



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

29 MARCH 2016

MEMBERS PRESENT

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

STAFF

Chief Executive Officer, Mr J Harry
General Manager Business Excellence, Mr C Mansueto
Acting General Manager City Development, Mr G Ratsch
General Manager, Community Development, Ms J Trotter
General Manager City Infrastructure, Mr M van der Pennen
Manager Governance, Ms T Norman
Manager Communications and Customer Relations, Mr M Bennington
Team Leader Corporate Communications, Mr C Treloar
Governance Coordinator, Ms J Rowett
Governance Support Officer, Ms K Boyd

The meeting commenced at 7:01 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 Kaurna Acknowledgement.

APOLOGIES

An apology was received from Cr C Buchanan.

LEAVE OF ABSENCE

Nil.

PUBLIC QUESTION TIME

The Mayor advised there were no questions received for Public Question Time.

DEPUTATIONS

No Deputations have been received.

PRESENTATION OF MINUTES

Moved Cr D Bryant

Seconded Cr J Woodman

The Minutes of the Council Meeting held on 22 February 2016, be taken and read as confirmed.

**CARRIED
0939/2016**

Moved Cr L Caruso

Seconded Cr D Balaza

The Minutes of the Confidential Council Meeting held on 22 February 2016, be taken and read as confirmed.

**CARRIED
0940/2016**

QUESTIONS ON NOTICE

QON1 Local Government Storm Water Management Bill

At the 22 February 2016 Council meeting, Cr Vermeer asked the following question:

Cr B Vermeer asked a question in relation to the LGA position on the Local Government Storm Water Management Bill currently before Parliament and the LGA position on Local Government representatives on that panel.

The question was taken on notice.

General Manager City Infrastructure, Mark van der Pennen provided the following response:

The Bill before Parliament is the “Planning, Development and Infrastructure Bill 2015. Whilst it is not directly worded around Stormwater Management, it has significant consequences for the management and funding of future infrastructure. For example, with respect to funding mechanisms, the Commission/Sub-regions may have the ability to create special rate areas to fund upgrades in Stormwater Infrastructure, independent of the Council.

The LGA’s position is outlined in the “LGA Submission- Planning, Development & Infrastructure Bill 2015”, available on the LGA Website.

The key issues that are currently of concern to the LGA are summarised below:

- *The role and influence of local communities to shape the future of their community will be*
- *significantly reduced, but the expectation for Councils and rate payers to fund the planning system remains;*
- *Without a significant funding and resource commitment from the State Government, Councils are concerned about the capacity to implement significant reforms and realise the benefits of a better planning system;*
- *There are many instances where the Bill does not require consultation with the LGA or Councils; specifically, the appointment of members to the Commission, the establishment of sub-regions, the establishment of an environment and food production area, the development of the Community Engagement Charter, and the detailed scoping and funding arrangements for an infrastructure scheme;*
- *There is also no prescribed role for individual Councils or communities in the preparation of important strategic and policy documents such as State Policies, Regional Plans and the Planning and Design Code;*

- *It is not clear from the Bill whether the Minister can enter into a planning agreement and initiate a joint planning board that does not involve a Council. There is concern about local communities being locked out through agreements between the Minister and the private sector;*
- *A state-wide Planning and Design Code is likely to result in the loss of local policy that has been developed with communities over many years. There will be less local content in the policies that shape communities;*
- *A substantial amount of work needs to be done to work through the detail of the proposed infrastructure scheme. As drafted, Councils and ratepayers could end up paying far more than their fair share;*
- *Council members will be ineligible for assessment panel membership. These panels will consequently have no democratic connection to the local community;*
- *Community members will be distanced from decision makers by more centralised assessment of contentious developments by the Commission;*
- *There is less chance for community to have a say on developments that impact them and it is not clear how greater engagement in policy will be achieved to justify the scaling back of public notification at the assessment stage; and LGA Submission-Planning, Development & Infrastructure Bill 2015*
- *Councils should not have a role in determining whether a person can access private property. This should remain as a civil matter.*
- *These issues raised by the LGA highlight significant challenges for the Council in the future planning, management and development of infrastructure in the City*

QON2 Captured Dogs

At the 22 February 2016 Council Meeting, Cr Vermeer asked the following question:

Cr B Vermeer asked a question in relation to information available on the number of captured dogs that are not released and are ultimately euthanased.

The question was taken on notice.

Acting General Manager City Development, Greg Ratsch provided the following response:

In addition to the above question being taken on notice, the following resolution was passed:

1. *That staff report back on the number of stray and lost dogs and cats captured by Council over the last three financial years and how many of those animals were eventually euthanased.*
2. *The report to address potential strategies to reduce the number of captured animals that are euthanased and the potential for achieving a zero kill rate.*

This information has been requested from the Animal Welfare League and is not available at this time. It is expected a report detailing the requested information will be presented to Council in June or sooner if the data is provided earlier.

QON3 St Kilda Development Policy

At the 22 February 2016 Council Meeting, Cr Buchanan asked the following question:

Cr C Buchanan asked a question in relation to Council's current policy for development of St Kilda.

The question was taken on notice.

