



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

26 APRIL 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 D Pilkington
Cr D Proleta
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
General Manager City Development, Mr T Sutcliffe
General Manager, Community Development, Ms J Trotter
General Manager City Infrastructure, Mr M van der Pennen
Manager Governance, Ms T Norman
Acting Manager Communications and Customer Relations, Mr C Treloar
Governance Coordinator, Ms J Rowett
Governance Support Officer, Ms K Boyd

The meeting commenced at 6:33pm.

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

Apologies have been received from Cr C Buchanan, Cr E Gill and Cr S Reardon.

LEAVE OF ABSENCE

Nil.

PUBLIC QUESTION TIME

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

DEPUTATIONS

No Deputations were received.

PRESENTATION OF MINUTES

Moved Cr D Balaza

Seconded Cr J Woodman

The Minutes of the Council Meeting held on 29 March 2016, be taken and read as confirmed.

**CARRIED
0998/2016**

Moved Cr D Balaza

Seconded Cr B Vermeer

The Minutes of the Confidential Council Meeting held on 29 March 2016, be taken and read as confirmed.

**CARRIED
0999/2016**

QUESTIONS ON NOTICE

QON1 Part Payment of Council Rates

At the 29 March 2016 Council meeting, Cr Proleta asked the following question:

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

The question was taken on notice.

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

The minimum payment at Australia Post Offices is determined by the relevant agency, which for the City of Salisbury is \$50 per payment. This minimum amount was put in place (mid-2014) due to the higher cost of transacting lower payments. The transaction cost at that time was \$1.60 for the over the counter service plus fees for the payment type (cheque or credit card). The fee is now \$2.01, and this is applied to each over the counter payment processed through Australia Post.

The cost to serve low value Australia Post Over the Counter (APOTC) payments is high compared to the amount received. Analysis in early 2014 for the previous 6 months showed that the cost to Council for payments below \$100 was \$11,000 with only \$260k being received, compared to \$33,000 for \$12.2M being received through APOTC for payments over \$100.

Council has a number of payment methods available in addition to Australia Post, including:

- In person at the Council office and Ingle Farm Recreation Centre, with cash/cheque/credit card and debit card being available, minimum payment is \$20*
- Online payments with credit/debit card, minimum \$20*
- Pay by phone with credit/debit card*
- Bpay with credit/debit card or direct from bank account*

It is acknowledged that some residents prefer the ability to make regular small payments, which can be done through all of the payment options detailed above. Whilst some residents may still prefer to pay at Australia Post branches, particularly if unable to access online services, staff have had limited feedback since introducing the \$50 minimum but will undertake a review of the minimum payment.

Bringing Forward Item C2

Moved Cr B Vermeer
Seconded Cr J Woodman

That Item C2 be considered immediately after Item GB5.

CARRIED
1000/2016

QUESTIONS WITHOUT NOTICE

Nil.

NOTICES OF MOTION

NOM1 Speed Limit for Bicycles on Footpaths

Cr D Bryant entered the meeting at 6:51pm.

Moved Cr B Vermeer
Seconded Cr D Balaza

1. That staff report back in relation to the implementation of a 'walking pace' speed limit for all bicycles on footpaths (other than specifically constructed joint use paths) within the city of Salisbury, with the report to include consideration of:
 - Policy and implementation issues
 - Interface with by-laws
 - Assessment of speed and enforcement of breaches
 - Consultation requirements for implementation
 - Costs for implementation including infrastructure requirements and ongoing administration
 - Communication/education requirements

Cr R Zahra moved an AMENDMENT that

1. That staff write to the LGA and ask that they investigate whether there is support across local government for the implementation of a 'walking pace' speed limit for all bicycles on footpaths (other than specifically constructed joint use paths) across local government, with the report to include consideration of:
 - Policy and implementation issues
 - Interface with by-laws
 - Assessment of speed and enforcement of breaches
 - Consultation requirements for implementation
 - Costs for implementation including infrastructure requirements and ongoing administration
 - Communication/education requirements

The amendment was disallowed by the Mayor.

CARRIED
1001/2016

PETITIONS

No Petitions were received.

COMMITTEE REPORTS

1 Policy and Planning Committee Meeting

Minutes of the Policy and Planning Committee Meeting held on 18 April 2016 were considered by Council.

Administration

1.0.1 Future Reports for the Policy and Planning Committee

Moved Cr L Caruso
Seconded Cr G Caruso

1. The information be received.

**CARRIED
1002/2016**

Cr D Balaza left the meeting at 07:04 pm.

Cr D Balaza returned to the meeting at 07:05 pm.

1.0.2 City of Tea Tree Gully Proposed Suburb Boundary Alteration - Salisbury Heights to Greenwith

Cr D Pilkington declared a perceived conflict of interest as he owns land in the subject area. As Cr Pilkington believes his interest is in line with a large number of people in the area he stated that his interest would not affect the way he voted and elected to stay in the meeting.

Moved Cr D Pilkington
Seconded Cr B Vermeer

1. A response be provided to the Surveyor General to advise that the City of Salisbury objects to the proposed boundary realignment of the suburbs Greenwith and Salisbury Heights within the Tea Tree Gully Council area due to the removal of a historical suburb title which is likely to increase community confusion and the lack of any tangible benefits to the community.

**CARRIED
1003/2016**

Cr D Pilkington voted FOR the MOTION.

Community Development

1.1.1 Review of the Twelve25 Advisory Group

Moved Cr R Zahra
Seconded Cr S White

1. The Twelve25 Youth Advisory Group continue with a further review to be conducted in February 2017.
2. Councillors Betty Gill, Riccardo Zahra, Steve White and Robyn Cook continue as members of the Twelve 25 Advisory Group pending the outcome of the review in February 2017.

**CARRIED
1004/2016**

1.1.2 Suicide Prevention Action Plan

Cr B Vermeer declared a perceived conflict interest due to his employer being the Opposition Spokesperson for Suicide Prevention, and that he will stay in the meeting and deal with his interest by stating on the public record this is a process of benefit to the whole community and his employment will not affect his vote.

Moved Cr D Pilkington
Seconded Cr B Vermeer

1. Council continue to support the development of the Salisbury Community Suicide Prevention Network.
2. Staff provide a status update report on the Salisbury Community Suicide Prevention Network to council in six months' time. The report to include a copy of the community owned action plan for council's information and an overview of an ongoing role and commitment for City of Salisbury staff.

**CARRIED
1005/2016**

Cr Vermeer voted FOR the MOTION.

