local Government Association Annual General Meeting: 26/10/2018 - Notices of Motion and Council Representatives
 3. Item 3.6.2 - Nominations Sought for the Greater Adelaide Regional Organisation of Councils (GAROC)
 4. Item 3.6.3 – Local Government Finance Authority Annual General Meeting: 26 October 2018 - Council Representatives, Board Nominations and Notices of Motion

CARRIED
2608/2018

3.0.2 Review of Provision of Elected Member IT Equipment

Cr B Brug left the meeting at 10:36 pm.
Cr B Brug returned to the meeting at 10:38 pm.

Moved Cr G Reynolds
Seconded Cr C Buchanan

1. That Schedule 3 of the *Elected Members Allowance, Facilities and Support Policy*, shown in attachment 1 of the report to item 3.0.2 on the agenda of the Resource and Governance Committee meeting on 20 August 2018 remain unchanged with the exception of broadband connection not to be provided by Council in future; and
2. The long term intention to deliver all agendas and minutes for Council and Committee meetings digitally from the commencement of the new Council term of office be endorsed, but Elected Members continue to have a choice.

CARRIED
2609/2018

BREAK

In accordance with the Code of Practice for Meeting Procedures, the presiding member provided a break to all present. The meeting was suspended at 10.48 pm.

The meeting reconvened at 10.55 pm.

3.6.4 Nominations Sought for LGA President

Cr G Reynolds sought leave of the meeting to speak for a second time and leave was granted.

Moved Cr R Zahra

Seconded Cr G Reynolds

1. That the information be received.

**CARRIED
2610/2018**

Further Motion:

Moved Cr R Zahra

Seconded Cr S Bedford

That Council write to the LGA asking them to change the timing of electing the President of the LGA to occur after the Local Government elections for future terms commencing 2022.

**CARRIED
2611/2018**

5.4 Audit Committee of Council

No Audit Committee of Council meeting was held in August 2018

5.5 Council Assessment Panel Meeting

Council noted the minutes of the Council Assessment Panel Meeting held on 24 July 2018.

5.6 Budget and Finance Committee - Recommendations for Council Ratification

Moved Cr G Caruso
Seconded Cr R Zahra

1. That Council adopt the recommendations of the Budget and Finance Committee meeting on 20 August 2018, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 27 August 2018), and listed below:
 1. Item 6.0.1 – Future Reports for the Budget and Finance Committee
 2. Item 6.02 - Minutes of the Innovation and Business Development Sub Committee meeting held on Monday 13 August 2018
 3. Item 6.1.1 – 2017-2018 Carried Forward Funds
 4. Item 6.1.2 – Treasury Report for Year Ended 30 June 2018
 5. Item 6.1.3 – Lease versus Purchase of IT Equipment/Mobile Devices

CARRIED
2612/2018

Confidential Items

Refer to CONFIDENTIAL ITEMS section of Council Minutes

6.9.1 Minutes of the Confidential Innovation and Business Development Sub Committee meeting held on Monday 13 August 2018

5.7 Sport Recreation and Grants Committee - Recommendations for Council Ratification

Moved Cr R Zahra
Seconded Cr D Balaza

1. That Council adopt the recommendations of the Sport Recreation and Grants Committee meeting on 13 August 2018, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 27 August 2018), and listed below:
 1. Item 7.0.1 – Future Reports for the Sport, Recreation and Grants Committee
 2. Item 7.2.1 – Youth Sponsorship Applications - July 2018
 3. Item 7.2.2 – Community Grants Program Applications for August 2018
 4. Item 7.2.3 – 16/2018: Salisbury Bowling Club Inc. - Community Grants Program Application
 5. Item 7.2.4 - 17/2018: Para Hills Bowling Club Inc. - Community Grants Program Application
 6. Item 7.2.5 - 19/2018: South Sudanese Equatorian Communities Association in South Australia - Community Grants Program Application

CARRIED
2613/2018

5.8 CEO Review Committee - Recommendations for Council Ratification

Moved Cr R Zahra
Seconded Cr S Bedford

1. That Council adopt the recommendations of the CEO Review Committee meeting on 14 August 2018, contained in the report to Council (Item No. 5.8 on the agenda for the Council meeting held on 27 August 2018), and listed below:
 1. Item 8.0.1 – Future Reports for the CEO Review Committee
 2. Item 8.1.2 – CEO Performance Evaluation - Proposed Personal Evaluation System for 2018/2019

**CARRIED
2614/2018**

ITEM 6: GENERAL BUSINESS

6.1 Code of Conduct - Cr Buchanan - 02/2018

*Cr Buchanan declared a conflict of interest as the report is about him.
Cr C Buchanan left the meeting at 11:12 pm.*

*Cr G Caruso declared a conflict of interest on the basis of a perceived bias against Cr Buchanan because of a previous code of conduct matter.
Cr G Caruso left the meeting at 11:12 pm and did not return.*

Moved Cr R Zahra
Seconded Cr S Bedford

That Council:

1. Note that Normans Lawyers, having investigated the alleged breach of the Code of Conduct for Council Members as set out in Code of Conduct Complaint 02/2017, found that Cr Buchanan breached clause 2.2 of the Code.
2. That Council take no further action.

