



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

30 JANUARY 2017

MEMBERS PRESENT

Mayor G Aldridge
Cr D Proleta (Deputy Mayor)
Cr D Balaza
Cr S Bedford
Cr D Bryant
Cr C Buchanan
Cr G Caruso
Cr L Caruso
Cr E Gill
Cr D Pilkington
Cr S Reardon
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 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 were received from Cr R Cook and Cr G Reynolds.

LEAVE OF ABSENCE

Nil

PUBLIC QUESTION TIME

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

DEPUTATIONS

DEP1 Elector Representation Review - Person making written submission to be heard.

In accordance with section 12(10) of the *Local Government Act 1999*, Mr Lindsay Virgo, who made a written submission in the second round of public consultation, appeared personally before the Council to be heard on his submission.

Bring Forward Item 3.6.1 for Discussion

Moved Cr C Buchanan
Seconded Cr S White

That Item 3.6.1 of the Council Agenda of 30 January 2017 be brought forward for discussion to this point.

CARRIED
1536/2017

3.6.1 Elector Representation Review

Cr C Buchanan left the meeting at 06:52 pm.

Cr C Buchanan returned to the meeting at 06:53 pm.

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

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

Moved Cr D Pilkington
Seconded Cr G Caruso

1. The information be received.
2. The principle member of Council continue to be a Mayor elected by the community.
3. The Council area be divided into four wards as per the Proposed Ward Structure presented in Attachment 1 to this report (Item 3.6.3 – Resources and Governance Committee, 23 January 2017).
4. The future elected body of Council comprise a mayor and twelve (12) ward councillors, each ward being represented by three (3) Councillors.

5. That the Council administration be authorised to prepare and forward the necessary report and documents to the Electoral Commissioner of SA, pursuant to the provisions of Section 12(11) and 12(12) of the *Local Government Act 1999*.

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

1. The information be received.
2. The principle member of Council continue to be a Mayor elected by the community.
3. The Council area be divided into four wards as per the Proposed Ward Structure presented in Attachment 1 to this report (Item 3.6.3 – Resources and Governance Committee, 23 January 2017), with the exclusion of Ward names which will be determined by way of a separate motion.
4. The future elected body of Council comprise a mayor and twelve (12) ward councillors, each ward being represented by three (3) Councillors.
5. That the Council administration be authorised to prepare and forward the necessary report and documents to the Electoral Commissioner of SA, pursuant to the provisions of Section 12(11) and 12(12) of the *Local Government Act 1999*.

LOST

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

Crs G Caruso, E Gill, D Pilkington, S White, J Woodman and R Zahra

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

Crs D Proleta, D Balaza, S Bedford, D Bryant, C Buchanan, L Caruso and S Reardon

The Mayor declared the MOTION was LOST

Moved Cr D Balaza

Seconded Cr D Bryant

1. The information be received.
2. The principal member of Council continue to be a Mayor elected by the community.
3. The Council area be divided into eight wards as per the Ward Structure presented as Option 1, in the Representation Options Paper, (Item No 3.6.1, Resources and Governance Committee, 16/05/2016) with the eight wards to be named Central (Ward 1), East (Ward 2), South (Ward 3), Hills (Ward 4), Para (Ward 5), North (Ward 6), Levels (Ward 7) and West (Ward 8).

4. The future elected body of Council comprise a mayor and sixteen (16) ward councillors, each ward being represented by two (2) Councillors.
5. That an amended Representation Review Report be prepared proposing Option 1 from the Representation Options Paper (Item No 3.6.1, Resources and Governance Committee, 16/05/2016) as the proposed ward structure and the amended Representation Review Report be presented to Council for endorsement prior to a further round of public consultation of not less than three weeks.
6. The amended Representation Review Report be prepared using the following justification as the basis of the proposed alternative structure:
 - Fair and adequate representation for the community
 - No under representation for the community
 - Opportunity for robust discussion and opinions being brought to the table
 - Taking into account the 30 year plan, projected growth levels and the risk to future representation levels
 - The consultant incorporate matters raised during the debate in support of the proposed alternative structure.
7. A letter be sent to the Minister for Local Government and the Electoral Commissioner SA advising that while the City of Salisbury is endeavouring to finalise the current Representation Review within the required time frames, it is possible that the end of April deadline may not be achieved.

