



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

28 NOVEMBER 2016

MEMBERS PRESENT

Cr D Balaza (Deputy Mayor)
Cr S Bedford
Cr D Bryant
Cr C Buchanan
Cr G Caruso
Cr L Caruso
Cr R Cook
Cr E Gill
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
General Manager City Development, Mr T Sutcliffe
General Manager City Infrastructure, Mr M van der Pennen
General Manager Community Development, Ms P Webb
Manager Governance, Ms T Norman
Manager Communications and Customer Relations, Mr M Bennington
Governance Coordinator, Ms J Rowett
Governance Support Officer, Ms K Boyd

The meeting commenced at 6:30 pm.

OPENING PRAYER AND WELCOME

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

The Chief Executive Officer read the Opening Prayer.
The Deputy Mayor read the Kaurna Acknowledgement.

APOLOGIES

Apologies were received from Mayor G Aldridge and Cr D Pilkington.

OB1 Assumption of Chair in Deputy Mayor's Absence

Moved Cr B Vermeer
Seconded Cr C Buchanan

That in the event that Cr Balaza is unable to chair the meeting, Cr Linda Caruso be appointed to assume the chair.

**CARRIED
1417/2016**

LEAVE OF ABSENCE

Nil.

PUBLIC QUESTION TIME

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

DEPUTATIONS

No Deputations have been received.

10 YEAR SERVICE AWARDS

Chief Executive Officer, Mr John Harry presented Cr David Balaza and Cr Riccardo Zahra with 10 year service certificates from the Local Government Association.

PRESENTATION OF MINUTES

Moved Cr L Caruso
Seconded Cr R Zahra

The Minutes of the Council Meeting held on 24 October 2016, be taken and read as confirmed.

**CARRIED
1418/2016**

PRESENTATION OF CONFIDENTIAL MINUTES

Moved Cr B Vermeer
 Seconded Cr J Woodman

1. *Pursuant to Section 90(2) and (3)(g) 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 matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.*
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 allow Council to discuss minutes that are currently the subject of a confidentiality order and can therefore not be disclosed without breaching that order, to enable the minutes to be confirmed.*

*On that basis the public's interest is best served by not disclosing the **Presentation of the Confidential Minutes of the Council Meeting of 24 October 2016** 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
1419/2016

The meeting moved into confidence at 6:40 pm.

Cr D Bryant declared a conflict of interest on the basis of declaring a conflict of interest on this item in the October 2016 meeting. Cr D Bryant left the meeting at 06:40 pm.

Cr C Buchanan declared a conflict of interest on the basis of being involved in the complaint that is the subject of the minutes being discussed. Cr C Buchanan left the meeting at 06:43 pm.

Cr G Caruso declared a conflict of interest on the basis of declaring a perceived conflict of interest when Item C1 was first discussed. Cr G Caruso left the meeting at 06:44 pm.

Cr D Proleta entered the meeting at 6:49 pm.

Moved Cr L Caruso
Seconded Cr R Cook

The Minutes of the Confidential Council Meeting held on 24 October 2016, be taken and read as confirmed.

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

Crs S Bedford, L Caruso, R Cook, E Gill, D Proleta, S Reardon, G Reynolds, S White, J Woodman and R Zahra

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

Cr B Vermeer

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

CARRIED
1420/2016

The meeting moved out of confidence at 06:50 pm.

Cr D Bryant returned to the meeting at 06:51 pm.

Cr G Caruso returned to the meeting at 06:52 pm.

Cr C Buchanan returned to the meeting at 06:52 pm.

QUESTIONS ON NOTICE

QON1 Mayor's Duty of Care

At the 26 September 2016 Council meeting, Cr C Buchanan asked a question regarding the Mayor's Duty of Care, and specifically asked if the Chief Executive Officer could explain to the Council:

1. What level of duty of care that the Mayor legally has.

The question was taken on notice.

The Chief Executive Officer provided the following response:

The roles and responsibilities of the Mayor are set out in a range of legislative instruments and other documents. These are summarised below. It is evident from the information provided that the Mayor is responsible for ensuring the business of a Council meeting is conducted in a fair, proper and orderly manner. The legislation and other documents empowers the Mayor to act to ensure relevant provisions of the *Local Government Act 1999*, the Code of Conduct for Council Members, and the Code of Practice for Meeting Procedures are complied with. Equally the Mayor is obligated to comply with these provisions.

Local Government Act 1999

Section 62 of the *Local Government Act 1999* (the Act) sets out the General Duties of a member of a council as follows:

- (1) *A member of a council must at all times act honestly in the performance and discharge of official functions and duties.*
- (2) *A member of a council must at all times act with reasonable care and diligence in the performance and discharge of official functions and duties.*

Section 58 of the Act sets out the specific roles of the Principal Member as follows:

- (1) *The role of the principal member of a council is –*
 - (a) *To preside at meetings of the council;*

...

Code of Conduct for Council Members

The Code of Conduct for Council Members provides:

General Behaviour

- 2.1 *Show commitment and discharge duties conscientiously.*
- 2.2 *Act in a way that generates community trust and confidence in the Council.*
- 2.3 *Act in a reasonable, just, respectful and non-discriminatory way when dealing with people.*

...

Relationship with fellow Council Members

- 2.9 *Endeavour to establish and maintain a respectful relationship with all Council members, regardless of differences of views and opinions.*
- 2.10 *Not bully or harass other Council members.*

LGA Meeting Procedures Handbook for Council Members

The LGA Meeting Procedures Handbook for Council Members describes the role and responsibilities of a presiding member as:

The role of the presiding member of a Council or a Council committee is to ensure that:

- The provisions of the Act and Regulations are adhered to;
- The business of the meeting is conducted in a fair, proper and orderly manner; and
- The Guiding Principles in regulation 4 are observed and the process of decision-making is in accordance with the provisions of the Act and Regulations.