LOST

*A **DIVISION** was requested by Cr Brug and the following members responded to the Deputy Mayor's call as having voted in favour of the **MOTION**:*

Crs S Bedford, B Brug, D Proleta and R Zahra

*The following members responded to the Deputy Mayor's call as having voted against the **MOTION**:*

Crs D Balaza, D Bryant, E Gill, D Pilkington, S Reardon, G Reynolds, S White and J Woodman

*The Deputy Mayor declared the **MOTION** was **LOST***

New Motion – 6.1 – Code of Conduct – Cr Buchanan – 02/2018

Moved Cr G Reynolds
Seconded Cr J Woodman

That Council:

1. Note that Normans Lawyers, having investigated the alleged breach of the Code of Conduct for Council Members as set out in Code of Conduct Complaint 02/2017, found that Cr Buchanan breached clause 2.2 of the Code.
2. That Cr Buchanan issue a public apology.

With leave of the meeting and consent of the seconder Cr G Reynolds VARIED the MOTION as follows:

That Council:

1. Note that Normans Lawyers, having investigated the alleged breach of the Code of Conduct for Council Members as set out in Code of Conduct Complaint 02/2017, found that Cr Buchanan breached clause 2.2 of the Code.
2. That Cr Buchanan issue a public apology at the next full Council meeting.

**CARRIED
2615/2018**

*A **DIVISION** was requested by Cr Pilkington and the following members responded to the Deputy Mayor's call as having voted in favour of the **MOTION**:*

Crs D Balaza, S Bedford, D Bryant, E Gill, S Reardon, G Reynolds, S White and J Woodman

*The following members responded to the Deputy Mayor's call as having voted against the **MOTION**:*

Crs B Brug, D Pilkington, D Proleta and R Zahra

*The Deputy Mayor declared the **MOTION** was **CARRIED***

Cr C Buchanan returned to the meeting at 11:30 pm.

ITEM 7: MOTIONS ON NOTICE

7.1 Motion on Notice - Council Customer Service Charter

Cr B Brug left the meeting at 11:33 pm.

Moved Cr C Buchanan

Seconded Cr D Balaza

1. That Council review all customer service and related policies with a view of increasing the level of basic services and customer requests.
2. That Council develop a community and resident customer service charter in consultation with the local community.

**CARRIED
2616/2018**

7.2 Motion on Notice - Public Safety and Security Requirements for Private Developments

Cr B Brug returned to the meeting at 11:40 pm.

Moved Cr C Buchanan

Seconded Cr D Proleta

That:

1. Council write to the Minister for Planning and the Attorney General seeking action from the State Government to mandate the installation of CCTV coverage and security lighting to Australian Standards in publicly accessible areas in private developments, in the interest of public safety and the security of workers using such areas.
2. Such action to include consideration of, but not be limited to, introduction of state-wide provisions in the Development Plan providing planning authorities the power to require provision of public lighting and CCTV in the assessment of development applications; and drafting of new regulations under Work Health and Safety legislation relating to provision of a safe work place for employees.

**CARRIED
2617/2018**

7.3 Motion on Notice - Public Transport Connection from Mawson Lakes

Moved Cr D Bryant
 Seconded Cr D Balaza

That Council write to the Minister for Transport, Infrastructure and Local Government asking for additional bus routes, or an extension to the frequency of existing routes, to connect

1. Mawson Lakes Interchange to the Golden Grove Interchange via Para Hills and Gulfview Heights; and
2. Salisbury Interchange with Defence Science and Technology Group and BAE Systems at Edinburgh.