General Manager Community Development, Jane Trotter provided the following response:

In March 2013 Council resolved that the St Kilda Master Plan would be developed in four stages:

- *stage 1: adventure playground and associated car parking/green space;*
- *stage 2: the marine recreation & mangroves;*
- *stage 3: existing residential area; and*
- *stage 4: future development options of sounding areas (Penrice Salt Pans).*

This approach was adopted due to the complexity of the St Kilda Master Plan and was based on the approach adopted for the development of the original St Kilda Township Plan, in 1998.

Stage one of the Master Plan (adventure playground and associated car parking/green space) has been undertaken and all implementation works are nearing completion. A St Kilda Master Plan Completion report will be presented to Council by May 2016 which will provide a breakdown of the works undertaken.

Work has now commenced for the development of the stage two of the St Kilda Master Plan which will incorporate the following area:

- *mangrove trail, boardwalk & interpretative centre;*
- *the boating channel, boat ramps, marina and breakwater;*
- *car parking, boat wash down and fish cleaning areas (located between Cockle Street and in front of Tackle and Tucker); and*
- *boat club area.*

Workshops with external stakeholders are being held during March. It is proposed that the proposed Master Plan for stage two will be presented to Council in June 2016.

Once the Master Plan for stage two is complete work will commence on stage 3 which incorporates the following areas:

- *existing residential;*
- *incorporating the St Kilda Hotel and Progress Association building.*

The timeframe for the completion of stages three and four of the St Kilda Master Plan are unknown at this time.

QUESTIONS WITHOUT NOTICE

QWON1 Part Payment of Council Rates

Cr D Proleta asked a question in relation to the minimum payment allowable at a Post Office.

The Question was taken on Notice.

QWON2 Salisbury Police Station Operating Hours

Cr B Vermeer asked a question in relation to a reported reduction in the operating hours at the Salisbury Police Station.

The Question was answered by the Mayor.

QWON3 Waste Levy Fund

Cr B Vermeer asked a question in relation to any push by the Local Government Association regarding expenditure of the \$65,000,000 in the Waste Levy Fund.

The Question was answered by the Mayor.

NOTICES OF MOTION

NOM1 Duplication of 'Wave Slide' at St Kilda Playground

Moved Cr D Pilkington

Seconded Cr R Zahra

1. In preparation for the proposed upgrade to the 'Wave Slide' at the St Kilda Playground (as per information contained in the current budget preparation information), staff report back on opportunities to duplicate the slide, with the report to include details of:
 - Additional costs for the duplication of the 'Wave Slide'
 - A risk assessment and feasibility of the duplication

CARRIED
0941/2016

NOM2 Variation to Part 2 of Council Resolution 0753/2015 dealing with elected member stationery

Moved Cr B Vermeer

Seconded Cr D Balaza

1. That Part 2 of Council Resolution 0753/2015 as follows:

3.6.10 Updated Elected Member Allowances, Facilities and Support Policy . . .

2. *To assist with identification of Elected Member correspondence, the Council Crest be used for letterhead, business cards and other relevant stationery.*

be varied to read:

2. Staff report back with design options and costs for business cards, letterhead and other relevant stationery incorporating the Council Crest in place of the City of Salisbury logo to assist with identification of Elected Member correspondence and communication.

CARRIED
0942/2016

NOM3 Tourism and Visitor Sub Committee Establishment

Cr L Caruso left the meeting at 07:20 pm.

Cr L Caruso returned to the meeting at 07:21 pm.

Moved Cr R Zahra

Seconded Cr R Cook

1. The Tourism and Visitor Sub Committee Terms of Reference, as set out in Attachment 1, Policy and Planning Committee Item No. 1.9.1, 21/03/2016, be endorsed.
2. Membership of the Tourism and Visitor Sub Committee comprise:
 - One representative from the local commercial tourism industry
 - One representative from a local history club
 - One Kaurna representative
 - Two representatives from the business community connected with the City of Salisbury
 - A representative of the South Australian Government nominated by the Minister for Tourism
 - Two Elected members
 - The Mayor (ex-officio)
3. The two Elected Members to be appointed to the Tourism and Visitor Sub Committee for the current term of Council be Cr S Reardon and Cr R Zahra.
4. Staff be authorised to commence processes to fill the necessary positions on the Tourism and Visitor Sub Committee, and to report back to Council with persons recommended for appointment to the Sub Committee.
5. Cr S Reardon be appointed as Chairman of the Tourism and Visitor Sub Committee for a 12 month term concluding 31 March 2017.
6. The Tourism and Visitor Sub Committee be reviewed after 12 months.

**CARRIED
0943/2016**

NOM4 Change to start time for Council Meeting (variation to previous Council decision 0745/2015)

Moved Cr D Pilkington
Seconded Cr G Reynolds

1. That Council Resolution 0745/2015, which endorsed the 2016 Formal Meeting Schedule as follows:

3.6.2 Formal Meeting Schedule for 2016

1. *The 2016 Formal Meeting Schedule as attached to this report (Item 3.6.2, Resources and Governance Committee, 16/11/2015) be endorsed.*

be varied to read:

- 1.. The 2016 Formal Meeting Schedule, as attached to Resources and Governance Committee Item No. 3.6.2 (16/11/2015) and incorporating a start time of 6.30pm for Council Meetings effective April 2016, be endorsed.