The presiding member may also need to:

- Encourage new or inexperienced members to contribute their views to the debate;
- Discourage any members from monopolising or dominating discussions;
- Assist members to express their intentions clearly;
- Make sure that the discussions are centred on issues and not personalities;
- Stop any aside discussions or interruptions while a member is speaking; and
- Refer to the Act or Regulations or take advice from the CEO in relation to the correct meeting procedure.

QON2 Commercial Road/Bagster Road Roundabout

At the 24 October 2016 Council Meeting, Cr David Bryant asked a question in relation to the Commercial Road/Bagster Road roundabout and asked what options there might be to open the roundabout to through traffic?

The Question was taken on notice.

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

The Council report dated 21st March 2011 (Item 2.2.1 Works and Services) discusses the reasons why the West Avenue/Commercial Road closure was implemented and the resolution of Council to endorse the closure.

In summary, the closure was implemented to control the rising degree of through traffic from Edinburgh Parks, using Bagster Road as a thoroughfare. Since the report was written, extensive upgrade has been carried out on Commercial Road which supports Commercial Road and Purling Avenue as major thoroughfares to and from Edinburgh Parks and is in accord with the Greater Edinburgh Parks Planning Report.

Having regard to the above, re-opening of West Avenue at the Bagster Road roundabout is not considered to be an appropriate option.

QON3 Australian Garage Sale

At the 24 October 2016 Council Meeting, Cr Julie Woodman asked a question in relation to Rotary being unable to advertise on the national Australian Garage Sale website as it stated that the City of Salisbury did not support the event.

The Question was taken on notice.

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

For the previous two years the City of Salisbury has been involved in the Garage Sale Trail by providing marketing and promotional support, while the City's participation was funded by NAWMA.

This year NAWMA informed the City of Salisbury it was reviewing its participation and sought feedback on our experiences to date, which was provided. NAWMA later advised they had decided not to fund it this year and it would be up to individual Councils to fund it themselves.

Unfortunately the campaign had already begun at this time. Council will continue to work with the organisers of the Garage Sale Trail to ensure we have the ability to participate in the 2017 campaign.

QUESTIONS WITHOUT NOTICE**QWON1 Energy Price Increases**

Cr B Vermeer asked a question in relation to expected energy price increases for Council.

The question was answered by the General Manager City Infrastructure.

NOTICES OF MOTION**NOM1 Remembrance Day Thank You to Flight Training Adelaide**

Moved Cr S White

Seconded Cr B Vermeer

1. That it be noted that Flight Training Adelaide, based at Parafield Airport, avoided flight operations between 10:40am and 11:20am on Remembrance Day this year (11/11/2016), and requested Air Services Australia to also keep aircraft on the ground or out of the Parafield zone during that time.
2. That Council write to Flight Training Adelaide, on behalf of parties conducting remembrance ceremonies at that time, and thank Flight Training Adelaide for making this gesture of respect for past and present members of our Defence Force.

**CARRIED
1421/2016**

NOM2 Change to previous decision of Council - Council Resolution 1415/2016 (C1-Code of Conduct Complaint 02/2016, Council Meeting 24/10/2016)

Moved Cr J Woodman
Seconded Cr R Cook

1. *Pursuant to Section 90(2) and (3)(g) 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 matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.*
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 allow Council to consider a change to a resolution that is currently the subject of a confidentiality order and can therefore not be disclosed without breaching that orderOn that basis the public's interest is best served by not disclosing the **Change to previous decision of Council - Council Resolution 1415/2016 (C1-Code of Conduct Complaint 02/2016, Council Meeting 24/10/2016)** 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
1422/2016**

The meeting moved into confidence at 6:58 pm.

Cr C Buchanan declared a material conflict of interest on the basis of being a party to the complaint. Cr C Buchanan left the meeting at 06:59 pm.

Cr D Bryant declared a material conflict of interest on the basis of being the complainant in Item C1-Code of Conduct Complaint 02/2016. Cr D Bryant left the meeting at 07:00 pm.

Cr G Caruso declared a perceived conflict of interest on the basis of previous Code of Conduct complaints against Cr C Buchanan. Cr G Caruso left the meeting at 07:00 pm.

The meeting moved out of confidence at 7:09 pm.

Cr Bryant returned to the meeting at 7:10 pm.

Cr G Caruso returned to the meeting at 7:10 pm.

Cr C Buchanan returned to the meeting at 7:10 pm.

NOM3 Variation to Part 3 of Council Resolution 0989/2016 regarding Code of Conduct Complaint 09/2014: Ombudsman's Investigation Findings

Cr D Bryant declared a material conflict of interest on the basis of being the complainant about Cr Buchanan to the Ombudsman. Cr D Bryant left the meeting at 07:11 pm.

Cr Buchanan declared a conflict of interest on the basis of being party to the complaint. Cr C Buchanan left the meeting at 07:11 pm.

Cr G Caruso declared a perceived conflict of interest on the basis of previous Code of Conducts to which I participated against Cr C Buchanan. Cr G Caruso left the meeting at 07:11 pm.

Moved Cr G Reynolds

Seconded Cr R Cook

1. That Part 3 of Council Resolution 0989/2016 as follows:

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

...

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.*

be varied to read:

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 for the remainder of the term of Council.

**CARRIED
1423/2016**

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

Crs S Bedford, L Caruso, R Cook, E Gill, D Proleta, S Reardon, G Reynolds, S White and R Zahra

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

Crs B Vermeer and J Woodman

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

Cr G Caruso returned to the meeting at 07:35 pm.