With leave of the meeting and consent of the seconder Cr D Bryant VARIED the MOTION as follows:

That Council write to the Minister for Transport, Infrastructure and Local Government asking for additional bus routes, or an extension to the frequency of existing routes, to connect:

1. Mawson Lakes Interchange to the Golden Grove Interchange via Para Hills and Gulfview Heights; and
2. Salisbury Interchange with Defence Science and Technology Group and BAE Systems at Edinburgh.
3. Provision of a weekly bus service from Salisbury Interchange to St Kilda

With leave of the meeting and consent of the seconder Cr D Bryant VARIED the MOTION as follows:

That Council write to the Minister for Transport, Infrastructure and Local Government asking for additional bus routes, or an extension to the frequency of existing routes, to connect:

1. Mawson Lakes Interchange to the Golden Grove Interchange via Para Hills and Gulfview Heights;
2. Salisbury Interchange to Edinburgh Parks; and
3. Provision of a weekly bus service from Salisbury Interchange to St Kilda

**CARRIED
 2618/2018**

7.4 Motion on Notice - Single Use Straws

Cr S Bedford left the meeting at 12:16 am.

Cr G Reynolds left the meeting at 12:17 am.

Cr S Bedford returned to the meeting at 12:19 am.

Cr G Reynolds returned to the meeting at 12:20 am.

Moved Cr D Pilkington

Seconded Cr J Woodman

That Council, in recognising it is imperative to reduce single use plastic, seek a report on measures necessary to implement the following proposals to commence from 1 July 2019, to:

1. Ban the use of single use plastic straws, that cannot be appropriately recycled or reused, in Council operations and Council-run events, and
2. Ban the use of single use plastic straws, that cannot be appropriately recycled or reused, in all new licenses for events in Council reserves

**CARRIED
2619/2018**

7.5 Motion on Notice - Steam Weeding

Moved Cr C Buchanan

Seconded Cr S White

That

1. Council note the trial being conducted by Yarra Council in Victoria using steam to remove weeds instead of chemicals.
2. Staff bring back a report about the use of ‘steam weeding’ as opposed to using chemicals for weed removal. The report to include costs and effectiveness of steam weeding compared to using chemicals.

**CARRIED
2620/2018**

BREAK

In accordance with the Code of Practice for Meeting Procedures, the presiding member provided a break to all present. The meeting was suspended at 12.34 am, Tuesday 28 August 2018.

The meeting reconvened at 12.41 am, Tuesday 28 August 2018.

7.7 Motion on Notice - Traffic Safety: McGill Crescent, Para Hills

Moved Cr D Bryant
 Seconded Cr R Zahra

1. That staff bring back a report to Council identifying what devices can be used to stem speeding motorist traveling up and down McGill Crescent, Para Hills on the bend near Prettejohn Gully.

**CARRIED
 2621/2018**

Cr Reynolds returned to the meeting at 12.42 am, Tuesday 28 August 2018.

7.9 Motion on Notice - Pedestrian Crossing at Ingle Farm Recreation Centre

Moved Cr S Bedford
 Seconded Cr J Woodman

1. That staff provide a report to Council outlining options for installing a pedestrian crossing at the Ingle Farm Recreation Centre that allows centre users to move safely between the centre entrance and the rear sections of the car park.

**CARRIED
 2622/2018**

7.10 Motion on Notice - Recognition of Benefactors of Salisbury Oval

Moved Cr D Balaza
 Seconded Cr R Zahra

That:

1. Consultations be conducted with the Salisbury Football Club and the Northern Districts Cricket Club (Jets) regarding options for identifying and recognising the generous benefactors who gifted the land of the Salisbury Oval precinct to the City of Salisbury.
2. A report be brought forward to the February 2019 meeting of Council advising the outcomes of this consultation, including the list of suggestions from both clubs, along with any suggested by the administration, and recommending an appropriate way to recognise those benefactors for this gift to the City of Salisbury.

**CARRIED
 2623/2018**

ITEM 8: MAYOR'S DIARY

8.1 Mayor's Diary

Moved Cr D Proleta
 Seconded Cr J Woodman

1. That this information be noted.

**CARRIED
 2624/2018**

Cr Buchanan returned to the meeting at 12.45 am, Tuesday 28 August 2018.

ITEM 9: ELECTED MEMBER REPRESENTATION ACTIVITIES

9.1 Reports to be provided in writing

Moved Cr R Zahra
Seconded Cr S White

That Elected Members submit their representation activities in writing for inclusion in the Minutes of the Council meeting held on 27 August 2018.

**CARRIED
2625/2018**

Cr D Pilkington sought leave of the meeting to make a statement to Council and leave was granted.

Cr Pilkington advised that former City of Salisbury councillor and community volunteer, Mr Terry Woollard, passed away last week and requested a minute's silence in remembrance of his 42 years of service to the community.

The Council conducted a minute silence.

ITEM 10: QUESTIONS WITHOUT NOTICE

10.1 Question Without Notice: Current Status of Neales Green

Cr D Pilkington asked a question in relation to the current status of Neales Green and that the answer be included in the Minutes.