**CARRIED
0944/2016**

Cr D Proleta moved a FORMAL MOTION that the MOTION be PUT

Seconded Cr R Cook

**CARRIED
0945/2016**

The MOTION on BEING PUT was CARRIED

NOM5 Review of Policies and Interactions with Business

Moved Mayor G Aldridge
Seconded Cr B Vermeer

1. Staff undertake a review of Council policies and interactions with businesses to ensure that, wherever possible, Council policies and practices stimulate and support local business growth, employment creation and the attraction of new businesses to the local area.

**CARRIED
0946/2016**

NOM6 NRM Levy Collection

Cr B Vermeer declared an interest due to his employer being a member of the Natural Resources Standing Committee of the South Australian Parliament.

Moved Cr B Vermeer
Seconded Cr D Balaza

1. Council notes and supports the LGA's recent announcement of its intention to review the role of Local Government as the State Government's collection agent of the Natural Resources Management (NRM) levy.
2. Staff report back with information on the following:
 - The cost to Council of collecting the NRM levy
 - The impact of timing of payment of the NRM levy on Council's financial position
 - The amount Council recovers on an annual basis in accordance with Regulation 4C of the *Natural Resources Management (Financial Provisions) Regulations*
 - Options for seeking legislative change to Council's obligation to collect the NRM levy.
3. Council write to the Adelaide and Mount Lofty Ranges Natural Resources Management Board requesting information as to how funds collected from City of Salisbury rate payers via the NRM Levy is spent within the City of Salisbury on NRM initiatives.
4. Council write to the Adelaide and Mount Lofty Ranges Natural Resources Management Board requesting that the Board look at options to minimise the financial impact of the 2016/17 NRM Levy on City of Salisbury rate payers at the time the levy is being set.
5. Council write to the Chair of the Joint Parliamentary Standing Committee on Natural Resources, the Hon. Steph Key MP and ask the Committee not approve any levy rise above Local Government CPI.

CARRIED
0947/2016

PETITIONS

No Petitions were received.

COMMITTEE REPORTS

1 Policy and Planning Committee Meeting

Minutes of the Policy and Planning Committee Meeting held on 21 March 2016 were considered by Council.

Administration

1.0.1 Future Reports for the Policy and Planning Committee

Moved Cr D Balaza
Seconded Cr L Caruso

1. The information be received.

**CARRIED
0948/2016**

Community Development

1.1.1 Development of Fairbanks Drive Reserve for Joint use with Schools

Moved Cr D Proleta
Seconded Cr J Woodman

1. The information is received and noted.
2. In conjunction with the Reserve Upgrade Program funds, a new initiative bid be considered as part of the 2016/17 budget process for the construction of a sports surface and traffic management measures which will be co-funded by Temple Christian College and Bethany Christian School.
3. The upgrade of Fairbanks Drive Reserve and the Little Para Overflow, which includes the consolidation and upgrade of passive recreation areas to the south west corner, construction of a sports surface for school and community use and traffic management as illustrated in Attachment 2 (Item No. 1.1.1, Policy and Planning Committee, 21/03/2016) be endorsed pending allocation of funds in the 2016/17 budget process.
4. Further consideration is given towards the future uses of unused portions of the Reserve for strategic development in the next iteration of projects for consideration and that the outcomes of this analysis is presented to the Strategic Property Development Subcommittee in due course.
5. The joint use agreement between Council and Temple Christian College and Bethany Christian School in relation to Fairbanks Drive Reserve be returned to Council for review and endorsement.

**CARRIED
0949/2016**

1.1.2 Reconciliation & NAIDOC Program: 2015 Evaluation and 2016 Program

Moved Cr R Cook
Seconded Cr D Balaza

1. Information be received and noted.
2. An additional \$10,000 to expand the reconciliation and NAIDOC Week program be considered as part of the 2016/17 budget process.

**CARRIED
0950/2016**

Urban Development

1.3.1 Salisbury Heights Encumbrance Removal

Cr G Caruso declared an interest and left the meeting at 8:13pm.

Moved Cr B Vermeer
Seconded Cr D Bryant

1. The encumbrance (registered encumbrance no. 5248154) applying to properties adjoining Coomurra Drive, Salisbury Heights that limits land division, be removed due to the encumbrance being inconsistent with Council's approved policy position reflected in the authorisation of the Salisbury Heights Residential Development Plan Amendment by the Minister for Planning on 2 July 2015.
2. The Chief Executive Officer be authorised to prepare and execute all relevant documents to give effect to the removal of the registered encumbrance no. 5248154.

**CARRIED
0951/2016**

Cr G Caruso returned to the meeting at 8:16pm.

Corporate Plans

1.7.1 Communications Plan - Bringing the 'Living City' to Life

Moved Cr D Balaza
Seconded Cr G Reynolds

1. The information be received.
2. The City of Salisbury Communications Plan – *Bringing the 'Living City' to Life*, forming Attachment 1 to this report (Policy and Planning Committee, Item No. 1.7.1, 21/03/2016) be deferred subject to further development and discussions with Elected Members and be brought back to Council within three months.