CARRIED
1537/2017

PRESENTATION OF MINUTES

Moved Cr C Buchanan
Seconded Cr D Proleta

The Minutes of the Council Meeting held on 19 December 2016, be taken and read as confirmed, subject to the incorporation of the following amendments:

Insert on page 13, immediately below part 4 –

Cr Buchanan requested legal advice provided to Cr Vermeer in relation to Conflict of Interest matters associated with his Notice of Motion be tabled in accordance with Regulation 18.

The Mayor directed the CEO to provide a verbal response in relation to the request for tabling of information.

[then relocate from below Council Resolution 1481/2016]

Recording of Information provided by the CEO

Moved Cr B Vermeer
Seconded Cr D Bryant

1. That legal information provided by the CEO be included in the minutes.

**CARRIED
1482/2016**

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

Crs D Balaza, D Bryant, S Reardon, B Vermeer, S White and J Woodman

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

Crs G Caruso, C Buchanan and R Cook

*The Chairman declared the **MOTION** was **CARRIED***

The information provided by the CEO is as follows:

The legal advice obtained was obtained through a telephone conversation with Council's legal advisor and referred to the question of potential Conflicts of Interest that may arise for current Standing Committee Chairs should this Notice of Motion be successful. The discussion that took place was to clarify the position that the relevant Elected Members in the position of Chairs of the Standing Committees that would no longer exist would suffer a financial detriment and consequently a Material Conflict of Interest would exist. However, any Conflict of Interest is for the individual elected member concerned to declare. As the advice was verbally received and conveyed via a short email to Cr Vermeer, in terms of formal documented advice, such a formal document does not exist and is not able to be tabled. It would be for Council to determine if it required a copy of that email in which case I would then have to go back into our email streams to collect that information.

**CARRIED
1538/2017**

Moved Cr L Caruso
Seconded Cr R Zahra

The Minutes of the Confidential Council Meeting held on 19 December 2016, be taken and read as confirmed.

**CARRIED
1539/2017**

QUESTIONS ON NOTICE

QON1 Question on Notice - Impact of Storm Damage

Recently the Council has been affected by the storm events passing over the City of Salisbury. Cr D Pilkington has asked what has been the impact to the Council, its operations, and council infrastructure including street trees as a result of these storm events.

The Chief Executive Officer has provided the following response:

A report on the impact of recent storm events and actions being taken in response is currently being prepared for presentation to Council in February. This report will include information relative to the questions asked by Cr. Pilkington.

QUESTIONS WITHOUT NOTICE

QWON1 Consultants Fees

Cr D Bryant asked a question in relation to how much money Council has spent over the past 5 years on individual consultants and what is the breakup of what is spent in each department, specifically on those consultants preparing reports to council, and out of those what percentage are actually enacted on.

The Question was taken on notice.

NOTICES OF MOTION
NOM1 Motion to Rescind Council Resolution 1481/2016 - NOM2 Proposed Committee Structure to take effect February 2017 (Council Meeting 19/12/2016)

Cr C Buchanan left the meeting at 07:52 pm.

Cr C Buchanan returned to the meeting at 07:56 pm.

Moved Cr L Caruso

Seconded Cr S White

1. That Council Resolution 1481/2016, as set out below, be rescinded.

1. That the following Committee Structure and meeting cycle be adopted to take effect from February 2017 until and including November 2017 with a further evaluation report brought back to Council after the first six months of the period.