General Manager City Development provided the following answer:

The Community Land revocation process for Neales Green has been completed and was subject to the consultation process required for revocation, and also community consultation associated with the Salisbury Oval Master Plan. Council has engaged a consultant to undertake an Expression of Interest process for the land comprising the residential component of the Salisbury Oval Precinct identified in the Salisbury Oval Master Plan endorsed by Council. The outcomes of the Expression of Interest process will be brought back to Council for consideration late 2018 or early 2019.

10.2 Question Without Notice: Pollution Survey

Cr D Pilkington asked a question in relation to when the last time a pollution survey was done throughout the City of Salisbury, particularly along the main traffic corridors.

The question was taken on notice.

Cr C Buchanan left the meeting at 12:47 am.

Cr C Buchanan returned to the meeting at 12:49 am.

ITEM 11: QUESTIONS ON NOTICE**11.1 Question on Notice - Amount of Notice for Lodgement of Objections**

At the 23/07/2018 Council Meeting, the following question was taken on notice:

Cr G Caruso asked a question on behalf of a resident in relation to why only two weeks' notice was given for a resident to object to a neighbour having five dogs at their property.

General Manager City Development, Mr Terry Sutcliffe provided the following response:

The administrative process for assessing an application to keep more than the prescribed number of dogs on a property includes neighbourhood consultation, as well as a site inspection by staff and a review by staff of any previous history associated with the property and/or dog owners and their pets. This enables staff to give consideration to any justifiable concerns that are raised by neighbours and also identify if there is any correlation of concerns between different neighbours. The request for a written response within 14 days from neighbours consulted is consistent with the practice across a number of Councils and is also the same as the period allowed for representations on Development Applications under the Development Act.

The period for submissions is considered to be adequate under the majority of situations, balancing the interests of neighbours, and those of applicants seeking, from a customer service perspective, a timely response to an application.

11.2 Questions on Notice - Verge Mowing on Rubbish Collection Days

Cr Chad Buchanan has submitted the following questions:

1. Why do Council contractors mow the verge in Paralowie and Burton on the same day the rubbish bins are collected?
2. Do Council liaise with Council verge mowing contractors about not mowing council verge on the same day as rubbish bins are collected?
3. If not, why not? If Council do, what are the relevant provisions in the contract?

Acting General Manager City Infrastructure, Mr Mark Purdie provided the following response:

1. The verge mowing contract requires contractors to coordinate activities to minimise conflict with the City's domestic and green waste collection services. The contract is largely outcome based to service standards, however it specifies that where bins are on the verge they are to be removed, the area cut to standard, and the bin relocated upon completion.
2. Regular auditing of contractor performance is undertaken and has not identified any quality concerns relating to bins.
3. Recent increase in service levels (increase to 7 residential cuts and 6 week cycles) has altered the programming and order of the cutting cycles. A review of the program will be undertaken for the 2019 cycle to determine if resequencing the order of cutting can be undertaken to further minimise clashes with bin days.

11.3 Questions on Notice - Customer Service

Cr Beau Brug has submitted the following questions:

1. Does Council have a customer service framework and charter that informs ratepayers and customers of the level of service it provides?
2. What are the target response times for staff to respond to an enquiry on a range of services? e.g. a general enquiry with a customer reference number raised, a works emergency issue, road repair (low risk and high risk), footpath repair (low risk and high risk), blocked stormwater, traffic planning / signage, dog complaints, parking issues etc.
3. How does the Administration measure and report on the level of service it provides ratepayers and customers in accordance with the customer service framework?
4. In circumstances where Council doesn't achieve its operational service standards how does the Administration address the failing?

General Manager Business Excellence, Mr Charles Mansueto has provided the following responses:

1. Yes, Council approved the Customer Service Framework and Charter on 25 September 2017 (resolution number 2052/2017).
2. The Customer Service Framework is aimed at improving customer service through set service principles, service code and service standards for organisation wide standards, statutory service standards and operational service standards. Our service standards have been developed so that the organisation can commit to specific timeframes and communicate what customers can expect. Standards for the most frequently accessed services have been included within the framework.
3. Each month a number of reports are run from our corporate reporting system to show statistical information, request numbers by type, and processing times where service levels agreements have been set. This data will be distributed to general Managers and divisional managers to inform them of performance against the service level standards, and where necessary instigate process improvements to ensure that service standards are met.

As outlined in the Policy and Planning Report from September 2017, the Customer Service Framework service standards will be monitored and reported annually through the Annual Report. In addition, we are in the process of implementing the Asset Management Improvement Project which will enable automated notification to customers once a service request has been completed.