Cr D Bryant returned to the meeting at 07:35 pm.

PETITIONS

No Petitions have been received.

COMMITTEE REPORTS

1 Policy and Planning Committee Meeting

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

Administration

1.0.1 Future Reports for the Policy and Planning Committee

Moved Cr L Caruso
Seconded Cr R Cook

1. The information be received.

**CARRIED
1424/2016**

Community Development

1.1.1 Update on Smoking Bans at Outdoor Recreation Venues

Moved Cr D Bryant
Seconded Cr R Cook

1. The information is received and noted.
2. Staff work with sporting clubs to assist them to establish and promote smoke free policies, should they wish to do so.
3. An update report be prepared for the February 2017 Policy and Planning Committee meeting, outlining progress to facilitate and promote smoke-free areas at sporting clubs.

**CARRIED
1425/2016**

Cr C Buchanan returned to the meeting at 07:36 pm.

1.1.2 Salisbury Suicide Prevention Community Network Update

Cr Vermeer declared a material conflict of interest on the basis of the Member of Parliament he is employed to assist being consulted in the report, and also a family member being a member of the Salisbury Suicide Prevention Network. Cr B Vermeer left the meeting at 07:37 pm.

Cr Woodman declared a perceived conflict of interest on the basis of being a member of the Salisbury Suicide Prevention Committee. Cr J Woodman left the meeting at 07:37 pm.

Moved Cr D Bryant
Seconded Cr R Cook

1. Council continue to support the development of the Salisbury Community Suicide Prevention Network, by providing staff assistance a maximum of 3 days per month, for the next 12 months.

**CARRIED
1426/2016**

Cr J Woodman returned to the meeting at 07:38 pm.

2 Works and Services Committee Meeting

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

Administration

2.0.1 Future Reports for the Works and Services Committee

Moved Cr C Buchanan
Seconded Cr S White

1. The information be received.

**CARRIED
1427/2016**

Cr B Vermeer returned to the meeting at 07:38 pm.

Landscaping

2.4.1 Autism Friendly Play Space

Moved Cr R Zahra
Seconded Cr D Proleta

1. The information within the report be received.
2. That in-principle support be given to the Para Hills Community Hub development as the site for the installation of the first Autism Friendly Play Space within the City of Salisbury.
3. A further report be brought back to the Committee in regard to the social demographics associated with the potential users of this facility and its potential inclusion in the 17/18 budget.

**CARRIED
1428/2016**

2.4.2 Petition Requesting Removal of Gum Trees in Grant Avenue, Salisbury Downs

Moved Cr G Caruso

Seconded Cr R Zahra

1. The request to remove all of the Gum Trees in Grant Avenue, Salisbury Downs, received via petition presented to Council at the 26 September 2016 Council meeting, be refused.
2. Grant Avenue be included in the 2017/18 Streetscape Renewal Program and budget considerations.
3. Residents of Grant Avenue be advised of the Tree Removal Committee application process available to them, should they wish to make application for individual trees to be removed in advance of the 2017/18 Streetscape Renewal Program.
4. Staff commence any required planning processes relating to regulated trees as part of consideration of streetscape requirements for Grant Avenue.

**CARRIED
1429/2016**

Cr S Bedford left the meeting at 7:40 pm.

2.4.3 St. Kilda Master Plan - Stage 2

Cr D Balaza declared a material conflict of interest on the basis of being employed by a company that may tender for items within the report. Cr D Balaza left the meeting at 07:41 pm.

Cr L Caruso assumed the Chair at 7:41 pm.

Cr R Cook declared a material conflict of interest on the basis of owning a business at St Kilda and may receive financial gain. Cr R Cook left the meeting at 07:41 pm.

Cr Reardon declared a perceived conflict on the basis of being the Chair of the Tourism and Visitor Sub Committee in which St Kilda plays a major part. Cr S Reardon left the meeting at 07:42 pm.

Cr B Vermeer left the meeting at 07:42 pm.

Cr S Bedford returned to the meeting at 7:43 pm.

Cr D Bryant left the meeting at 07:43 pm.

Cr B Vermeer returned to the meeting at 07:47 pm.

Cr D Bryant returned to the meeting at 07:47 pm.

Cr B Vermeer left the meeting at 07:54 pm.

Moved Cr C Buchanan

Seconded Cr D Proleta

1. The report is received and noted.
2. The recommendations in relation to the Stage 2, Master Plan for St Kilda as set out in paragraph 3.8 of this report (Item No. 2.4.3, Works and Services Committee, 21/11/2016) be endorsed as the basis for consultation with the community and key stakeholders.
3. A further report be brought back to the April 2017 Works and Services Committee meeting seeking endorsement of the final St Kilda Stage 2 Master Plan.

**CARRIED
1430/2016**

Cr B Vermeer returned to the meeting at 08:06 pm.

Cr S Reardon returned to the meeting at 08:06 pm.

Cr R Cook returned to the meeting at 08:06 pm.

Cr D Balaza returned to the meeting at 08:06 pm and resumed the Chair.

Public Works

2.6.1 Capital Works Progress Report - October 2016

Moved Cr R Zahra
Seconded Cr D Proleta

1. The construction of a new footpath Crown Crescent to Kings Road, Paralowie, be included as part of the 2016/17 Council Funded Footpath Program.

**CARRIED
1431/2016**

2.6.2 St Kilda Breakwater Lighting

Cr Cook declared a perceived conflict of interest on the basis of owning a shop at St Kilda and it could be perceived that she may gain financially. Cr Cook managed the conflict by remaining in the meeting but not voting on the item.