**CARRIED
0952/2016**

Other Business

1.9.1 Tourism and Visitor Sub Committee Establishment

Moved Cr R Zahra

Seconded Cr J Woodman

1. The information be received.

**CARRIED
0953/2016**

2 Works and Services Committee Meeting

Minutes of the Works and Services Committee Meeting held on 21 March 2016 were considered by Council.

Administration

2.0.1 Future Reports for the Works and Services Committee

Moved Cr S White
Seconded Cr R Cook

1. The information be received.

CARRIED
0954/2016

Healthy Ageing and Access

2.2.1 Mid Year Report on Results of Council Funded Transport Options for Older Residents of Salisbury

Moved Cr D Pilkington
Seconded Cr S Reardon

1. The information be received.

CARRIED
0955/2016

2.2.2 Implementation of Free Bike Hire Scheme (in conjunction with Bike SA) - investigation findings

Moved Cr G Caruso
Seconded Cr G Reynolds

1. The information be received.
2. On the basis of costs, resource requirements and viability challenges a free bike hire scheme not be introduced within the City of Salisbury.
3. The implementation of a Free Bike Hire Scheme within the City of Salisbury be considered again in three years.

CARRIED
0956/2016

2.2.3 Update on the Salisbury Commonwealth Home Support Programme

Moved Cr G Caruso
Seconded Cr L Caruso

1. The information be received.
2. The development of a Standard Fee Schedule for non-subsidised Home and Community Care Services, to provide service choice for older residents of Salisbury, be endorsed.
3. The General Manager Community Development be delegated authority to vary fees charged from those set out in the approved *City of Salisbury Home and Community Care Services Standard Fee Schedule*, including to determine fees applicable for new services.

CARRIED
0957/2016

Landscaping

2.4.1 Duck Feeding Education and Signage

Moved Cr D Balaza
Seconded Cr B Vermeer

1. The information be received.
2. Signage be installed at 21 reserves educating the community on duck and water fowl feeding, with the costs of undertaking these works estimated at \$12,500 funded from the operating budget.
3. Signage be installed along the northern section of Sir Douglas Mawson Lake prohibiting duck and water fowl feeding in this vicinity.
4. The installation of signage be supported through the development of a fact sheet on duck and waterfowl feeding and informing the community on duck feeding practices through Council's website, social media and community publications.

CARRIED
0958/2016

Public Works

2.6.1 Capital Works Progress Report - February 2016

Moved Cr D Pilkington

Seconded Cr G Caruso

1. Include the construction of new kerb ramps in sections of, Montague Road, Pooraka; Strowan Park, Salisbury; Beverley Avenue, Salisbury; Wright Road, Walkley Heights; Taringa Road, Salisbury North; within the 2015/16 Kerb Ramp Construction/Upgrade Program.
2. Transfer \$40,500 Expenditure Budget from PR17205 Watercourse Management Works Program to Pt Wakefield Service Rd Culverts Project.
3. An allocation of \$40,500 Income Budget for the installation of box culverts, Pt Wakefield Service Road, Parafield Gardens be included as part of the 2015/16 Third Quarter Budget Review.
4. An allocation of \$170,000 for drainage modifications Sunburnt Street, Ingle Farm be approved as a non-discretionary capital budget at the 2015/16 Third Quarter Budget Review.
5. Staff report back on what further work they believe is required in the Cobbler Creek Linear Park and justification for this work.

**CARRIED
0959/2016**

Traffic Management

2.7.1 Change to Road Rules to Accommodate Cyclists - Application within the City of Salisbury

Cr D Pilkington left the meeting at 08:35 pm.

Cr D Pilkington returned to the meeting at 08:36 pm.

Moved Cr B Vermeer

Seconded Cr D Balaza

1. The report to be received.
2. Council to approve the use of “cyclist free zones” to be enforced along footpaths on Old John Street in the Salisbury Town Centre, and The Promenade in the Mawson Lakes Town Centre to maintain safety for pedestrians or patrons involved in outdoor dining/trading by separating these two primary modes of transport.
3. Council to approve the installation of “No Bicycle” pavement marking consisting of a bicycle symbol with a diagonal line across it, and the words “NO BICYCLES” in accordance with the attached plan.

**CARRIED
0960/2016**

Cr G Caruso moved a FORMAL MOTION that the MOTION be PUT

Seconded Cr D Proleta

**CARRIED
0961/2016**

The MOTION on BEING PUT was CARRIED

Cr S Bedford left the meeting at 08:44 pm.

Cr S Bedford returned to the meeting at 08:45 pm.

Moved Cr S White

Seconded Cr B Vermeer

FURTHER MOTION – left/right separation on footpaths

Cr S White moved a FURTHER MOTION that :

1. Council staff report on left/right lane separation marking on main road footpaths where cycling is allowed, as is currently provided on Park Way, Mawson Lakes.

With leave of the meeting and consent of the seconder Cr S White
VARIED the MOTION as follows

1. Council staff report on left/right lane separation marking on main road footpaths where cycling is allowed and there is currently high levels of cycling and pedestrian activity, as is currently provided on Park Way, Mawson Lakes.