a. Strategic Planning and Development Policy Committee

Chairman: Deputy Mayor

Membership: Whole of Council

Functions

In accordance with the requirements of section 101A of the Development Act 1993

- *Provide advice to the council in relation to the extent to which the council's strategic planning and development policies accord with the Planning Strategy;*
- *Assist the council in undertaking strategic planning and monitoring directed at achieving:*
 - *Orderly and efficient development within the area of the council; and*
 - *High levels of integration of transport and land-use planning; and*
 - *Relevant targets set out in the Planning strategy within the area of the council; and*
 - *The implementation of affordable housing policies set out in the Planning Strategy within the area of the council; and*
 - *Other outcomes of a prescribed kind (if any)*
- *Provide advice to the council (or to act as is delegate) in relation to strategic planning and development policy issues when the council is preparing:*
 - *A Strategic Directions Report; or*
 - *A Development Plan Amendment Proposal*
- *Other functions (other than functions relating to development assessment or compliance) assigned to the committee by the council.*

Reporting Sub Committees: Strategic Property Development Sub Committee

b. Audit Committee of Council

(as required by section 126 of the Local Government Act 1999)

To continue as currently constituted with no change to membership or terms of reference.

c. CEO Review Committee

Chairman: Mayor

Membership: Deputy Mayor (Deputy Chairman)
Chairman, Program Review Sub Committee
Chairman, Strategic & International Partnerships Sub Committee
Chairman, Strategic Property Development Sub Committee
Chairman, Tourism and Visitor Sub Committee
(with Deputy Chairman of the above Committees as proxy members in the event that members are unable to attend a meeting of the Committee)

Functions

Manage the performance review process for the Chief Executive Officer, including:

- *By agreement with the CEO appoint an independent advisor to assist in the CEO performance appraisal process as provided for within the CEO Contract of Employment;*
- *Develop a Performance Plan for the CEO;*
- *Monitor the performance of the CEO against his/her contract of employment, responsibilities and performance plan and provide regular feedback;*
- *Facilitate the conduct of the CEO's annual performance and remuneration reviews;*
- *Receive reports from the CEO regarding the performance of the organisation;*
- *Determine, under delegated authority from Council, any amendments to the CEO's employment arrangements and incentive payments to the CEO as provided for in the contract of employment.*

d. Existing Sub Committees to continue as currently constituted as Committees reporting directly to Council:

- *Program Review Sub Committee*
- *Strategic and International Partnerships Sub Committee*
- *Tourism and Visitor Sub Committee*
- *Youth Council*

2. *The following meeting cycle be adopted to take effect from February 2017 until and including November 2017, with the published schedule of future meeting dates amended to reflect the new meeting cycle:*

<i>Day</i>	<i>Meeting</i>
<i>First Monday of the month</i>	<ul style="list-style-type: none"> • <i>Strategic Planning and Development Policy Committee</i> • <i>Sub Committees as required</i>
<i>First Tuesday of the month</i>	<ul style="list-style-type: none"> • <i>Informal Strategy, Elected Member workshops/briefings as required</i>
<i>Second Monday of the month</i>	<ul style="list-style-type: none"> • <i>Council Meeting</i>
<i>Third Monday of the month</i>	<ul style="list-style-type: none"> • <i>Strategic Planning and Development Policy Committee</i> • <i>Sub Committees as required</i>
<i>Third Tuesday of the month</i>	<ul style="list-style-type: none"> • <i>Informal Strategy, Elected Member workshops/briefings as required</i>
<i>Fourth Monday of the month</i>	<ul style="list-style-type: none"> • <i>Council Meeting</i>

3. *Terms of Reference for the Strategic Planning and Development Policy Committee to be prepared by staff and presented to the January 2017 Council meeting for endorsement.*
4. *Terms of Reference for other Committees to be reviewed and updated by staff to reflect any changes required as a consequence of the adoption of this Committee structure and presented to the January 2017 Council meeting for endorsement.*

**CARRIED
1540/2017**

NOM2 Reinstatement of Council Committee Structure

Moved Cr L Caruso

Seconded Cr C Buchanan

1. That the Committee structure that existed immediately prior to Council decision 1481/2016 (December 19, 2016) be reinstated, excluding Chairman appointments, which will be dealt with by way of separate Notices of Motion.

**CARRIED
1541/2017**

**NOM3 Appointment of Chairman, Policy and Planning Committee
(February 2017 to November 2018)**

Cr J Woodman left the meeting at 08:19 pm.