1.1.3 Minutes of the Youth Council Sub Committee meeting held on Tuesday, 12 April 2016

1.1.3 - YC2 Twelve25 Salisbury Youth Enterprise Centre April Update

Moved Cr D Pilkington
Seconded Cr R Zahra

1. That the information be received and noted.

**CARRIED
1006/2016**

1.1.3 - YC3 Youth Action Plan

Moved Cr D Pilkington
Seconded Cr S White

1. The report be received and contents noted.

CARRIED
1007/2016

1.1.3 - YC4 Youth Council Membership

Moved Cr D Pilkington
Seconded Cr R Zahra

1. The resignation of Shamsiya Mohammadi be received and noted.
2. Council advise Marziya Mohammadi that as a consequence of non-attendance at Youth Council and Working Party meetings their membership has been terminated.

CARRIED
1008/2016

1.1.3 - YC5 Youth Council Working Parties

Cr D Bryant left the meeting at 07:28 pm.

Moved Cr D Balaza
Seconded Cr J Woodman

1. The following working groups be endorsed to be undertaken in 2016 by the Youth Council
 - Diversity - LGBTIQ Community
 - Diversity - CALD Community
 - Development - Health. Leader to be decided
 - Development - Education and Employment. Leader to be decided
 - Leisure - Sports. Leader to be decided
 - Leisure - The Arts. Leader to be decided
2. Joel Winder be appointed as the Leader for the Diversity-LGBTIQ Community Working Group.
3. Julie Ping be appointed as the Leader for the Diversity – CALD Community Working Group.

CARRIED
1009/2016

Urban Development

1.3.1 City Plan 2030

Moved Cr R Zahra
Seconded Cr L Caruso

1. The submissions received during the consultation process for the City Plan be noted.
2. The Draft City Plan 2030 at Attachment 2 to this report (Item No. 1.3.1, Policy and Planning Committee, 18/04/2016), incorporating amendments in response to public consultation outcomes, be endorsed.

**CARRIED
1010/2016**

1.3.2 Rural Aircraft Noise Direk Industry and Residential Interface DPA Update

Cr G Caruso declared a conflict of interest due to family members owning property in the DPA area and left the meeting at 7.32pm.

Cr D Balaza left the meeting at 07:33 pm.

Cr D Bryant returned to the meeting at 07:34 pm.

Cr D Balaza returned to the meeting at 07:34 pm.

Moved Cr B Vermeer
Seconded Cr S White

1. The Rural (Aircraft Noise) Direk Industry and Residential Interface Development Plan Amendment be reviewed and amended in accordance with the Minister for Planning's requirements, and the amended DPA and report be further considered by Council for endorsement prior to forwarding to the Minister for Planning to again seek approval for public consultation.

**CARRIED
1011/2016**

Cr G Caruso returned to the meeting at 7.37pm.

2 Works and Services Committee Meeting

Minutes of the Works and Services Committee Meeting held on 18 April 2016 were considered by Council.

Administration

2.0.1 Future Reports for the Works and Services Committee

Moved Cr J Woodman
Seconded Cr R Zahra

1. The information be received.

**CARRIED
1012/2016**

Community Centres and Youth

2.1.1 Burton Park Community Centre

Cr D Proleta declared a perceived interest due to being on the Committee of the Burton Park Community Centre and that she will stay in the meeting and deal with her interest by stating on the public record that any perceived interest is common to a wide range of members of the community and will not affect her vote.

Cr J Woodman declared a perceived interest due to being on the Committee of the Burton Park Community Centre and that she will stay in the meeting and deal with her interest by stating on the public record that any perceived interest is common to a wide range of members of the community and will not affect her vote.

Moved Cr J Woodman
Seconded Cr D Proleta

1. That Option 3, Pre School Demolition, improved car parking and landscaping at the Burton site, including Kaurna Park, be endorsed.
2. A new initiative bid be included in the 2016/17 budget for Burton pre-school demolition, car parking establishment costs and landscaping, for a value of \$303,000.

**CARRIED
1013/2016**

Cr J Woodman voted FOR the MOTION.

Cr D Proleta voted FOR the MOTION.

Landscaping

2.4.1 Tree Management Framework

Moved Cr D Balaza
Seconded Cr B Vermeer

1. The information be received.
2. The Tree Management Policy as set out in Attachment 2 to this report (Item No 2.4.1 Works and Services Committee, 18/4/2016), be endorsed.
3. The revised and updated Tree Removal Procedure, with track changes accepted, as set out in Attachment 3 to this report (Item No 2.4.1 Works and Services Committee, 18/4/2016, be endorsed; with option 1, the Development Assessment Unit, as the preferred mechanism for processing requests to review tree removal decisions related to Regulated/Significant trees where removal is supported (Clause 2.7 of Tree Removal Procedure).
4. The previous Tree Maintenance Policy be discontinued.

**CARRIED
1014/2016**

Public Works

2.6.1 Kerb and Gutter Maintenance Program

Moved Cr G Caruso
Seconded Cr D Proleta

1. The information be received.

**CARRIED
1015/2016**

2.6.2 Capital Works Progress Report - March 2016

Cr D Pilkington declared a perceived interest due to residing adjacent to the Cobbler Creek Linear Park and remained in the meeting declaring that he will deal with his interest by stating on the public record that his interest is in common with the wider community and will not affect his vote.

Moved Cr D Pilkington
Seconded Cr S White

1. The information be received.
2. The capital works underway in the Cobbler Creek Linear Park be noted.
3. The construction of new footpaths in sections of, Erin Court, Gulfview Heights; Golden Court, Paralowie; London Drive, Salisbury East; Mosel Grove, Paralowie; Shepherdson Road, Parafield Gardens and Target Hill Road, Salisbury Heights; be included as part of the Council Footpath Program.
4. St Augustine's Soccer Club, Salisbury Park, be included within the Priority Access Building Upgrades Program.
5. Acquisition of a Parks & Landscape Team Truck due to accident, utilising uncommitted funds associated with the Plant and Fleet Replacement Program, be included.
6. Conduct an audit of play equipment within the 2015/16 Parks and Streetscape Planning Program in lieu of the irrigation network and system.

**CARRIED
1016/2016**

Cr D Pilkington voted FOR the MOTION.

Consideration of Item 2.9.1

Moved Cr D Pilkington
Seconded Cr S White

That Item 2.9.1. be considered at this point in the agenda.

**CARRIED
1017/2016**

Confidential Items

2.9.1 Little Para Par 3 Golf Course

Moved Cr D Pilkington

Seconded Cr R Cook

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 the discussion of this item would protect commercial information provided by Belgravia Leisure and information relating to the proposed commercial negotiations regarding land associated with the Little Para Par 3 Golf Course and enable Council to consider detailed options and information prior to determining the most appropriate course of action.

On that basis the public's interest is best served by not disclosing the **Little Para Par 3 Golf Course** 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
1018/2016**

Cr G Caruso declared a conflict of interest due to some community members believing that he was related to Cr L Caruso and her golf course and left the meeting at 7.58 pm.