Moved Cr C Buchanan
Seconded Cr D Proleta

1. The installation of three solar lights on the St Kilda Breakwater, at a budget of \$46,000 be included for consideration at the second quarter budget review.

**CARRIED
1432/2016**

Traffic Management

2.7.1 Road Safety Issues - Salisbury Highway Intersections

Moved Cr R Zahra
Seconded Cr L Caruso

1. Information be received.
2. Council write to the Department of Planning, Transport & Infrastructure requesting the installation of a flashing “turn left with care” sign at the Waterloo Corner Road approach to the intersection with Salisbury Highway to improve safety for pedestrians and vehicles negotiating left-turn movements from Waterloo Corner Road.
3. Staff undertake further consultation with DPTI regarding the Park Terrace left turn on to Salisbury Highway and in consideration of lantern visibility.

**CARRIED
1433/2016**

Other Business

W&S-OB1 Verge Cutting Program Policy

Moved Cr G Reynolds
Seconded Cr R Zahra

1. That staff report back with a review of the verge cutting program policy, including opportunities for additional flexibility and proactiveness such as incorporation of long term weather forecasts and use of surge provisions in contracts.

**CARRIED
1434/2016**

3 Resources and Governance Committee Meeting

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

Administration

3.0.1 Future Reports for the Resources and Governance Committee

Moved Cr B Vermeer
Seconded Cr L Caruso

1. The information be received.

CARRIED
1435/2016

Health, Animal Management and By-laws

3.3.1 Proposed Dog and Cat Management Regulations 2016

Moved Cr L Caruso
Seconded Cr D Proleta

1. The information be received, and the Local Government Association be advised that Council supports the proposed Dog and Cat Regulations 2016.

CARRIED
1436/2016

External Relations

3.4.1 Election of Metropolitan Representatives to the Local Government Association Board

Moved Cr B Vermeer
Seconded Cr G Reynolds

1. Candidates for election of Metropolitan Representatives to the Local Government Association Board be placed in the following order on the ballot paper:
 1. Gillian Aldridge
 2. Kevin Knight
 3. Karen Redman
 4. Glenn Spear
 5. Rosalina (Mikki) Bouchee
 6. David Parkin
 7. Susan Clearihan
 8. Bill Spragg
 9. Robert Bria
 10. David O'Loughlin
 11. Angela Evans
 12. Arthur Mangos

CARRIED
1437/2016

Corporate Governance

3.6.1 Formal Meeting Schedule for 2017

Moved Cr R Zahra
Seconded Cr R Cook

1. The 2017 Formal Meeting Schedule as set out in Attachment 1 to this report (Item 3.6.1, Resources and Governance Committee, 21/11/2016) be endorsed.
2. The Chief Executive Officer be delegated authority to amend the 2017 Formal Meeting Schedule should the need arise.

CARRIED
1438/2016

3.6.2 Variations to Delegations

Moved Cr B Vermeer
Seconded Cr C Buchanan

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 19 December 2016 of those powers and functions under the following:
 - 1.1 *Local Government Act 1999*
 - Section 243(2)(b)(i)
 - 1.2 *Real Property Act*
 - Sections 39, 44, 78, 120, 121, 128(1), 129A(1), 143(1), 169(1), 169(6), 173(a), 191,
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 20 December 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 24(1)(e), 24(1)(f), 24(1)(g), 24(1)(h), 24(1)(i), 24(1)(j), 24(1)(k), 243(2)(b)(i), Clauses 13, 17(1), 20(5), 20(6), 24(1), 24(2)(b), 25, 25(2), 25(3)(b) and 26(3) of Schedule 1A

2.1.2 *Real Property Act 1886*

- Sections 39, 44, 56(5), 56(6)(a), 56(6)(b), 78, 120, 121, 128(1), 128(2), 128(4), 128B(1), 129A(1), 143(1), 153A(1), 154B(2)(va), 169(1), 169(6), 173(a), 191, 221(1a), and 223D(1)

2.1.3 *Road Traffic Act 1961, Road Traffic (Miscellaneous_ Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*

- Section 86

2.2 In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Act and specified in the proposed ‘Instrument of Delegation’, are hereby delegated from 29 November 2016 to the person occupying the office of Chief Executive Officer, subject to the conditions and or limitations specified within the Delegations Register.

2.2.1 *Electronic Conveyancing National Law (South Australia) Act 2013*

- Sections 10(1)

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
1439/2016**

BREAK

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 8:36 pm.

Cr J Woodman left the meeting during the suspension and did not return.

The meeting reconvened at 8:45 pm.

3.6.3 Nominations Sought for the Premier's Climate Change Council

Cr L Caruso declared an actual conflict of interest on the basis of being nominated for the Premier's Climate Change Council. Cr L Caruso left the meeting at 08:46 pm.

Moved Cr B Vermeer
Seconded Cr G Reynolds

1. The information be received.
2. Cr L Caruso be nominated as an LGA member on the Premier's Climate Change Council.

CARRIED
1440/2016

Cr L Caruso returned to the meeting at 08:46 pm.

3.6.4 Nominations Sought for the Adelaide Cemeteries Authority Board

Cr Reardon declared an actual conflict of interest on the basis of being nominated for the Adelaide Cemeteries Authority Board. Cr S Reardon left the meeting at 08:46 pm.

Moved Cr C Buchanan
Seconded Cr B Vermeer

1. The information be received.
2. Cr S Reardon be nominated as a Local Government member on the Adelaide Cemeteries Authority Board.

CARRIED
1441/2016

Cr S Reardon returned to the meeting at 08:47 pm.