**CARRIED
0962/2016**

Cr G Caruso moved a FORMAL MOTION that the MOTION be PUT

Seconded Cr R Cook

**CARRIED
0963/2016**

The MOTION on BEING PUT was CARRIED

3 Resources and Governance Committee Meeting

Minutes of the Resources and Governance Committee Meeting held on 21 March 2016 were considered by Council.

Administration

3.0.1 Future Reports for the Resources and Governance Committee

Moved Cr R Cook
Seconded Cr D Pilkington

1. The information be received.

CARRIED
0964/2016

Development Control Administration

3.2.1 Building Fire Safety Committee

Moved Cr D Pilkington
Seconded Cr R Cook

1. That the following persons be appointed to the City of Salisbury Building Fire Safety Committee for a period of three (3) years, concluding 31 March 2019:

Members

- Mr Jeff Shillabeer (City of Salisbury staff) –an accredited Building Surveyor;
- Mr Bahaa Tabet (City of Salisbury staff) – an accredited Building Surveyor;
- Mr Rene Arens – Member with specialist fire safety knowledge and an accredited Building Surveyor; and
- Mr David Kubler – Member nominated by the Chief Officer South Australian Metropolitan Fire Service.

Deputy Members

- Mr Andrew Sharred – Deputy for Mr Kubler nominated by the Chief Officer South Australian Metropolitan Fire Service.
2. That once established, the Building Fire Safety Committee appoint an appropriate Presiding Member (Chairperson) and Deputy Presiding Member, and review its *Terms of Reference* including where necessary alterations to the terms of reference to be consistent with the State Government's "*Guide to Council Building Fire Safety Committees*".

CARRIED
0965/2016

External Relations

3.4.1 Nominations Sought for the South Australian Public Health Council

Moved Cr D Pilkington
Seconded Cr D Balaza

1. No nomination be made for the position of Local Government Member on the South Australian Public Health Council.

CARRIED
0966/2016

3.4.2 Nominations Sought for the Local Roads Advisory Committee

Moved Cr D Balaza
Seconded Cr R Cook

1. Cr D Pilkington and Cr B Vermeer be nominated as a Local Government representative on the Local Roads Advisory Committee.

CARRIED
0967/2016

Corporate Governance

3.6.1 Informal Gatherings Policy

Moved Cr B Vermeer
Seconded Cr G Caruso

1. The information be received.
2. The Informal Gatherings Policy, as set out in Attachment 1 to this report (Resources and Governance Committee, Item No. 3.6.1, 21/03/2016), be endorsed to take effect from the commencement of inserted provisions in section 90 of the *Local Government Act 1999* relating to the adoption of an *Informal Gatherings Policy*.

CARRIED
0968/2016

3.6.2 Summary of Attendance at Event - Cr Bryant - Public Speaking

Moved Cr D Pilkington
Seconded Cr S Bedford

1. The information be received.

CARRIED
0969/2016

3.6.3 Review of Transfer of Cemetery Licences Policy

Moved Cr D Pilkington
Seconded Cr R Cook

1. The Information be received.
2. The Transfer of Cemetery Licences Policy as set out in Attachment 1 to this report (Resources and Governance Committee, Item No. 3.6.3, 16/11/2015), be endorsed.

CARRIED
0970/2016

BREAK

Moved Cr D Pilkington

In accordance with section 10 (2) of the Code of Practice for Meeting Procedures, the presiding member provided a break to all present. The meeting was suspended at 8:56 pm.

The meeting reconvened at 9:05 pm.

Cr G Reynolds entered the meeting at 9:06 pm.

Cr D Bryant entered the meeting at 9:06 pm.

3.6.4 Review of 'City of Salisbury Code of Practice for Meeting Procedures'

Moved Cr D Pilkington

Seconded Cr R Cook

1. The information be received.
2. The updated Code of Practice for Meeting Procedures (as set out in Attachment 1, Resources and Governance Committee, Item No. 3.6.4, 21/03/2016) and incorporating the following items:
 - a. *S.NOM – Member who places a notice of motion on Agenda Absent*
 - (1) *In circumstances where a Notice of Motion has been placed on the Council Agenda and the member who placed the Notice of Motion is not in attendance at the meeting the Notice of Motion will lapse.*
 - b. *S.MCT – Meeting Conclusion Time - no provision to be included in relation to the meeting conclusion time.*
 - c. *removal of the current City of Salisbury variation that provides a member with the right to speak twice at a Committee meeting (clause 12 (10)(S.e)).*

be endorsed, with staff authorised to amend any subsequent clauses affected by the above changes if required.

CARRIED
0971/2016

Confidential Items

Refer to CONFIDENTIAL ITEMS section of Council Minutes

3.8.1 Request for Extension of Confidentiality Order: Appeal Against ERD Court Decision - Old Spot Farmers Market

5 Development Assessment Panel Meeting

A meeting of the Development Assessment Panel took place on 23 February 2016. The minutes were distributed to all members for information.