Cr L Caruso declared a conflict of interest due to her ownership of a golf course and left the meeting at 7.58 pm.

The meeting moved into confidence at 7.57 pm.

Moved Cr B Vermeer
Seconded Cr D Balaza

1. The information in this report be received and noted.
2. The Little Para Par 3 Golf Course continue to be a managed golf course and not returned to open space.
3. Belgravia Leisure be awarded a 5 year contract on agreed terms as per their submission commencing 1 July 2016 for the management of the Little Para Par 3 Golf Course.
4. Staff work with Belgravia Leisure to increase the revenue including a fee increase to align with other similar Par 3 golf courses.
5. Belair Turf Management continue interim management of the Little Para Par 3 Golf Course until the contract has been executed between Council and Belgravia Leisure.
6. A non-discretionary bid be included in the third quarter budget review of \$45,000 operating expenditure for the interim management costs of the Little Para Golf Course and \$43,000 capital expenditure for the building compliance and maintenance works.
7. A new initiative bid be included in the 2016/17 budget of \$206,000 annual operating expense for the ongoing management of the Little Para Golf Course, for a 5 year period with opportunity for review of the operating model within this period.
8. Subject to the awarding of the contract, staff in conjunction with the Communication's and Customer Relations Division commence a communication strategy to inform residents and members of Council's decision to keep the Little Para Par 3 Golf Course open.
9. Pursuant to Section 91(7) of the Local Government Act 1999, it is recommended that the report for this item will remain confidential and not available for public inspection until 31 December 2022.
10. Pursuant to Section 91(9)(c) of the Local Government Act 1999, the power to revoke the order under Section 91(7)(a)&(b) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

The meeting moved out of confidence at 8.34 pm.

BREAK

In accordance with section 10 (2) of the Code of Practice for Meeting Procedures, the presiding member provided a five minute break to all present. The meeting was suspended at 8:34 pm.
The meeting reconvened at 8:47 pm.

3 Resources and Governance Committee Meeting

Minutes of the Resources and Governance Committee Meeting held on 18 April 2016 were considered by Council.

Administration

3.0.1 Future Reports for the Resources and Governance Committee

Moved Cr D Bryant
Seconded Cr R Cook

1. The information be received.

**CARRIED
1019/2016**

External Relations

3.4.1 Nominations Sought for the Development Assessment Commission

Moved Cr B Vermeer
Seconded Cr D Bryant

1. Cr. L Caruso be nominated for the Development Assessment Commission.

**CARRIED
1020/2016**

Corporate Management

3.5.1 Request to Attend Interstate Activity - National General Assembly of Local Government, Canberra

Moved Cr D Bryant
Seconded Cr D Proleta

1. Approval be given for Cr Betty Gill to attend Day 1 of the National General Assembly of Local Government on 20 June 2016.
2. Cr Gill be the City of Salisbury voting delegate at the National General Assembly of Local Government in Canberra while in attendance.
3. Council endorse:
 - a) The CEO and Mayor meet with the voting delegate and provide guidance on voting for NGA motions that is in the best interest of the City of Salisbury.

**CARRIED
1021/2016**

Corporate Governance

3.6.1 Variations to Delegations

Moved Cr R Zahra

Seconded Cr R Cook

1. Having conducted a review of Delegations in accordance with Section 44(6) of the *Local Government Act 1999*, the Council hereby revokes its previous delegations to the Chief Executive Officer, effective from 16 May 2016 of those powers and functions under the following:

1.1 *Local Government Act 1999*

- Sections 48(1), 50(4), 50(6), 90(8a)(a), 90(8c), 92(5), 123(5), 123(9), 132(3), 169(15)(b), 202(4), 219(7), 237(4), 270(a1) and 299

2. Council makes the following delegations under the Local Government Act 1999:

2.1 In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Acts and Regulations and specified in the proposed 'Instruments of Delegation', are hereby delegated from Tuesday 17 May 2016 to the person occupying the office of Chief Executive Officer, subject to the conditions and or limitations specified within the Delegations Register.

2.1.1 Local Government Act 1999

- Sections 48(1), 50(4), 50(6), 90(8a)(a), 90(8c), 92(5), 123(5), 123(9), 132(3), 169(15)(b), 202(4), 219(7), 237(4), and 270(a1).

3. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated in the conditions and/or limitations specified in the Delegations Register.

**CARRIED
1022/2016**

Cr Balaza entered the meeting at 8:48 pm.

4 Audit Committee Meeting

Minutes of the Audit Committee Meeting held on 12 April 2016 were considered by Council.

Administration

4.0.1 Future Reports for the Audit Committee of Council

Moved Cr G Caruso
Seconded Cr R Zahra

1. The information be received.

**CARRIED
1023/2016**

Reports

4.2.1 Strategic Asset Management Delivery Report

Moved Cr G Caruso
Seconded Cr R Zahra

1. The information be received.

**CARRIED
1024/2016**

4.2.2 Draft 2016/17 Annual Plan and Budget

Moved Cr G Caruso
Seconded Cr R Zahra

1. The information be received

**CARRIED
1025/2016**

4.2.3 Treasury Policy Update

Moved Cr G Caruso
Seconded Cr R Zahra

1. The information be received
2. The Treasury Policy, as set out in Attachment 1 to this Report (Item No. 4.2.3, Audit Committee, 12/04/2016) be endorsed.

**CARRIED
1026/2016**

4.2.4 Internal Audit Update

Moved Cr G Caruso
Seconded Cr R Zahra

1. The information be received.

**CARRIED
1027/2016**

6 Budget and Finance Committee Meeting

Minutes of the Budget and Finance Committee Meeting held on 18 April 2016 were considered by Council.

Administration

6.0.1 Future Reports for the Budget and Finance Committee

Moved Cr S White
Seconded Cr J Woodman

1. The information be received.

CARRIED
1028/2016

Finance

6.1.1 Project Budget Delegations

Moved Cr R Zahra
Seconded Cr S Bedford

1. A Financial Delegation (the Project Budget Delegation) be provided to the relevant General Manager to increase an approved budget of an individual capital project in the financial year provided that the program (Information Technology, Transportation, Property and Buildings, Drainage and Waterways, Parks and Streetscapes, Plant, Furniture and Equipment, Water Business Unit, Strategic Projects and Strategic Property) and sub-classification (new, renewal) will not exceed budget, and that there is no change in project scope as a result.
2. The Project Budget Delegation limit be set at \$15,000 per individual capital project with a budget up to \$150,000 in each financial year, and 10% of the project value for projects with budgets greater than \$150,000 in each financial year.
3. In any quarter when the Project Budget Delegation is exercised a separate, standalone report be presented to the Budget and Finance Committee at the end of that quarter with details also to be reported in the Quarterly Budget Review.
4. The Project Budget Delegation be reviewed during the 2017/18 Budget process.