3.6.5 Draft Annual Report 2015/16

Moved Cr B Vermeer
Seconded Cr C Buchanan

1. Council approve the Draft Annual Report 2015/16, subject to the inclusion of the Northern Adelaide Waste Management Authority Annual Report and any changes recommended by Council.

CARRIED
1442/2016

3.6.6 Summary Report for Attendance at 2016 Local Government Association Conference and Annual General Meeting - Cr Gill

Moved Cr S Bedford
Seconded Cr R Zahra

1. The information be received.

**CARRIED
1443/2016**

3.6.7 Revised Informal Gatherings Policy (to reflect new regulation 8AB - effective 24 November 2016)

Moved Cr G Caruso
Seconded Cr R Cook

1. The proposed changes to the Informal Gatherings Policy, as set out in Attachment 1 to this report (Item No. 3.6.7, Resources and Governance Committee, 21/11/2016) be endorsed.

**CARRIED
1444/2016**

4 Audit Committee Meeting

Minutes of the Audit Committee Meeting held on 15 November 2016 were considered by Council.

Administration

4.0.1 Future Reports for the Audit Committee of Council

Moved Cr G Caruso
 Seconded Cr G Reynolds

1. The information be received.

**CARRIED
 1445/2016**

4.0.2 Proposed Audit Committee Meeting Schedule for 2017

Moved Cr G Reynolds
 Seconded Cr C Buchanan

1. That the information be received.

**CARRIED
 1446/2016**

Reports

4.2.1 Audit Committee Self-Assessment Questionnaire and Process

Moved Cr L Caruso
 Seconded Cr G Caruso

1. The information be received.
2. The self-assessment questionnaire, as set out in Attachment 1 to this report (Item No. 4.2.1, Audit Committee, 15/11/2016) be issued to members of the Audit Committee for completion after the November 2016 meeting of the Audit Committee of Council, with results to be collated and presented at the Audit Committee of Council meeting in February 2017.

**CARRIED
 1447/2016**

4.2.2 Internal Audit Plan

Moved Cr G Caruso
Seconded Cr L Caruso

1. The information be received.

**CARRIED
1448/2016**

4.2.3 Update on Risk Management and Internal Controls Activities for the 2016/17 financial year

Moved Cr R Zahra
Seconded Cr R Cook

1. The information be received.

**CARRIED
1449/2016**

4.2.4 Local Government Association Mutual Liability Scheme Annual Risk Review 2016

Moved Cr G Caruso
Seconded Cr G Reynolds

1. That the information be received.

**CARRIED
1450/2016**

4.2.5 New and Emerging Risks

Moved Cr L Caruso
Seconded Cr G Caruso

1. The information be received.

**CARRIED
1451/2016**

4.2.6 Review of the Management of the Storm Event and Statewide Power Outage on 28 September 2016

Moved Cr S Reardon
Seconded Cr L Caruso

1. That the information be received.

**CARRIED
1452/2016**

5 Development Assessment Panel Meeting

A meeting of the Development Assessment Panel took place on 22 November 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 November 2016 were considered by Council.

Administration

6.0.1 Future Reports for the Budget and Finance Committee

Moved Cr R Zahra
Seconded Cr S White

1. The information be received.

**CARRIED
1453/2016**

6.0.2 Minutes of the Program Review Sub Committee meeting held on Monday 14 November 2016

6.0.2-PRSC1 Program Review Brief - Inspectorate Services

Moved Cr G Caruso
Seconded Cr R Cook

1. Information be received.
2. The Inspectorate Services Program Review Project Brief and Inspectorate Services Background Paper as set out in Attachments 1 and 2 to this report be endorsed.

**CARRIED
1454/2016**

6.0.2-PRSC2 Program Review Update

Moved Cr G Caruso
Seconded Cr R Cook

1. That the Program Review Update report be noted.
2. A further report be brought back this financial year regarding the future of the Program Review Sub Committee, including alternative approaches to enable future reviews of levels of service.
3. Following the conclusion of the current schedule of program review activity a report outlining the status of work undertaken by the Program Review Committee, including achievements, benefits and issues encountered through the course of the program review process be prepared.

**CARRIED
1455/2016**

Finance

6.1.1 Council Finance Report - October 2016

Cr G Caruso declared a perceived conflict of interest on the basis of his employer being listed in the debtors list. Cr G Caruso left the meeting at 08:54 pm.

Moved Cr S Bedford

Seconded Cr R Zahra

1. The information be received.

**CARRIED
1456/2016**

Cr G Caruso returned to the meeting at 08:56 pm.

6.1.2 First Quarter Budget Review 2016/17

Cr D Balaza declared a material conflict of interest on the basis of being employed by a company that may tender for items within the report. Cr D Balaza left the meeting at 08:56 pm.

Cr L Caruso assumed the chair at 8:56 pm.

Cr Cook declared a perceived conflict of interest on the basis of owning a retail business at St Kilda and that it could be perceived that she would have a gain or loss. Cr R Cook left the meeting at 08:57 pm.

Moved Cr C Buchanan

Seconded Cr D Proleta

1. The budget variances identified in this review and contained in the Budget Variation Summary (Appendix 1) be endorsed and net operating \$736,200, net capital \$732,900 be debited to the Sundry Project Fund. This will bring the balance to **\$1,469,100**.
2. Funds be allocated for the following **non-discretionary** net bids:

OPERATING

▪ Multicultural Event – September 2017	\$ 10,000
▪ Cat Management	\$ 7,500
▪ Waste Levy Fee	\$ 400,000
▪ Military Museum Contribution	\$ 53,800
▪ Repairs to Mangrove Trail Boardwalk (Northern Loop)	\$ 50,000
▪ Salisbury Secret Garden	\$ 83,700
▪ Verge Cutting – additional resources to meet scheduled timeframes	\$ 50,000

CAPITAL

▪ Tranche 1 - Walpole Road 1, Greentree Walk	\$ 33,300
▪ Tranche 1 - Diment Road, The Reserve	\$ 99,700
▪ Salisbury Water Distribution Linkages – Connection of Daniel Ave	\$ 75,000
▪ St Kilda Wave Slide	\$ 75,000

TOTAL \$ 938,000

(NB: If parts 1 & 2 of this resolution are moved as recommended this will bring the balance of the Sundry Projects Fund to \$531,100.)