6 Budget and Finance Committee Meeting

Minutes of the Budget and Finance Committee Meeting held on 21 March 2016 were considered by Council.

Administration

6.0.1 Future Reports for the Budget and Finance Committee

Moved Cr S Reardon
Seconded Cr R Cook

1. The information be received.

CARRIED
0972/2016

6.0.2 Minutes of the Program Review Sub Committee meeting held on Tuesday 15 March 2016

6.0.2-PRSC1 Program Review Brief - Property and Buildings

Moved Cr D Proleta
Seconded Cr G Caruso

1. The information be received.
2. The Property and Buildings Program Review Background Paper and Project Brief as set out in Attachments 1 and 2 to this report (Item No. PRSC1, Program Review Sub Committee, 15/03/2016) be endorsed.

CARRIED
0973/2016

6.0.2-PRSC2 Program Review Brief - Business Support

Moved Cr D Proleta
Seconded Cr G Caruso

1. The information be received.
2. The Business Support Program Review Project Brief and Background Paper as set out in Attachments 1 and 2 to this report (Item No. PRSC2, Program Review Sub Committee, 15/03/2016) be endorsed.

CARRIED
0974/2016

6.0.2-PRSC3 Projects Division Program Review Update

Moved Cr D Proleta
Seconded Cr G Caruso

1. That the information be received.

CARRIED
0975/2016

6.0.2-PRSC4 Technical Services Program Review Update

Moved Cr D Proleta
Seconded Cr G Caruso

1. That the information be received.

CARRIED
0976/2016

Budget Review

6.5.1 Salisbury Water Budget 2016/17 Report

Moved Cr D Pilkington
Seconded Cr G Caruso

1. The Salisbury Water 2016/17 Budget, including New Initiative Bids and Fees and Charges, be endorsed for consideration in the 2016/17 Council Budget.

CARRIED
0977/2016

6.5.2 Building Rules Certification Unit Budget 2016/2017 Report

Moved Cr G Caruso
Seconded Cr D Proleta

1. The Building Rules Certification Unit Budget be endorsed for consideration in the 2016/17 Council Budget.

CARRIED
0978/2016

6.5.3 Waste Transfer Station Budget 2016/2017 Report

Cr D Balaza declared an interest due to being on the Board of NAWMA.

Cr E Gill declared an interest due to being a Deputy Board Member of NAWMA.

Cr J Woodman declared an interest due to being on the Board of NAWMA.

Cr G Reynolds declared an interest due to being a Deputy Board Member of NAWMA.

Moved Cr G Caruso

Seconded Cr S Reardon

1. The Waste Transfer Station 2016/17 Budget including the New Initiative Bid and Fees and Charges be endorsed for consideration in the 2016/17 Council Budget.

CARRIED
0979/2016

6.5.4 Salisbury Memorial Park Budget 2016/2017 Report

Moved Cr G Caruso

Seconded Cr D Balaza

1. The Salisbury Memorial Park 2016/17 Budget and Fees and Charges be endorsed for consideration in the 2016/17 Council Budget.
2. The fee for a burial site in perpetuity of \$23,000 be included in the Salisbury Memorial Park 2016/17 fees and charges.
3. The General Manager City Infrastructure be given delegated authority to vary fees up to a maximum of \$300 (+/-) on the approved Salisbury Memorial Park fee schedule for special circumstances.

CARRIED
0980/2016

Rating Matters

6.6.1 Mawson Central Car Parking Separate Rate

Moved Cr B Vermeer

Seconded Cr S White

1. Council notes the report.
2. Council ceases to collect the Mawson Central Car Parking Separate Rate effective from the 2016/17 rating period.
3. Mawson Central Car Parking Separate Rate funds collected for the period up to and concluding 30 June 2016, and any accumulated interest, be applied to the ongoing purpose of maintaining, renewing and developing carparking facilities within the area defined as the Mawson Central Area (for the purpose of application of the Mawson Central Car Parking Separate Rate) and as set out in Attachment 1 to this report (Budget and Finance Committee, Item No. 6.6.1, 21/03/2016).

**CARRIED
0981/2016**

Confidential Items

Refer to CONFIDENTIAL ITEMS section of Council Minutes

**6.9.1 Request for Extension of Confidentiality Order: SA Water
Expression of Interest**

7 Sport, Recreation and Grants Committee Meeting

Minutes of the Sport, Recreation and Grants Committee Meeting held on 15 March 2016 were considered by Council.

Administration

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

Moved Cr D Pilkington

Seconded Cr D Proleta

1. The information be received.

**CARRIED
0982/2016**

Community Grants

7.2.1 Youth Sponsorship - February Applications

Cr G Reynolds left the meeting at 09:40 pm.

Moved Cr D Pilkington

Seconded Cr D Proleta

1. The information be received.

**CARRIED
0983/2016**

7.2.2 Community Grants Program Applications for March 2016

Moved Cr S Reardon

Seconded Cr D Bryant

1. The information be received and noted.

**CARRIED
0984/2016**

7.2.3 01/2016: Mawson Lakes Junior Soccer Club Inc. - Community Grants Program Application

Moved Cr B Vermeer

Seconded Cr S White

1. It be noted that, in accordance with delegated powers set out in the endorsed Terms of Reference, the Sport, Recreation and Grants Committee assessed and allocated funding for the March 2016 round of Community Grants as follows:
 - a. Grant No. 01/2016: Mawson Lakes Junior Soccer Club Inc. be awarded the amount of **\$2,000.00** to assist with the purchase of sport equipment for ongoing use as outlined in the Community Grant Application and additional information.