CARRIED
1029/2016

Financial Sustainability

6.2.1 Financial Indicators

Moved Cr G Caruso
Seconded Cr R Zahra

1. The Operating Ranges for Financial Sustainability Indicators be set as follows
 - a. Operating Surplus Ratio: between 0% and 5%
 - b. Net Financial Liabilities Ratio: less than 40%
 - c. Asset Sustainability Ratio: between 90% and 110%
2. The Operating Ranges for Financial Sustainability Indicators be reviewed as part of considering future Long Term Financial Plan updates.

**CARRIED
1030/2016**

Annual Plan and Budget

6.4.1 Belgravia Business Plans – 2016/17

Moved Cr G Caruso
Seconded Cr B Vermeer

1. The 2016/17 Business Plans for the:
 - Gardens Recreation Centre,
 - Ingle Farm Recreation Centre, and
 - Salisbury Recreation Precinctbe approved.
2. The proposed 2016/17 Fees and Charges for the Recreation Facilities managed by Belgravia Leisure be approved.

**CARRIED
1031/2016**

6.4.2 New Initiative Bids 2016/17

Cr L Caruso declared an interest due to owning a golf course and left the meeting at 9:00pm.

Cr G Caruso declared a conflict of interest due to some community members believing that he was related to Cr L Caruso and her golf course and left the meeting at 9.00 pm.

Moved Cr D Pilkington
Seconded Cr J Woodman

1. The Capital New Initiatives (including Strategic Property) totalling \$29,759,093 net expenditure be endorsed for inclusion in the Draft 2016/17 Annual Plan and Budget.
2. The IT New Initiatives totalling \$672,000 net expenditure be endorsed for inclusion in the 2016/17 Draft Annual Plan and Budget.
3. The Plant, Furniture and Equipment New Initiatives totalling \$1,864,200 net expenditure be endorsed for inclusion in the 2016/17 Draft Annual Plan and Budget.
4. The Operating New Initiatives totalling \$1,633,752 net expenditure be endorsed for inclusion in the 2016/17 Draft Annual Plan and Budget.
5. A further report be brought back on Items NAM23444 on the development process for the multicultural strategy and NAM23466 incorporating further information on the priority actions in adapting the Northern Adelaide Plans and Green Industries Program, prior to formal adoption of the budget.

The Mayor ruled the motion out of order.

Moved Cr J Woodman
Seconded Cr D Balaza

1. The Capital New Initiatives (including Strategic Property) totalling \$29,759,093 net expenditure be endorsed for inclusion in the Draft 2016/17 Annual Plan and Budget.
2. The IT New Initiatives totalling \$672,000 net expenditure be endorsed for inclusion in the 2016/17 Draft Annual Plan and Budget.
3. The Plant, Furniture and Equipment New Initiatives totalling \$1,864,200 net expenditure be endorsed for inclusion in the 2016/17 Draft Annual Plan and Budget.
4. The Operating New Initiatives totalling \$1,633,752 net expenditure be endorsed for inclusion in the 2016/17 Draft Annual Plan and Budget.

5. A further report be brought back on Items NAM23444 on the development process for the multicultural strategy and NAM23466 incorporating further information on the priority actions in adapting the Northern Adelaide Plans and Green Industries Program, prior to formal adoption of the budget.
6. The Chief Executive Officer be authorised to amend figures to be included within the draft annual plan to reflect decisions made at the Council meeting of 26 April 2016 prior to release of the draft annual plan for consultation.

**CARRIED
1032/2016**

*Cr G Caruso returned to the meeting at 9.07 pm.
Cr L Caruso returned to the meeting at 9.07 pm.*

6.4.3 Budget Workshop Action Update

Moved Cr S White
Seconded Cr D Pilkington

1. Information be received and noted.
2. Report on Outcomes of the Your Tutor Trial to be included on the futures report for Works and Services, and scheduled for March 2017.

**CARRIED
1033/2016**

6.4.4 Budget Status Update

Moved Cr R Zahra
Seconded Cr S White

1. Information be received.

**CARRIED
1034/2016**

6.4.5 Rating Strategy 2016/17

Moved Cr B Vermeer
Seconded Cr D Proleta

1. Information be received.
2. The rate increase based on a 2.9% average increase, including the minimum, be endorsed as the basis for setting rates in 2016/17 and included in the Draft Annual Plan & Budget for public consultation.
3. The current general rate capping policy (as set out in section 3.6 of this report, Item No. 6.4.5, Budget and Finance Committee 18/04/2016) remains unchanged for 2016/17.
4. The application of the currently endorsed Life Style Village Rate Capping, which provides an automatic rate cap of 10% to be applied annually until such time as rate parity is achieved, remains unchanged for 2016/17.

Cr D Bryant moved a FORMAL MOTION that the MOTION be PUT.

Seconded Cr R Cook

The FORMAL MOTION on BEING PUT was CARRIED.

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

Crs D Bryant, G Caruso, R Cook, D Pilkington, D Proleta and S White.

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

Mayor G Aldridge, Crs D Balaza, S Bedford, L Caruso, B Vermeer, J Woodman and R Zahra.

*The Mayor declared the **MOTION** was TIED.*

The Mayor exercised her casting vote and voted against the motion that the motion be put.

*The **FORMAL MOTION** was declared LOST.*

*The **MOTION** was PUT and LOST.*

A **DIVISION** was requested by Cr B Vermeer 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, D Proleta and B Vermeer

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

Crs S Bedford, G Caruso, R Cook, D Pilkington, S White, J Woodman and R Zahra

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

Moved Cr D Bryant

Seconded Cr L Caruso

1. Information be received.
2. The rate increase based on a 2.95% average increase, including the minimum, be endorsed as the basis for setting rates in 2016/17 and included in the Draft Annual Plan & Budget for public consultation.
3. The current general rate capping policy (as set out in section 3.6 of this report, Item No. 6.4.5, Budget and Finance Committee 18/04/2016) remains unchanged for 2016/17.
4. The application of the currently endorsed Life Style Village Rate Capping, which provides an automatic rate cap of 10% to be applied annually until such time as rate parity is achieved, remains unchanged for 2016/17.

Cr S Bedford moved a **FORMAL MOTION** that the **MOTION** be **PUT**.

Seconded Cr D Proleta

The **FORMAL MOTION** on **BEING PUT** was **CARRIED**.

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

Crs S Bedford, D Bryant, G Caruso, L Caruso, R Cook, D Pilkington, D Proleta, S White, J Woodman and R Zahra

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

Crs D Balaza and B Vermeer

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

The **MOTION** was **PUT** and **LOST**.