3. Funds be allocated for the following **discretionary** net bids:

OPERATING

▪ Ant / Mosquito Control	\$ 10,000
▪ Verge Cutting – additional residential verge cut February 2017	\$ 140,000

CAPITAL

▪ Minor Traffic Improvements Program – Bardsley Ave / Oldfield St	\$ 16,500
▪ St Kilda Flood Mitigation	\$ 110,000

TOTAL	\$ 276,500
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(NB: If parts 1,2 & 3 of this resolution are moved as recommended this will bring the balance of the Sundry Projects Fund to \$254,600.)

4. Not Recommended Bids:

▪ St Kilda Guard Rail	\$ 172,300
▪ School Message Board Program	\$ 12,000

5. Council approve the following transfers:

1. Transfer \$100,000 for the Crime Prevention Grant from Community Centres to Community Capacity and Learning, where the Crime Prevention Grant is now managed.
2. Transfer \$81,680 for the Building Safe Communities Grant from Community Centres to Community Capacity and Learning, where the Building Safe Communities Grant is now managed.
3. Transfer \$12,100 from the Watershed Urban Sustainability Centre to Watershed -Building Maintenance to consolidate budgets.
4. Transfer \$100,000 capital from the Road Reseal / Reconstruction Program to Diment Road, Burton/Direk – Upgrade to cover the increased scope and contract value. (Works and Services – November, Item 2.6.1.)
5. Transfer \$190,000 capital from the Salisbury Recreation Precinct for Pool Remedial Works to the Pool Filtration System to replace the current ceramic filtration system to a sand filtration system, with the Pool Remedial Works to be reconsidered in 2017/18. (Resolution 1290/2016)
6. Transfer \$22,500 operating from within City Development Administration and a further \$30,000 operating from within Employment Pathways to Economic Development for the EDUP China Engagement.

6. Investments / Borrowings be varied to reflect the bids and transfers endorsed by Council detailed in parts 1 to 5 of this resolution.

(NB: If parts 1 to 5 of this resolution are moved as recommended investments in 2016/17 will increase by \$254,600.)

**CARRIED
1457/2016**

Cr G Caruso returned to the meeting at 09:14 pm.

Cr D Balaza returned to the meeting at 09:14 pm and resumed the Chair.

Confidential Items

Refer to CONFIDENTIAL ITEMS section of Council Minutes

6.9.1 Strategic Review of the Salisbury Water Business Unit

7 Sport, Recreation and Grants Committee Meeting

Minutes of the Sport, Recreation and Grants Committee Meeting held on 14 November 2016 were considered by Council.

Administration

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

Moved Cr D Proleta
Seconded Cr R Zahra

1. The information be received.

**CARRIED
1458/2016**

Community Grants

7.2.1 Youth Sponsorship - October Applications

Moved Cr L Caruso
Seconded Cr D Proleta

1. The information be received.
2. As part of the proposed review of the Youth Sponsorship program reporting requirements for grant recipients be considered for inclusion in the policy/guidelines.

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

1. The information be received.
2. As part of the proposed review of the Youth Sponsorship program reporting/acquittal requirements for grant recipients be considered for inclusion in the policy/guidelines.

**CARRIED
1459/2016**

7.2.2 Community Grants Program Applications for November 2016

Moved Cr R Zahra
Seconded Cr D Bryant

1. The information be received and noted.

**CARRIED
1460/2016**

Cr R Cook returned to the meeting at 09:19 pm.

7.2.3 28/2016: Wat Khmer Santipheap Association of SA Inc. - Community Grants Program Application

Moved Cr D Proleta
Seconded Cr R Cook

1. Application Number 28/2016: Wat Khmer Santipheap Association of SA Inc. be deferred to allow staff to seek additional information regarding the application.

**CARRIED
1461/2016**

7.2.4 32/2016: Meals on Wheels (SA) Inc. - Community Grants Program Application

Moved Cr D Proleta
Seconded Cr B Vermeer

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 November 2016 round of Community Grants as follows:
 - a. Grant No. 32/2016: Meals on Wheels (SA) Inc. be awarded the amount of **\$1,200.00** to assist with the purchase of foodstuff and gift bags as outlined in the Community Grant Application.

**CARRIED
1462/2016**

7.2.5 33/2016: Para Hills Conference of the St. Vincent De Paul Society [St. Vincent De Paul Society (SA) Inc.] - Community Grants Program Application

Moved Cr D Bryant
Seconded Cr S Reardon

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 November 2016 round of Community Grants as follows:
 - a. Grant No. 33/2016: Para Hills Conference of the St. Vincent De Paul Society [St. Vincent De Paul Society (SA) Inc.] be awarded the amount of **\$2,500.00** to assist with the purchase of foodstuff for the Christmas Hampers 2016 project as outlined in the Community Grant Application.

**CARRIED
1463/2016**

**7.2.6 34/2016: Para Hills Neighbourhood Watch Area 504
[Neighbourhood Watch Volunteers Association of South
Australia Inc.] - Community Grants Program Application**

Cr Reardon declared a conflict of interest on the basis of being a member of the Executive Committee of NHW504. Cr S Reardon left the meeting at 09:20 pm.