Cr J Woodman returned to the meeting at 08:22 pm.

Moved Cr L Caruso

Seconded Cr G Caruso

1. That nominations be sought for the position of Chairman, Policy and Planning Committee with members able to self nominate, or nominate others.
2. A secret, preferential ballot be conducted to determine the preferred nominee for the position of Chairman, Policy and Planning Committee.
3. The result of the secret, preferential ballot to be communicated to the Mayor, and the Mayor to then seek a motion to appoint the preferred nominee from the ballot process to the position of Chairman Policy and Planning Committee for the period commencing February 2017 to November 2018.

**CARRIED
1542/2017**

**Chairman, Policy and Planning Committee (February 2017 to
November 2018) - Appointment**

Cr D Pilkington declared a material conflict of interest on the basis of receiving a financial benefit if elected to the position of Chairman, Policy and Planning Committee. Cr Pilkington left the meeting at 08:20 pm.

Moved Cr C Buchanan

Seconded Cr D Proleta

That Cr D Pilkington be appointed Chairman of the Policy and Planning Committee for the period February 2017 to November 2018

**CARRIED
1543/2017**

Cr D Pilkington returned to the meeting at 08:24 pm.

**NOM4 Appointment of Chairman, Budget and Finance Committee
(February 2017 to November 2018)**

Moved Cr L Caruso
Seconded Cr G Caruso

1. That nominations be sought for the position of Chairman, Budget and Finance Committee with members able to self nominate, or nominate others.
2. A secret, preferential ballot be conducted to determine the preferred nominee for the position of Chairman, Budget and Finance Committee.
3. The result of the secret, preferential ballot to be communicated to the Mayor, and the Mayor to then seek a motion to appoint the preferred nominee from the ballot process to the position of Chairman Budget and Finance Committee for the period commencing February 2017 to November 2018.

**CARRIED
1544/2017**

**Chairman, Budget and Finance Committee (February 2017 to
November 2018) – Appointment**

Cr R Zahra declared a material conflict of interest on the basis of receiving a financial benefit if appointed to the position of Chairman, Budget and Finance Committee. Cr Zahra left the meeting at 08:27 pm.

Moved Cr S White
Seconded Cr C Buchanan

That Cr R Zahra be appointed Chairman of the Budget and Finance Committee for the period February 2017 to November 2018.

**CARRIED
1545/2017**

Cr R Zahra returned to the meeting at 08:27 pm.

**NOM5 Appointment of Chairman, Works and Services Committee
(February 2017 to November 2018)**

Moved Cr L Caruso
Seconded Cr G Caruso

1. That nominations be sought for the position of Chairman, Works and Services Committee with members able to self nominate, or nominate others.
2. A secret, preferential ballot be conducted to determine the preferred nominee for the position of Chairman, Works and Services Committee.
3. The result of the secret, preferential ballot to be communicated to the Mayor, and the Mayor to then seek a motion to appoint the preferred nominee from the ballot process to the position of Chairman Works and Services Committee for the period commencing February 2017 to November 2018.

**CARRIED
1546/2017**

**Chairman, Works and Services Committee (February 2017 to
November 2018) - Appointment**

Moved Cr R Zahra
Seconded Cr D Pilkington

That Cr G Reynolds be appointed Chairman of the Works and Services Committee for the period February 2017 to November 2018.

**CARRIED
1547/2017**

**NOM6 Appointment of Chairman, Resources and Governance Committee
(February 2017 to November 2018)**

Moved Cr L Caruso
Seconded Cr G Caruso

1. That nominations be sought for the position of Chairman, Resources and Governance Committee with members able to self nominate, or nominate others.
2. A secret, preferential ballot be conducted to determine the preferred nominee for the position of Chairman, Resources and Governance Committee.
3. The result of the secret, preferential ballot to be communicated to the Mayor, and the Mayor to then seek a motion to appoint the preferred nominee from the ballot process to the position of Chairman Resources and Governance Committee for the period commencing February 2017 to November 2018.