4. If an issue is identified with not meeting the required standards the relevant manager will review the situation and take any required action to resolve. Further, as part of the broader continuous improvement framework, staff review processes to identify opportunities for improvements across the organisation

ITEM 12: OTHER BUSINESS / MOTIONS WITHOUT NOTICE

12.1 Motion Without Notice: Replacement of Dead Tree

Moved Cr R Zahra

Seconded Cr C Buchanan

That the dead tree at 9 Swallow Crescent, Parafield Gardens be removed and replaced with a new tree.

**CARRIED
2626/2018**

12.2 Motion Without Notice: Review of the Tree Removal Policy

Moved Cr D Proleta
Seconded Cr B Brug

That staff bring back a report reviewing the tree removal policy.

With leave of the meeting and consent of the seconder Cr D Proleta
VARIED the MOTION as follows:

That staff bring back a report reviewing the dead tree removal policy.

CARRIED
2627/2018

The Deputy Mayor acknowledged that this was the last Council meeting of the General Manager City Infrastructure, Mr Mark van der Pennen, and thanked him for his contribution to the City of Salisbury over the last 10 years.

ITEM 13: CONFIDENTIAL ITEMS**13.1 Works and Services Committee - Confidential Recommendations for Council Ratification**

Moved Cr D Bryant

Seconded Cr J Woodman

1. *Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) and (d)(i) and (d)(ii) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*

- it relates to information the disclosure of which 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

- information the disclosure of which would, on balance, be contrary to the public interest; and

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

- commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.

2. *In weighing up the factors related to disclosure,*

- disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations

- Non disclosure of this item and discussion would protect Council's commercial position and confidential information containing sensitive commercial information provided by a third party and allow this matter to be considered in detail prior to a Council position in relation to this matter being determined.

*On that basis the public's interest is best served by not disclosing the **Works and Services Committee - Confidential Recommendations for Council Ratification** item and discussion at this point in time.*

3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

**CARRIED
2628/2018**

The meeting moved into confidence at 1.01 am, Tuesday 28 August 2018.

The meeting moved out of confidence at 1.02 am, Tuesday 28 August 2018.

13.2 Budget and Finance Committee - Confidential Recommendation for Council Ratification

Moved Cr J Woodman

Seconded Cr R Zahra

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*

- it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and

- matters affecting the security of the council, members or employees of the council, or council property; or the safety of any person.

2. *In weighing up the factors related to disclosure,*

- disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations

- Non-disclosure of the matter and discussion of this item in confidence would protect information related to the personal affairs of any person (living or dead) and proposed action by Council where the rates for a property have been outstanding for a period of not less than three years.

*On that basis the public's interest is best served by not disclosing the **Budget and Finance Committee - Confidential Recommendation for Council Ratification** item and discussion at this point in time.*

3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

**CARRIED
2629/2018**

The meeting moved into confidence at 1.02 am, Tuesday 28 August 2018.

The meeting moved out of confidence at 1.03 am, Tuesday 28 August 2018.

13.3 Code of Conduct Complaint - 01/2018

Cr C Buchanan declared a conflict of interest on the basis of being the person named in the complaint. Cr C Buchanan left the meeting at 1:04 am and did not return.

Moved Cr G Reynolds

Seconded Cr D Balaza

1. *Pursuant to Section 90(2) and (3)(a) and (h) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*

- it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and

- legal advice.

2. *In weighing up the factors related to disclosure,*

- disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations

- Non disclosure of this matter to the public at this time will enable Council to make a decision in relation to the course of action to be taken in response to the complaint, without prejudicing the consideration of the complaint.

*On that basis the public's interest is best served by not disclosing the **Code of Conduct Complaint - 01/2018** item and discussion at this point in time.*

3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

**CARRIED
2630/2018**

The meeting moved into confidence at 1.04 am, Tuesday 28 August 2018.

The meeting moved out of confidence at 1.05 am, Tuesday 28 August 2018.

13.4 Code of Conduct Complaint - 02/2018

Moved Cr R Zahra
Seconded Cr G Reynolds

1. *Pursuant to Section 90(2) and (3)(a) and (h) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
 - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and*
 - *legal advice.*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non disclosure of this matter to the public at this time will enable Council to make a decision in relation to the course of action to be taken in response to the complaint, without prejudicing the consideration of the complaint.*

*On that basis the public's interest is best served by not disclosing the **Code of Conduct Complaint - 02/2018** item and discussion at this point in time.*
3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

**CARRIED
2631/2018**

The meeting moved into confidence at 1.05 am, Tuesday 28 August 2018.

The meeting moved out of confidence and closed at 1.09 am, Tuesday 28 August 2018.

CHAIRMAN.....

DATE.....