Moved Cr B Vermeer

Seconded Cr D Balaza

1. Information be received.
2. The rate increase based on a 2.91% average increase, including the minimum, be endorsed as the basis for setting rates in 2016/17 and included in the Draft Annual Plan & Budget for public consultation.
3. The current general rate capping policy (as set out in section 3.6 of this report, Item No. 6.4.5, Budget and Finance Committee 18/04/2016) remains unchanged for 2016/17.
4. The application of the currently endorsed Life Style Village Rate Capping, which provides an automatic rate cap of 10% to be applied annually until such time as rate parity is achieved, remains unchanged for 2016/17.

Cr S Bedford moved a **FORMAL MOTION** that the **MOTION** be **PUT**.

Seconded Cr D Proleta

The **FORMAL MOTION** on **BEING PUT** was **CARRIED**.

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

Crs S Bedford, G Caruso, L Caruso, R Cook, D Pilkington, D Proleta, S White, J Woodman and R Zahra

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

Crs D Balaza, D Bryant and B Vermeer

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

The **MOTION** was **PUT** and **LOST**.

A **DIVISION** was requested by Cr B Vermeer 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, D Proleta and B Vermeer

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

Crs S Bedford, G Caruso, R Cook, D Pilkington, S White, J Woodman and R Zahra.

The Mayor declared the **FORMAL MOTION** was **LOST**.

Moved Cr G Caruso

Seconded Cr B Vermeer

1. Information be received.
2. The rate increase based on a 2.5% average increase, including the minimum, be endorsed as the basis for setting rates in 2016/17 and included in the Draft Annual Plan & Budget for public consultation.
3. The current general rate capping policy (as set out in section 3.6 of this report, Item No. 6.4.5, Budget and Finance Committee 18/04/2016) remains unchanged for 2016/17.
4. The application of the currently endorsed Life Style Village Rate Capping, which provides an automatic rate cap of 10% to be applied annually until such time as rate parity is achieved, remains unchanged for 2016/17.

Cr R Zahra moved a **FORMAL MOTION** that the **MOTION** be **PUT**

Seconded Cr D Proleta

The **FORMAL MOTION** on **BEING PUT** was **CARRIED**

A **DIVISION** was requested by Cr B Vermeer

and the following members responded to the Mayor's call as having voted in favour of the **MOTION**:

Crs S Bedford, G Caruso, L Caruso, R Cook, D Pilkington, D Proleta, S White, J Woodman and R Zahra

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

Crs D Balaza, D Bryant and B Vermeer

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

Moved Cr R Zahra
Seconded Cr R Cook

1. Information be received.
2. The rate increase based on a 3.25% average increase, including the minimum, be endorsed as the basis for setting rates in 2016/17 and included in the Draft Annual Plan & Budget for public consultation.
3. The current general rate capping policy (as set out in section 3.6 of this report, Item No. 6.4.5, Budget and Finance Committee 18/04/2016) remains unchanged for 2016/17.
4. The application of the currently endorsed Life Style Village Rate Capping, which provides an automatic rate cap of 10% to be applied annually until such time as rate parity is achieved, remains unchanged for 2016/17.

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

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

Crs G Caruso, D Pilkington and R Zahra

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

Crs D Balaza, S Bedford, D Bryant, L Caruso, R Cook, D Proleta, B Vermeer, S White and J Woodman

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

Moved Cr D Balaza
Seconded Cr J Woodman

1. Information be received.
2. The rate increase based on a 3.0% average increase, including the minimum, be endorsed as the basis for setting rates in 2016/17 and included in the Draft Annual Plan & Budget for public consultation.
3. The current general rate capping policy (as set out in section 3.6 of this report, Item No. 6.4.5, Budget and Finance Committee 18/04/2016) remains unchanged for 2016/17.

4. The application of the currently endorsed Life Style Village Rate Capping, which provides an automatic rate cap of 10% to be applied annually until such time as rate parity is achieved, remains unchanged for 2016/17.

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

Seconded Cr R Cook

The FORMAL MOTION was CARRIED

The MOTION was PUT and CARRIED.

**CARRIED
1035/2016**

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

Crs S Bedford, G Caruso, R Cook, D Pilkington, D Proleta, G Reynolds, S White and J Woodman

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

Crs D Balaza, D Bryant, L Caruso, B Vermeer and R Zahra

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

Cr White returned to the meeting at 9.22pm.

Cr D Bryant left the meeting at 09:56 pm.

Cr D Bryant returned to the meeting at 09:57 pm.

Cr G Reynolds entered the meeting at 10.02 pm

6.4.6 Higher Value Property Review

Moved Cr B Vermeer
Seconded Cr G Caruso

1. The Higher Property Value Rate Remission for 2016/17 for residential properties be set on the following basis:

Tier	Value Range	Rate Adjustment
1	0- \$467,000	0
2	\$467,000 - \$570,000	15%
3	\$570,000 +	35%

**CARRIED
1036/2016**

6.4.7 Draft 2016/17 Annual Plan and Budget

Moved Cr G Caruso
Seconded Cr D Proleta

1. Information be received.
2. Draft 2016/17 Annual Plan and Budget be endorsed for the purposes of Public Consultation, subject to further editing and formatting improvements without changing the substantive nature of the document, and changes required to reflect decisions of Council made at Budget and Finance Meeting 18 April and Council 26 April 2016.

**CARRIED
1037/2016**

6.4.8 Council Solutions 2016/17 Budget

Moved Cr G Caruso
Seconded Cr J Woodman

1. The proposed Council Solutions Regional Subsidiary 2016/17 Annual Budget be considered and noted.

**CARRIED
1038/2016**

6.4.9 Natural Resource Management (NRM) Levy Collection

Cr B Vermeer declared a perceived interest due to his employment requiring him to assist the Member of the Natural Resources Committee. However he declared on the public record that this matter was of wide community interest and that his perceived interest will not affect his vote and remained in the meeting.

Moved Cr G Caruso
Seconded Cr D Bryant

1. Council note the Adelaide and Mount Lofty NRM Board proposed 6% levy increase and express its concern at the quantum of the increase.
2. The Local Government Association's lobbying of the State Government in seeking alternate NRM Levy arrangements and its proposed campaign be noted and supported.
3. Staff investigate projects within the City of Salisbury which could be submitted to the NRM Board for funding.

**CARRIED
1039/2016**

Cr Vermeer voted FOR the MOTION.

Cr R Cook left the meeting at 10:04 pm.

Confidential Items

Refer to 6.9.1 dealt with directly following Item 2.6.2.

7 Sport, Recreation and Grants Committee Meeting

Minutes of the Sport, Recreation and Grants Committee Meeting held on 11 April 2016 were considered by Council.