**CARRIED
1548/2017**

Chairman, Resources and Governance Committee (February 2017 to November 2018) – Appointment

Cr S Bedford declared a material conflict of interest on the basis of receiving a financial benefit if appointed to the position of Chairman, Resources and Governance Committee. Cr Bedford left the meeting at 08:33 pm.

Moved Cr R Zahra
Seconded Cr D Pilkington

That Cr S Bedford be appointed Chairman of the Resources and Governance Committee for the period February 2017 to November 2018.

**CARRIED
1549/2017**

Cr S Bedford returned to the meeting at 08:34 pm.

NOM7 Appointment of Chairman, Sports, Recreation and Grants Committee

Moved Cr L Caruso
Seconded Cr G Caruso

1. That nominations be sought for the position of Chairman, Sports, Recreation and Grants Committee with members able to self nominate, or nominate others.
2. A secret, preferential ballot be conducted to determine the preferred nominee for the position of Chairman, Sports, Recreation and Grants Committee.
3. The result of the secret, preferential ballot to be communicated to the Mayor, and the Mayor to then seek a motion to appoint the preferred nominee from the ballot process to the position of Chairman Sports, Recreation and Grants Committee for the period commencing February 2017 to November 2017.

**CARRIED
1550/2017**

**Chairman, Sports, Recreation and Grants Committee
(February 2017 to November 2017)**

Cr L Caruso declared a material conflict of interest on the basis of receiving a financial benefit if elected to the position of Chairman, Sports, Recreation and Grants Committee. Cr L Caruso left the meeting at 08:38 pm.

Moved Cr J Woodman
Seconded Cr D Pilkington

That Cr L Caruso be appointed Chairman of the Sport, Recreation and Grants Committee for the period February 2017 to November 2017.

**CARRIED
1551/2017**

Cr L Caruso returned to the meeting at 08:38 pm.

Appointment of Chairman, Sports, Recreation and Grants Committee (December 2017 to November 2018)

Moved Cr L Caruso
Seconded Cr G Caruso

1. That nominations be sought for the position of Chairman, Sports, Recreation and Grants Committee with members able to self nominate, or nominate others.
2. A secret, preferential ballot be conducted to determine the preferred nominee for the position of Chairman, Sports, Recreation and Grants Committee.

3. The result of the secret, preferential ballot to be communicated to the Mayor, and the Mayor to then seek a motion to appoint the preferred nominee from the ballot process to the position of Chairman Sports, Recreation and Grants Committee for the period commencing December 2017 to November 2018.

CARRIED
1552/2017

Chairman, Sports, Recreation and Grants Committee (December 2017 to November 2018)

Cr J Woodman declared a material conflict of interest on the basis of receiving a financial benefit if appointed to the position of Chairman, Sports, Recreation and Grants Committee. Cr J Woodman left the meeting at 08:43 pm.

Moved Cr S Bedford
Seconded Cr R Zahra

That Cr J Woodman be appointed Chairman of the Sport, Recreation and Grants Committee for the period December 2017 to November 2018.

CARRIED
1553/2017

Cr J Woodman returned to the meeting at 08:43 pm.

BREAK

In accordance with section 10 (2) of the Code of Practice for Meeting Procedures, the Mayor provided a break to all present. The meeting was suspended at 8:44 pm.

The meeting reconvened at 8:59 pm.

NOM8 Investigation of viability of hosting part of the 2018 Tour Down Under within the City of Salisbury

Cr L Caruso left the meeting at 09:10 pm.
Cr L Caruso returned to the meeting at 09:10 pm.

Moved Cr D Bryant
Seconded Cr S Reardon

1. That staff prepare a report investigating the viability of hosting part of the 2018 Tour Down Under within the City of Salisbury.

LOST

NOM9 Use of e-cigarettes/vapes in designated non-smoking areas

Cr C Buchanan declared a perceived conflict of interest on the basis of his employment. Cr C Buchanan left the meeting at 09:17 pm.

Cr J Woodman declared a perceived conflict of interest on the basis of her employment. Cr J Woodman left the meeting at 09:17 pm.