Moved Cr D Bryant
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 November 2016 round of Community Grants as follows:
 - a. Grant No. 34/2016: Para Hills Neighbourhood Watch Area 504 [Neighbourhood Watch Volunteers Association of South Australia Inc.] be awarded the amount of **\$735.00** to assist with the purchase of venue hire, catering (excluding alcohol), decorations, posters, invitations and award certificates as outlined in the Community Grant Application.

**CARRIED
1464/2016**

Cr S Reardon returned to the meeting at 09:21 pm.

**7.2.7 35/2016: Uniting Church in Australia Salisbury - Community
Grants Program Application**

Moved Cr E Gill
Seconded Cr C Buchanan

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 November 2016 round of Community Grants as follows:
 - a. Grant No. 35/2016: Uniting Church in Australia Salisbury be awarded the amount of **\$1,930.00** to assist with the purchase of advertising banner, animal farm hire and catering for the 2016 Carols on the Lawn event as outlined in the Community Grant Application.

**CARRIED
1465/2016**

7.2.8 36/2016: The Burton Community Centre Inc. - Community Grants Program Application

Cr D Bryant declared a material conflict of interest on the basis of an ongoing confidential item which is yet to be determined by Council. Cr D Bryant left the meeting at 09:25 pm.

Cr Buchanan declared a material conflict of interest on the basis of being the Chair of the Burton Community Centre. Cr C Buchanan left the meeting at 09:26 pm.

Cr Proleta declared a material conflict of interest on the basis of being a member of the Management Committee. Cr D Proleta left the meeting at 09:26 pm.

Moved Cr R Zahra

Seconded Cr S Reardon

1. Grant No. 36/2016: The Burton Community Centre Inc. be awarded the amount of **\$2,500.00** to assist with the purchase of visitor chairs, trestle tables and chair trolley as outlined in the Community Grant Application.

**CARRIED
1466/2016**

Cr C Buchanan returned to the meeting at 09:27 pm.

Cr D Proleta returned to the meeting at 09:27 pm.

Cr D Bryant returned to the meeting at 09:27 pm.

7.2.9 37/2016: Mawson Lakes Photography Club Inc. - Community Grants Program Application

Moved Cr B Vermeer

Seconded Cr D Bryant

1. Grant No. 37/2016: Mawson Lakes Photography Club Inc. be awarded the amount of **\$2,500.00** to assist with the purchase of a projector, projection screen, anti-theft projector mount and wireless LAN adaptor for ongoing use as outlined in the Community Grant Application.

**CARRIED
1467/2016**

GENERAL BUSINESS

GB1 CEO recommendation to amend resolution 1381/2016 Grants of Easement of Council Land - Yorke Peninsula Wind Farm - pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013

Moved Cr G Reynolds

Seconded Cr R Cook

1. That resolution 1381/2016 from the meeting of Council on 24 October 2016 regarding the granting of easements over Council Land to Yorke Peninsula Wind Farm be amended to read as follows:

1. *Council grant easement to Yorke Peninsula Wind Farm Pty Ltd over portion of Allotment 102 Deposited Plan 84639 known as Whiting Street Plantation for consideration as determined by a licenced valuer.*
2. *Council grant easement to Yorke Peninsula Wind Farm Pty Ltd over portion of Allotment 401 Deposited Plan 44760 known as Little Para Linear Park (lower) for consideration as determined by a licenced valuer*
3. *Council grant easement to Yorke Peninsula Wind Farm Pty Ltd over portion of Allotment 301 Filed Plan 30505 known as Little Para Linear Park (lower) for consideration as determined by a licenced valuer*
4. *Council grant easement to Yorke Peninsula Wind Farm Pty Ltd over portion of Allotment 313 Deposited Plan 41287 known as Little Para Linear Park (lower) for consideration as determined by a licenced valuer*
5. *Council grant easement to Yorke Peninsula Wind Farm Pty Ltd over portion of Allotment 310 Deposited Plan 40170 known as Little Para Linear Park (lower) for consideration as determined by a licenced valuer*
6. *All costs associated with the granting of the requested easements are to be met by Yorke Peninsula Wind Farm Pty Ltd*
7. *The Manager Property and Buildings be authorised to prepare all necessary documentation and arrange the required consents for the granting of easements to Yorke Peninsula Wind Farm Pty Ltd over;*
 - *Allotment 102 DP 84639*
 - *Allotment 401 DP 44760*
 - *Allotment 301 FP 30505*
 - *Allotment 313 DP 41287*
 - *Allotment 310 DP 40170*

**CARRIED
1468/2016**

OTHER BUSINESS

OB1 Provision of IT Loan Equipment

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

Cr C Buchanan sought leave of the meeting to withdraw his seconding of the motion and leave was granted.

Moved Cr R Zahra
 Seconded Cr G Caruso

1. That staff report back on provision of IT equipment for loan to community groups via the libraries.

With leave of the meeting and consent of the seconder Cr R Zahra
 VARIED the MOTION as follows:

1. That staff report on options for Council consideration to facilitate provision of IT equipment to community groups through appropriate Council locations.

CARRIED
1469/2016

OB2 Thanks to RAAF Edinburgh (P-8A Welcome Ceremony)

Moved Cr S White
 Seconded Cr C Buchanan

1. That Council write to Group Captain Phillip Champion to express City of Salisbury's thanks for inviting Council Elected Members and staff to the P-8A welcome ceremony on 25 November 2016. City of Salisbury found the visit most informative and engaging the Council to appreciate activities and developments at RAAF Edinburgh.