Administration

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

Moved Cr D Proleta
 Seconded Cr D Pilkington

1. The information be received.

**CARRIED
 1040/2016**

Sport and Recreation

7.1.1 Applications to Sports Lighting Assistance Program - Salisbury Amateur Athletics Club

Moved Cr D Proleta
 Seconded Cr J Woodman

1. The report be received and noted.
2. The application by the Salisbury Amateur Athletics Club to the Sports Lighting Assistance Program and award of \$90,000 for the installation of lighting for running training at Rundle Park in Salisbury South be approved.
3. The \$90,000 funding awarded to the Salisbury Amateur Athletics Club for the installation of lighting at Rundle Park under the Sports Lighting Assistance Program be carried forward to the 2016/17 financial year, in light of the timeframe for consideration of the SAAC's application for matching funding and to enable project implementation if that application is successful.
4. In the event that the Salisbury Amateur Athletics Club is unsuccessful in its application for matching funding for the installation of lighting at Rundle Par then the \$90,000 Sports Lighting Assistance Program funding offer will lapse and the funds will be returned to the budget.

**CARRIED
 1041/2016**

Cr S Bedford left the meeting at 10:07 pm.

7.1.2 Minor Capital Works Grants - April Allocations

Moved Cr D Proleta
Seconded Cr R Zahra

1. That using its delegated powers outlined in the adopted Terms of Reference the Sports, Recreation and Grants Committee assess and allocate funding for the April 2016 round of Minor Capital Works Grants Program as follows:
 - a. Para Hills Boxing Club - \$20,000 for the installation of air-conditioning and storage shelves.

**CARRIED
1042/2016**

Community Grants

7.2.1 Youth Sponsorship - March Applications

Moved Cr D Proleta
Seconded Cr D Pilkington

1. The information be received.

**CARRIED
1043/2016**

7.2.2 Community Grants Program Applications for April 2016

Moved Cr D Proleta
Seconded Cr D Pilkington

1. The information be received and noted.

**CARRIED
1044/2016**

Cr R Cook returned to the meeting at 10:07 pm.

7.2.3 47/2015: Pooraka Netball Club Inc. Community Grants Program Application

Moved Cr S White
Seconded Cr B Vermeer

1. The information be received and noted.

**CARRIED
1045/2016**

**7.2.4 50/2015: Tatar Bashkurt Association of Australia Inc. -
Community Grants Program Application**

Moved Cr G Caruso
Seconded Cr D Proleta

1. The information be received and noted.

**CARRIED
1046/2016**

**7.2.5 51/2015: Macedonia United Lions Soccer Club Inc. -
Community Grants Program Application**

Moved Cr D Proleta
Seconded Cr G Caruso

1. The information be received and noted.

**CARRIED
1047/2016**

**7.2.6 11/2016: Trinity Green Residents' Association 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 April 2016 round of Community Grants as follows:
 - a. Grant No. 11/2016: Trinity Green Residents' Association Inc. be awarded the amount of **\$2,000.00** to assist with the purchase of indoor bowls carpet for ongoing use as outlined in the Community Grant Application.

**CARRIED
1048/2016**

**7.2.7 12/2016: Old English Game Fowl Club of Australia Inc. -
Community Grants Program Application**

Moved Cr R Zahra

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 April 2016 round of Community Grants as follows:
 - a. Grant No. 12/2016: Old English Game Fowl Club of Australia Inc. be awarded the amount of **\$1,745.00** to assist with the purchase of trophies and ribbons for The Old English Game Fowl Club of Australia Annual Show as outlined in the Community Grant Application.

**CARRIED
1049/2016**

8 CEO Review Committee Meeting

Minutes of the CEO Review Committee Meeting held on 19 April 2016 were considered by Council.

Administration

8.0.1 CEO Key Performance Indicators Update

Moved Cr D Pilkington
 Seconded Cr J Woodman

1. Information be received and progress towards achievement of the endorsed 2015/2016 Key Performance Indicators to be noted and endorsed.

**CARRIED
 1050/2016**

Cr S Bedford returned to the meeting at 10:13 pm.

8.0.2 Appointment of an Independent Advisor

Moved Cr D Pilkington
 Seconded Cr J Woodman

1. Hender Consulting is appointed as the Independent Advisor to the CEO Review Committee for the remainder of the term of the CEO Employment Agreement.

**CARRIED
 1051/2016**

GENERAL BUSINESS

GB1 Mawson Lakes DPA - requirements to receive approval from Minister for Planning

Cr L Caruso left the meeting at 10:21 pm.

Moved Cr B Vermeer
Seconded Cr S White

1. That the separation and amendments to the Mawson Lakes Development Plan Amendment recommended by the Minister for Planning be supported and the Minister be advised of Council's support for the recommended changes.
2. Staff be authorised to amend the DPA as required to achieve the Minister for Planning's requirements for amendments to the Mawson Lakes Development Plan Amendment Part 1, and submit the DPA as amended to the Minister for approval.
3. That a further report be provided to Council in relation to the proposed Mawson Lakes DPA Part 2 for consideration of the proposed amendments following consideration of appropriate policy content and further discussions with the Department for Planning Transport and Infrastructure.

CARRIED
1052/2016

GB2 Review of Local Government Association Membership Subscription Formula

Cr L Caruso returned to the meeting at 10:23 pm.

Cr D Balaza left the meeting at 10:26 pm.

Cr D Balaza returned to the meeting at 10:27 pm.

Cr D Balaza left the meeting at 10:41 pm.

Cr R Zahra left the meeting at 10:41 pm.

Cr J Woodman left the meeting at 10:41 pm.

Cr J Woodman returned to the meeting at 10:42 pm.

Cr D Balaza returned to the meeting at 10:43 pm.

Cr R Zahra returned to the meeting at 10:43 pm.

Cr D Balaza left the meeting at 10:49 pm.

Cr D Balaza returned to the meeting at 10:50 pm.

Moved Cr G Caruso

Seconded Cr B Vermeer

1. The information be received.
2. Council withdraw from the Local Government Association for an initial period of 12 months.
3. Council consult with Northern Councils and the Local Government Association regarding representation on the Board of the LGA.
4. Subject to any amendments required, the Draft Submission to the Local Government Association in response to the Review of LGA Membership Subscription Formula – Summary for Consultation (as set out in Attachment 2, Item No: GB2, Council, 26/02/2016), be endorsed.

*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 G Caruso, D Pilkington, B Vermeer and S White

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

Crs D Balaza, S Bedford, D Bryant, L Caruso, R Cook, D Proleta, G Reynolds, J Woodman and R Zahra

*The Chairman declared the **MOTION** was **LOST***

Moved Cr B Vermeer

Seconded Cr S White

1. The information be received.
2. Subject to any amendments required, the Draft Submission to the Local Government Association in response to the Review of LGA Membership Subscription Formula – Summary for Consultation (as set out in Attachment 2, Item No: GB2, Council, 26/02/2016), be endorsed.

-
3. The submission to include reference to the City of Salisbury having a preference for Option 4 as set out within the Review of LGA Membership Subscription Formula - Summary for Consultation paper.