Moved Cr D Bryant

Seconded Cr D Balaza

1. That Council write to the Minister for Health and Minister for Substance Abuse asking the Ministers to consider the prohibition of the use of e-cigarettes/vapes in areas that are designated as smoke-free under the *Tobacco Products Regulation Act 1997*, as recommended to Parliament by the Select Committee on E-Cigarettes in its Final Report (tabled in the House of Assembly 24 February 2016).
2. The letter to note, that in the event that the Government is currently considering changes to laws relating to vapes and e-cigarettes, that the Government be requested to accelerate the introduction of the relevant legislation.

**CARRIED
1554/2017**

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

Cr J Woodman returned to the meeting at 09:27 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 23 January 2017 were considered by Council.

Administration

1.0.1 Future Reports for the Policy and Planning Committee

Moved Cr S White
Seconded Cr J Woodman

1. The information be received.

CARRIED
1555/2017

Urban Development

1.3.1 Request to waive a Land Management Agreement to allow rear access from 20 Wesley Court, Salisbury Plain to Willochra Road

Moved Cr J Woodman
Seconded Cr D Proleta

1. That the report be received and noted.
2. Council resolves to not enforce the provisions of a Land Management Agreement applying to 20 Wesley Court, Salisbury Plain, subject to Development Application 361/1721/2016 being approved under the Development Act 1993 and subject to the applicant satisfying all technical access requirements of Council and paying all costs associated with the new driveway invert.

CARRIED
1556/2017

Other Business

1.9.1 Scoreboard Upgrade Assistance for Local Sporting Clubs

Cr Buchanan declared a perceived conflict on the basis of being President of a sporting club. Cr C Buchanan left the meeting at 09:29 pm.

Moved Cr D Pilkington
Seconded Cr G Caruso

1. This report be received and noted.

CARRIED
1557/2017

Cr C Buchanan returned to the meeting at 09:29 pm.

2 Works and Services Committee Meeting

Minutes of the Works and Services Committee Meeting held on 23 January 2017 were considered by Council.

Administration

2.0.1 Future Reports for the Works and Services Committee

Moved Cr R Zahra
Seconded Cr D Pilkington

1. The information be received.

**CARRIED
1558/2017**

Landscaping

**2.4.1 Response to Petition Requesting Relocation of Proposed
Playspace from Dineen Road Reserve to Chestnut Drive
Reserve, Parafield Gardens**

Moved Cr S Reardon
Seconded Cr D Pilkington

1. The playspace be delivered as per the September 2015 Council Minute 0597/2015 within Dineen Rd Reserve, Parafield Gardens and the endorsed 2016/17 Play Space/Playground Program.
2. Staff advise the originator of the Petition of Council's Decision.

**CARRIED
1559/2017**

Public Works

2.6.1 Capital Progress Report - December 2016

Moved Cr S Reardon
Seconded Cr S White

1. Include Paddocks Reserve within the 2016/17 PR22120 Reserve Fencing Renewal Program.
2. Remove the renewal of Carisbrooke House, Salisbury Park, from the 2016/17 Council Building Renewal Program.
3. Defer renewal of the play space, Fairbanks Drive Reserve, Paralowie, for future years consideration, returning the associated \$100k expenditure budget within the second quarter 2016/17 Budget Review for consideration.
4. Submission of a second quarter 2016/17 Budget Review item to reduce income budget to \$0 and reduce expenditure budget to \$100k within PR22143 Pauls Drive Valley View Major Flooding, to reflect unsuccessful grant funding and design only now for 2016/17.
5. Relocate \$300k from PR21799 Stanley Street Land Acquisition to PR23435 Mawson Lakes Interchange Pedestrian & Cycle Access, noting this transfer as a non-discretionary second quarter 2016/17 Budget Review item.
6. Relocate \$529k from PR23474 MOSS Reimbursement to PR23435 Mawson Lakes Interchange Pedestrian & Cycle Access, noting this transfer as a non-discretionary second quarter 2016/17 Budget Review item.