CARRIED
1470/2016

MAYOR'S DIARY

MD1 Mayor's Diary

Moved Cr B Vermeer
 Seconded Cr R Cook

1. That this information be noted.

CARRIED
1471/2016

REPORTS FROM COUNCIL REPRESENTATIVES

Cr E Gill:

25/10/2016 Meeting with Winery
 27/10/2016 JYC Advisory Meeting
 Meeting with SBC Christmas Parade Group
 28/10/2016 Meet Mobara contingent at airport
 Cocktail party for Mobara guests
 Dinner at Mobara Restaurant with Mobara guests
 29/10/2016 Home host with 5 Mobara guests
 30/10/2016 Matsuri on Mobara
 Farewell at La Vita Restaurant
 31/10/2016 Goodbye to Mobara guests at airport
 1/11/2016 Radio programme
 3/11/2016 Meeting with D Waylen
 ALGWA SA Branch AGM at Wallmans Lawyers
 4/11/2016 Meeting with Michelle Whibley
 9/11/2016 Para Hills CWA presentation
 11/11/2016 Remembrance Day at RSL
 15/11/2016 Radio programme
 Dinner with Linyi delegation
 16/11/2016 Meeting with resident in Salisbury Park
 Legends Awards
 17/11/2016 Parafield Airport CC
 19/11/2016 Salisbury Community Christmas Parade
 23/11/2016 Salisbury Business Breakfast
 24/11/2016 JYC Advisory Meeting
 25/11/2016 Dinner at Mobara with residents
 26/11/2016 Presentation of toys from Woodworkers Shed
 Jack Young members luncheons booked out - over two days

Cr D Bryant:

28/10/2016 Japanese Mobara Delegation Welcome
 30/10/2016 Matsuri on Mobara Mawson Lakes
 30/10/2016 Japanese Mobara Delegation Farewell
 13/11/2016 Para Hills Bowling Club - Brass Band afternoon
 19/11/2016 Salisbury Christmas Pageant
 21/11/2016 Para Hills Neighbourhood Watch Group 504 - 15 year Anniversary & Awards
 Night Celebration at Uniting Church Para Hills
 23/11/2016 City of Salisbury Citizenship Ceremony Early Session
 23/11/2016 Para Hills Neighbourhood Watch Group 441. - 20 year Anniversary & Awards
 Night Celebration at Para Hills Community Club
 25/11/2016 RAAF Edinburgh - Arrival of the new Boeing Poseidon P-8A Aircraft at 11
 Squadron hosted by Wing Commander Gretchen Fryar WGCDR

Cr Buchanan:

- Burton Community Centre AGM – Crs Proleta and Woodman to continue on committee
- Adelaide Shore Bird Festival at St Kilda
- RAAF Base
- Opening of sailing season at St Kilda – sail past cancelled due to wind

Cr S Reardon:

25/10/2016	Neighbourhood Watch 504 General meeting
26/10/2016	Deputy Chair-Para Hills High School Governing Council meeting
28/10/2016	Welcome Cocktail Function
29/10/2016	12 Noon Public meeting
30/10/2016	Matsuri on Mobarra
2/11/2016	Salisbury & District Historical Executive Planning meeting
3/11/2016	Strategic Land Review Workshop-Hills Ward
6/11/2016	Guest Speaker at the St Kilda & District Progress Association AGM in my capacity as Chair of the City of Salisbury Tourism and Visitor Sub-committee.
7/11/2016	Local Neighbourhood Watch - Pooraka
8/11/2016	Military History Talks - John Harvey Gallery
11/11/2016	Remembrance Day Ceremony-City
12/11/2016	Visit Paddocks Market Day
13/11/2016	Para Hills Bowling Club - Para Hills Brass Band
16/11/2016	The Legends Awards
17/11/2016	Visit Resident in Para Hills area.
19/11/2016	State Councillor NHW- AGM & Awards Ceremony
22/11/2016	MC & Chair NHW 504- 15 year Anniversary & Awards
23/11/2016	Invited guest to NHW 441 - 20 year Anniversary & Awards
25/11/2016	RAAF Edinburgh-Arrival Ceremony for the P-8A Poseidon Aircraft.
28/11/2016	Meeting with CEO John Harry
28/11/2016	Council Meeting

Cr C Buchanan left the meeting at 10:02 pm and did not return.

CONFIDENTIAL ITEMS**Bringing Forward Item 6.9.1 for Consideration**

Moved Cr R Zahra
Seconded Cr D Proleta

1. That confidential item 6.9.1 be brought forward for consideration.

CARRIED
1472/2016

6.9.1 Strategic Review of the Salisbury Water Business Unit

Moved Cr R Zahra
Seconded Cr S White

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 matter and discussion of this item in confidence would protect confidential information provided by consultants, Aither Pty Ltd, related to commercial opportunities regarding the Salisbury Water Business Unit and Council's commercial position.*

*On that basis the public's interest is best served by not disclosing the **Strategic Review of the Salisbury Water Business Unit** 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
1473/2016**

The meeting moved into confidence at 10:02 pm.

The meeting moved out of confidence at 10:03 pm.

C1 Code of Conduct Complaint 03/2015 - Ombudsman's Findings

Moved Cr R Zahra

Seconded Cr R Cook

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 will allow Council to consider the Ombudsman findings and then make a determination as to any confidentiality order that will be applied*

*On that basis the public's interest is best served by not disclosing the **Code of Conduct Complaint 03/2015 - Ombudsman's Findings** 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
1474/2016**

The meeting moved into confidence at 10:04 pm.

The meeting moved out of confidence and closed at 10:08 pm.

CHAIRMAN.....

DATE.....