CARRIED
1053/2016

BREAK

In accordance with section 10 (2) of the Code of Practice for Meeting Procedures, the presiding member provided a five minute break to all present. The meeting was suspended at 10.50 pm.
The meeting reconvened at 10.58 pm.

GB3 City of Salisbury Submission to the LGA on the Private Member's Bill 'Disability Services (Inclusion and Monitoring) Amendment Act 2016'

Cr B Vermeer declared a perceived interest due to the Private Member responsible for the Bill being a member of the same Party to which the Member of Parliament he is employed to assist. However Cr Vermeer declared on the public record that this was a matter of wide community concern, any perceived interest will not affect his vote as the submission is to the Local Government Association and remained in the meeting.

Cr G Reynolds entered the meeting at 11.00 pm.

Moved Cr R Zahra
Seconded Cr S White

1. The City of Salisbury make a submission to the Local Government Association about the Private Member's Bill *Disability Services (Inclusion and Monitoring) Amendment Act 2016* as expressed in Attachment 1 to this report (Item No GB3., Council Meeting, 26/04/2016).

CARRIED
1054/2016

Cr Vermeer voted FOR of the MOTION.

GB4 Recommendation to amend Council Decision 0224/2015 regarding Tranche 2 Business Case and Project Status Update

Moved Cr G Caruso
Seconded Cr L Caruso

1. Part 2 of Council resolution number 0224/2015 of the Council Meeting of 23 March 2015 in relation to Tranche 2 Business Case and Project Status Update be amended to read as follows:
 2. *That Council initiate public consultation to rename the section of Walpole Road, Paralowie between Greentree Boulevard and Melvina Road, to be named 'Greentree Boulevard', pursuant to Section 219 of the Local Government Act 1999.*

**CARRIED
1055/2016**

GB5 Recommendation to amend Council Decision 0989/2016 regarding Code of Conduct Complaint 09/2014 - Ombudsman's Investigation Findings

Cr D Bryant declared a perceived conflict of interest on the basis that he was a party to a Code of Conduct complaint against Cr Buchanan. However he elected to remain in the meeting as the matter currently before Council occurred prior to his commencement as a Councillor.

Cr G Caruso declared a perceived conflict of interest on the basis that he was a party to an ongoing investigation and left the meeting at 11.05pm

Cr S Bedford left the meeting at 11:24 pm.

Cr S Bedford returned to the meeting at 11:25 pm.

Moved Cr B Vermeer
Seconded Cr D Bryant

1. Council resolution number 0989/2016 of the Council Meeting of 29 March 2016 in relation to Code of Conduct Complaint 09/2014 – Ombudsman’s Investigation Findings be amended to read as follows:
 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 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. That Council resolve to remove Cr Buchanan from all positions within the Council (including Council Committees and Sub-Committees, but not including the members elected position on Council).

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

1. Council resolution number 0989/2016 of the Council Meeting of 29 March 2016 in relation to Code of Conduct Complaint 09/2014 – Ombudsman’s Investigation Findings be amended to read as follows:
 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 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. 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.

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

1. Council resolution number 0989/2016 of the Council Meeting of 29 March 2016 in relation to Code of Conduct Complaint 09/2014 – Ombudsman’s Investigation Findings be amended to read as follows:
 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 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. 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 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.

**CARRIED
1056/2016**

Cr D Bryant voted FOR the MOTION.

Cr G Caruso returned to the meeting at 11.40 pm.

C2 Military Museum - Request for Assistance

Pursuant to Resolution 1064/2016 item C2 is now a public document, effective 20/07/2016

Moved Cr R Zahra

Seconded Cr D Balaza

1. *Pursuant to Section 90(2) and (3)(b)(i) and (b)(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.*
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 the financial position of Council in relation to the level of support it is willing to provide to the Military Museum*

*On that basis the public's interest is best served by not disclosing the **Military Museum - Request for Assistance** 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
1067/2016**

The meeting moved into confidence at 11:41 pm.

The meeting moved out of confidence at 11:47 pm

The following resolution has been inserted into this minutes document since it was originally published:

C2 Military Museum - Request for Assistance

Pursuant to Resolution 1064/2016 item C2 is now a public document, effective 20/07/2016

Cr B Vermeer declared a perceived conflict of interest due to employment and remained in the meeting.

Moved Cr G Reynolds

Seconded Cr D Balaza

1. A one off contribution of up to \$80,000, which is the current shortfall of funds required to purchase the property at 10 – 20 Sturton Road Edinburgh, be provided to the Military Museum to facilitate purchase of the property.
2. The final contribution amount payable by Council to be adjusted based on contributions received by the Military Museum from the RSL, exemption of stamp duty or other pledges from external parties.
3. The contribution of up to \$80,000 to facilitate purchase of the property at 10 – 20 Sturton Road Edinburgh by the Military Museum is to be funded as a non-discretionary bid.
4. The Chief Executive Officer, or his delegate, be authorised to communicate the decisions of Council to the Military Museum in order to facilitate the process related to the purchase of the property at 10 – 20 Sturton Road Edinburgh.
5. Pursuant to Section 91(7) of the Local Government Act 1999, it is recommended that the report, recommendations and minutes for this item will remain confidential and not available for public inspection until the purchase of the property by the Military Museum at 10 – 20 Sturton Road Edinburgh has been finalised.
6. Pursuant to Section 91(9)(c) of the Local Government Act 1999, the power to revoke the order under Section 91(7)(a)&(b) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

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

1. A one off contribution of up to \$55,000, which is the current shortfall of funds required to purchase the property at 10 – 20 Sturton Road Edinburgh, be provided to the Military Museum to facilitate purchase of the property.
2. The final contribution amount payable by Council to be adjusted based on contributions received by the Military Museum from the RSL, or other pledges from external parties.
3. The contribution of up to \$55,000 to facilitate purchase of the property at 10 – 20 Sturton Road Edinburgh by the Military Museum is to be funded as a 2015/16 third quarter budget review

Museum is to be funded as a 2015/16 third quarter budget review non-discretionary bid.

4. The Chief Executive Officer, or his delegate, be authorised to communicate the decisions of Council to the Military Museum in order to facilitate the process related to the purchase of the property at 10 – 20 Sturton Road Edinburgh.
5. Pursuant to Section 91(7) of the Local Government Act 1999, it is recommended that the report, recommendations and minutes for this item will remain confidential and not available for public inspection until the purchase of the property by the Military Museum at 10 – 20 Sturton Road Edinburgh has been finalised.
6. Pursuant to Section 91(9)(c) of the Local Government Act 1999, the power to revoke the order under Section 91(7)(a)&(b) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

CARRIED
1064/2016

C1 Local Government Governance Panel - Report on the Investigation of Code of Conduct Complaint 01/2016

Cr R Cook left the meeting at 11:48 pm.