**CARRIED
1560/2017**

Confidential Items

Refer to CONFIDENTIAL ITEMS section of Council Minutes

2.9.1 Verge Mowing Program

2.9.2 LGA Public Lighting Business Case

3 Resources and Governance Committee Meeting

Minutes of the Resources and Governance Committee Meeting held on 23 January 2017 were considered by Council.

Administration

3.0.1 Future Reports for the Resources and Governance Committee

Moved Cr S Reardon

Seconded Cr R Zahra

1. The information be received.

**CARRIED
1561/2017**

Development Control Administration

3.2.1 Appointment of Independent Members to Development Assessment Panel

Cr L Caruso declared a perceived conflict of interest on the basis of being a member of the Development Assessment Panel. Cr L Caruso managed the conflict by remaining in the meeting and not voting on the item.

Cr S White declared a perceived conflict of interest on the basis of being a member of the Development Assessment Panel. Cr White managed the conflict by remaining in the meeting and not voting on the item.

Moved Cr D Bryant

Seconded Cr S Reardon

1. The independent member positions on the Development Assessment Panel be advertised for the balance of the term of Council or an alternative period as specified within relevant legislation.

LOST

Moved Cr C Buchanan

Seconded Cr R Zahra

1. The term of the existing independent members of the Development Assessment Panel be extended until such time the requirements of the *Planning, Development and Infrastructure Act 2016* are known, but for a period not exceeding 6 months.
2. A further report is provided on the changes to Development Assessment Panels as a result of the *Planning, Development and Infrastructure Act 2016* once the full information has been released by the state government.

**CARRIED
1562/2017**

External Relations

3.4.1 Nominations Sought for the Local Government Advisory Committee on the Implementation of the New Planning System

Moved Cr C Buchanan
Seconded Cr D Proleta

1. Mr Chris Zafiroopoulos, Manager Development Services be nominated as a Local Government Member on the Local Government Advisory Committee on the Implementation of the New Planning System.

**CARRIED
1563/2017**

3.4.2 Nominations Sought for the State Records Council

Moved Cr C Buchanan
Seconded Cr D Proleta

1. Ms Laura Fischetti, Team Leader Information Management and Service Desk be nominated as a Local Government Member on the State Records Council.

**CARRIED
1564/2017**

Corporate Governance

3.6.2 Naming of Roads and Public Places Policy

Moved Cr J Woodman
Seconded Cr G Caruso

1. The Naming of Roads and Public Places Policy forming an attachment to this Report (Item No. 3.6.2, Resources and Governance Committee, 23/01/2017) be adopted and that public notice be given in accordance with the *Local Government Act 1999*.

**CARRIED
1565/2017**

3.6.3 Variations to Delegations

Moved Cr R Zahra

Seconded Cr S Reardon

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 31 January 2017 of those powers and functions under the following:
 - 1.1 *Local Government Act 1999*
 - Section 235(1) and 236(2)
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 1 February 2017 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 236(2)
 - 2.1.2 *Local Nuisance and Litter Control Act 2016*
 - Whole Instrument of Delegation
 - 2.1.2 *Water Industry Act 2012 and Water Industry Regulations 2012.*
 - Section 86F(1), 86G(1)(c), 86G(2), 86I(3), 86I(4), 86I(6), 86I(7), 86J(1), 86K(2), 86N(3), 86Z(2), 86ZD(1), 86ZE, 86ZG(1), 86ZG(3), 86ZJ, 86ZK(5), 86ZK(6), 86ZK(8), 86ZL(1), 86ZM(7), 86ZN, 86ZR(2)
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
1566/2017

3.6.4 Review the Procurement Policy for the inclusion of Australian made steel for Council construction projects - Resolution number: 1371/2016

Cr D Balaza declared conflict of interest on the basis of being employed by a company that may be affected by this policy. Cr D Balaza left the meeting at 09:56 pm.

Cr D Bryant declared conflict of interest on the basis of having a client in the construction industry who procures steel as his main operating activity. Cr D Bryant left the meeting at 09:57 pm.