**CARRIED
0985/2016**

7.2.4 07/2016: Adelaide FX Drilldance Team Inc. - Community Grants Program Application

Moved Cr B Vermeer

Seconded Cr D Balaza

1. It be noted that, in accordance with delegated powers set out in the endorsed Terms of Reference, the Sport, Recreation and Grants Committee assessed and allocated funding for the March 2016 round of Community Grants as follows:
 - a. Grant No. 07/2016: Adelaide FX Drilldance Team Inc. be awarded the amount of **\$1,475.00** to assist with the purchase of costumes and props for the 2016 National Drilldance Championships as outlined in the Community Grant Application and additional information.

**CARRIED
0986/2016**

7.2.5 08/2016: Brahma Lodge Sports Club Inc. - Community Grants Program Application

Moved Cr D Balaza

Seconded Cr E Gill

1. It be noted that, in accordance with delegated powers set out in the endorsed Terms of Reference, the Sport, Recreation and Grants Committee assessed and allocated funding for the March 2016 round of Community Grants as follows:
 - a. Grant No. 08/2016: Brahma Lodge Sports Club Inc. be awarded the amount of **\$2,000.00** to assist with the purchase of a defibrillator for ongoing use as outlined in the Community Grant Application.

**CARRIED
0987/2016**

7.2.6 09/2016: Westside Housing Association Inc. - Community Grants Program Application

Moved Cr D Pilkington

Seconded Cr D Proleta

1. It be noted that, in accordance with delegated powers set out in the endorsed Terms of Reference, the Sport, Recreation and Grants Committee assessed and allocated funding for the March 2016 round of Community Grants as follows:
 - a. Grant No. 09/2016: Westside Housing Association Inc. be awarded no funding.

**CARRIED
0988/2016**

GENERAL BUSINESS

GB1 Code of Conduct Complaint 09/2014 - Ombudsman's Investigation Findings

Cr G Caruso declared an interest and left the meeting at 09:43 pm.

Cr G Reynolds left the meeting at 9:43 pm.

Cr G Reynolds returned to the meeting at 09:44 pm.

Cr D Pilkington sought leave of the meeting to speak for a further five minutes and leave was granted.

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

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

Cr R Cook left the meeting at 10:21 pm.

Cr R Cook returned to the meeting at 10:23 pm.

Moved Cr B Vermeer

Seconded Cr D Bryant

1. The Ombudsman's Report dated 15 February 2016 detailing the outcomes of the investigation into whether Cr Buchanan's actions amounted to repeated or sustained breaches of Part 2 of the Code of Conduct for Council Members be received and noted.
2. The Ombudsman's finding that Cr Buchanan has repeatedly breached Part 2 of the Code of Conduct for Council Members, has acted contrary to 3.17 of Part 3 of the Code of Conduct for Council Members, *has acted contrary to 3.17 of Part 3 of the Code of Conduct for Council Members* and acted in a manner that was unreasonable within the meaning of section 25(1)(b) of the *Ombudsman Act* be acknowledged and supported.
3. ~~Council lodge a complaint against Cr Buchanan to the District Court pursuant to Section 264 of the Local Government Act. That Council resolve to remove Cr Buchanan from the Development Assessment Panel, and prevent Cr Buchanan from being appointed to the position of Deputy Mayor, Chairman or Deputy Chairman of a Standing Committee or Sub-Committee for the remainder of the term of Council.~~
4. Council censure Cr Buchanan on the basis that the Ombudsman has found that he has breached Part 2 of the Code of Conduct for Council Members, has acted contrary to 3.17 of Part 3 of the Code of Conduct for Council Members and acted in a manner that was unreasonable within the meaning of section 25(1)(b) of the *Ombudsman Act*.

*Italics inserted
and
strikethrough
made pursuant
to resolution
1056/2016*

*Yellow
strikethrough
made pursuant
to resolution
1423/2016*

**CARRIED
0989/2016**

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

Crs D Balaza, D Bryant, L Caruso, E Gill, D Proleta, G Reynolds,

B Vermeer and J Woodman

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

Crs S Bedford, R Cook, D Pilkington, S Reardon, S White and R Zahra

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

Cr G Caruso returned to the meeting at 10:27 pm.

OTHER BUSINESS

OB1 Wiki Town

Moved Cr S Reardon
Seconded Cr D Balaza

1. Staff report back on costs, benefits and implications for the City of Salisbury becoming a Wiki Town.

CARRIED
0990/2016

OB2 Salisbury and Holden Hill Police Stations

Moved Cr B Vermeer
Seconded Cr D Balaza

Council write to the Commissioner of Police expressing its concern at reports of the reduction of operating hours of Salisbury Police Station and requests that the Commissioner take no such action to limit the operations of this vital public resource.