Cr S White declared a conflict of interest due to being a party to the complaint under investigation and left the meeting at 11.48 pm and did not return.

Cr G Caruso declared a perceived conflict of interest on the basis that he was party to an ongoing investigation and left the meeting at 11.48 pm.

Moved Cr D Bryant

Seconded Cr J Woodman

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).**
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 would protect information related to the Local Government Governance Panel Report on the investigation of Code of Conduct complaint 01/2016 until such time as Council is able to consider the information contained within the report and determine the ongoing status of the report**On that basis the public's interest is best served by not disclosing the **Local Government Governance Panel - Report on the Investigation of Code of Conduct Complaint 01/2016** item and discussion at this point in time.**
4. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except
 - *the Chief Executive Officer*
 - *the Manager Governance*
 - *the Governance Support Officer**be excluded from attendance at the meeting for this Agenda Item.**

**CARRIED
1057/2016**

The meeting moved into confidence at 11.49pm.

Moved Cr D Proleta
Seconded Cr D Pilkington

1. Information be received.
2. Pursuant to Section 91(7) of the Local Government Act 1999, it is recommended that the Local Government Governance Panel report (Final Report – 636105 – Alleged Breach Code of Conduct – REDACTED -v- Councillor Steve White) remain confidential and not available for public inspection until 23 April 2021.
3. Pursuant to Section 91(9)(c) of the Local Government Act 1999, the power to revoke the order under Section 91(7)(a)&(b) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

The meeting moved out of confidence at 11.51 pm.

Cr G Caruso returned to the meeting at 11.51 pm.

GB6 Code of Conduct Complaint 01/2016 - Local Government Governance Panel Investigation Findings

Cr G Caruso declared a perceived conflict of interest on the basis that he was party to an ongoing investigation and left the meeting at 11.48pm.

Cr D Bryant left the meeting at 12:19 am, 27/04/2016

Cr D Bryant returned to the meeting at 12:21 am, 27/04/2016

Cr D Bryant left the meeting at 12:22 am, 27/04/2016, and did not return.

Moved Cr J Woodman
Seconded Cr D Bryant

1. Information be received.
2. It be noted that having investigated the alleged breach of the *Code of Conduct for Council Members*, the Local Government Governance Panel finds that Councillor White has breach Part 2 Clauses 2.3 and 2.4.
 - 2.3 *Act in a reasonable, just, respectful and non-discriminatory way when dealing with people*
 - 2.4 *Show respect for others if making comments publicly.*
3. Written advice regarding the investigations findings, and Council's decision in relation to action to be taken in response to the Local Government Governance Panel report following the investigation of Code of Conduct Complaint 01/2016 be provided to the complainant.
4. Cr White be removed from the Youth Council.

With leave of the meeting and consent of the seconder Cr J Woodman
VARIED the MOTION as follows

1. Information be received.
2. It be noted that having investigated the alleged breach of the *Code of Conduct for Council Members*, the Local Government Governance Panel finds that Councillor White has breach Part 2 Clauses 2.3 and 2.4.
 - 2.3 *Act in a reasonable, just, respectful and non-discriminatory way when dealing with people*
 - 2.4 *Show respect for others if making comments publicly.*
3. Written advice regarding the investigations findings, and Council's decision in relation to action to be taken in response to the Local Government Governance Panel report following the investigation of Code of Conduct Complaint 01/2016 be provided to the complainant.
4. Cr White be removed from the Youth Council.
5. Cr White apologise with a written apology to the City of Salisbury Youth Council for the manner in which he expressed his personal views at the Youth Council Residential Training session on 1 February 2016. The apology to acknowledge his role as a supporter willing to understand the issues facing young people and not to impose his personal views inappropriately.

*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, B Vermeer and J Woodman

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

Crs S Bedford, L Caruso, D Pilkington, D Proleta, G Reynolds and R Zahra

*The Chairman declared the **MOTION** was **LOST***

Moved Cr R Zahra
Seconded Cr D Pilkington

1. Information be received.
2. It be noted that having investigated the alleged breach of the *Code of Conduct for Council Members*, the Local Government Governance Panel finds that Councillor White has breached Part 2 Clauses 2.3 and 2.4.
 - 2.3 *Act in a reasonable, just, respectful and non-discriminatory way when dealing with people*
 - 2.4 *Show respect for others if making comments publicly.*
3. Written advice regarding the investigations findings, and Council's decision in relation to action to be taken in response to the Local Government Governance Panel report following the investigation of Code of Conduct Complaint 01/2016 be provided to the complainant.
4. Cr White apologise with a written apology to the City of Salisbury Youth Council for the manner in which he expressed his personal views at the Youth Council Residential Training session on 1 February 2016. The apology to acknowledge his role as a supporter willing to understand the issues facing young people and not to impose his personal views inappropriately.
5. Cr White receive training in relation to the role of an Elected Member on the Youth Council.

CARRIED
1058/2016

Cr G Caruso returned to the meeting at 12:24 am, 27/04/2016

OTHER BUSINESS

OB1 Mayor's Diary

Moved Cr B Vermeer
Seconded Cr G Reynolds

1. That this information be noted.

CARRIED
1059/2016

OB2 Reports from Council Representatives

Nil received.

OB3 Code of Conduct

Moved Cr B Vermeer
Seconded Cr D Proleta

1. That Council write to the Ombudsman seeking an explanation regarding why the Code of Conduct complaint 09/2014 took 24 months to resolve and why incorrect information regarding courses of action available to Council was given.

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

1. That Council write to the Ombudsman seeking an explanation regarding why the Code of Conduct complain 09/2014 took 24 months to resolve and why incorrect information regarding courses of action available to Council was given and what actions the Ombudsman's office has taken to avoid future reoccurrence.

CARRIED
1060/2016

Cr G Caruso left the meeting at 12:25 am, 27/4/2016

Cr G Caruso returned to the meeting at 12:30 am, 27/4/2016

OB4 Part Payment of Council Rates at Australia Post Offices

Moved Cr D Proleta
Seconded Cr B Vermeer

1. That Council change the minimum amount payable at Australia Post Offices for Council rates and other fees from \$50.00 to \$30.00 at Australia Post

CARRIED
1061/2016

6.9.1 Action of Rates Accounts Outstanding under Section 184 of the Local Government Act 1999

Moved Cr R Zahra

Seconded Cr J Woodman

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).

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 **Action of Rates Accounts Outstanding under Section 184 of the Local Government Act 1999** 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
1062/2016**

The meeting moved into confidence at 12.38 pm, 27/04/2016.

The meeting moved out of confidence at 12.39pm, 27/04/2016.

The meeting closed at 12.39 pm, 27/04/2016.

CHAIRMAN.....

DATE.....