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

Council write to the Commissioner of Police expressing its concern at reports of the reduction of operating hours of Salisbury and Holden Hill Police Stations and request that the Commissioner take no such action to limit the operation of these vital public resources.

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

1. Council write to the Commissioner of Police expressing its serious concern at reports of the reduction of operating hours of Salisbury and Holden Hill Police Stations and request that the Commissioner take no such action to limit the operation of these vital public resources.

CARRIED
0991/2016

OB3 Waste to Resources Fund

Cr D Balaza declared an interest due to being a Board Member of NAWMA.

Moved Cr B Vermeer

Seconded Cr D Balaza

That

1. Council notes and supports the current push by the LGA, Conservation Council and the Waste Management Association of Australia to have Government use the \$65,000,000 in the Waste to Resources Fund on projects in line with their own state Waste Strategy 2015-2020.
2. Staff bring back a report outlining potential projects which could be submitted by Council for funding from this fund.

**CARRIED
0992/2016**

OB4 Mayor's Diary

Moved Cr B Vermeer

Seconded Cr D Balaza

1. That this information be noted.

**CARRIED
0993/2016**

OB5 Reports from Council Representatives

Cr D Bryant:

- 18/3/16 Attended the opening of the Mobara restaurant with Cr Gill and the Mayor.
- 22/3/16 Attended the Refugee Welcome Zone in the John Harvey Gallery.

Cr E Gill:

Noted the recent open day at the Jack Young Centre

- 25/2/16 Jack Young Centre Advisory Meeting
- 28/2/16 Fringe show at RSL
- 1/3/16 Radio programme
- 3/3/16 ALGWA IWD Celebration - Domestic Violence
- 8/3/16 IWD Mayor's breakfast
- 15/3/16 Radio programme w/- Anglican & Uniting Ministers
- 17/3/16 Jack Young Centre Open Day
- 18/3/16 Opening Mobara Japanese Restaurant
- 18-20/3/16 Rotary Conference Dist 5600 in Barossa

Cr S Reardon:

- 18/2/16 VIP Opening night-Secret Garden Hub -
- 19/2/16 Bombing of Darwin - Commemorative service
- 20/2/16 Neighbourhood Watch State Volunteers Councillors meeting
- 22/2/16 Council meeting
- 23/2/16 NHW 504 General Meeting-Co-ordinator
- 25/2/16 Community meeting at local shopping centre Re: Paddocks update.
- 27/2/16 Para Hills Bowling Club information meeting (10.00-11.00am)
- 27/2/16 Elected Member Weekend Workshop Day 1 (11.00am-1700hrs)
- 27/2/16 Elected Member Weekend Dinner
- 28/2/16 Elected Member Weekend Workshop Day 2
- 29/2/16 Budget Workshop #1
- 02/3/16 LSA NHW Volunteers 1/4 meeting - Deputy Chair
- 03/3/16 Para Hills Wanderers Netball Club Committee meeting
- 08/3/16 Informal Strategy
- 11/3/16 JP - Witness signing of residents forms.
- 16/3/16 Para Hills High School Governing Council - Deputy Chair.

- 17/3/16 Para Hills NHW 504 Planning Meeting for 15th Anniversary event.
- 21/3/16 Council Committees
- 23/3/16 Visit Resident Re compliant.
- 29/3/16 Council Meeting

Cr J Woodman:

Presented a report given by Mafata Conneh, Member of the Student Representative Council at the Valley View Secondary School Governing Council meeting on 23 March 2016.

CONFIDENTIAL ITEMS
3.8.1 Request for Extension of Confidentiality Order: Appeal Against ERD Court Decision - Old Spot Farmers Market

Cr D Bryant left the meeting at 11:04 pm.

Mayor G Aldridge declared an interest on the basis of a family relationship with the appellant and left the meeting at 11:05 pm. Cr D Balaza assumed the chair.

Cr R Zahra declared an interest due to family members being involved in markets.

Cr D Bryant returned to the meeting at 11:05 pm.

Moved Cr D Pilkington

Seconded Cr J Woodman

1. *Pursuant to Section 90(2) and (3)(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 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 will protect legal advice provided to Council under privilege

*On that basis the public's interest is best served by not disclosing the **Request for Extension of Confidentiality Order: Appeal Against ERD Court Decision - Old Spot Farmers Market** 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
0994/2016

The meeting moved into confidence at 11:05 pm.

The meeting moved out of confidence at 11:06 pm.

Mayor G Aldridge returned to the meeting at 11:07 pm and resumed the Chair.

6.9.1 Request for Extension of Confidentiality Order: SA Water Expression of Interest

Moved Cr B Vermeer
Seconded Cr S White

1. Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) and (d)(i) and (d)(ii) 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 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; 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 information will protect legal advice provided to the Council along with commercial information regarding the operations of Salisbury Water.

On that basis the public's interest is best served by not disclosing the **Request for Extension of Confidentiality Order: SA Water Expression of Interest** 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
0995/2016

The meeting moved into confidence at 11:07 pm.

The meeting moved out of confidence and closed at 11:08 pm.

CHAIRMAN.....

DATE.....