Cr J Woodman left the meeting at 10:02 pm.

Moved Cr G Caruso

Seconded Cr S White

1. Where value for money can be demonstrated by Total Value of Ownership, and Australian made steel is applicable and available for the goods, services and works for:
 - a. Contracts above \$1m that involve the purchase of significant amounts of structural and/or reinforcing steel; or
 - b. Contracts above \$220,000 that involve significant fabrication of structural steelwork.

the following shall apply:

- i. A minimum 15% Australian steel industry participation weighting will form part of the overall evaluation criteria, this includes the Northern Economic Participation weighting; and
 - ii. Inclusion of relevant Australian Standards (or equivalent) into the Council's scopes, specifications and designs.
- Note: Contractors must be certified and comply with the relevant Australian Standards, and must be able to demonstrate compliance.
2. A review of the implications of the adoption of a variation to the Procurement Policy to use Australian made steel as set out in Part 1 (Item No. 3.6.4, Resources and Governance Committee, 23/01/2017) be undertaken in 12 months.

**CARRIED
1567/2017**

Cr D Balaza returned to the meeting at 10:03 pm.

Cr D Bryant returned to the meeting at 10:03 pm.

5 Development Assessment Panel Meeting

A meeting of the Development Assessment Panel took place on 24 January 2017 . The minutes have been distributed to all members for information.

6 Budget and Finance Committee Meeting

Minutes of the Budget and Finance Committee Meeting held on 23 January 2017 were considered by Council.

Administration

6.0.1 Future Reports for the Budget and Finance Committee

Moved Cr R Zahra
Seconded Cr S Bedford

1. The information be received.

**CARRIED
1568/2017**

7 Sport, Recreation and Grants Committee Meeting

Minutes of the Sport, Recreation and Grants Committee Meeting held on 16 January 2017 were considered by Council.

Administration

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

Moved Cr L Caruso
Seconded Cr D Proleta

1. The information be received.

**CARRIED
1569/2017**

Community Grants

7.2.1 Youth Sponsorship - December Applications

Moved Cr R Zahra
Seconded Cr D Proleta

1. The information be received.
2. A non-discretionary bid be submitted to the Second Quarter Budget Review for the amount of \$27,900 to ensure sufficient funds are available for Youth Sponsorship applications to the end of the 2016/17 financial year.

**CARRIED
1570/2017**

7.2.2 Community Grants Program Applications for January 2017

Moved Cr D Proleta
Seconded Cr R Zahra

1. The information be received and noted.

**CARRIED
1571/2017**

GENERAL BUSINESS**GB1 Updated Terms of Reference: Strategic and International Partnerships Sub Committee**

As a result of Council's decision to rescind Council Resolution 1481/2016 – NOM2 Proposed Committee Structure to take effect February 2017 (Council Meeting 19/12/2016), this item was not discussed.

GB2 Updated Terms of Reference: Strategic Property Development Sub Committee

As a result of Council's decision to rescind Council Resolution 1481/2016 – NOM2 Proposed Committee Structure to take effect February 2017 (Council Meeting 19/12/2016), this item was not discussed.

GB3 Updated Terms of Reference: Chief Executive Officer Review Committee

As a result of Council's decision to rescind Council Resolution 1481/2016 – NOM2 Proposed Committee Structure to take effect February 2017 (Council Meeting 19/12/2016), this item was not discussed.

GB4 Updated Terms of Reference: Program Review Sub Committee

As a result of Council's decision to rescind Council Resolution 1481/2016 – NOM2 Proposed Committee Structure to take effect February 2017 (Council Meeting 19/12/2016), this item was not discussed.

GB5 Updated Terms of Reference: Tourism and Visitor Sub Committee

As a result of Council's decision to rescind Council Resolution 1481/2016 – NOM2 Proposed Committee Structure to take effect February 2017 (Council Meeting 19/12/2016), this item was not discussed.

GB6 Updated Terms of Reference: Youth Council Sub Committee

As a result of Council's decision to rescind Council Resolution 1481/2016 – NOM2 Proposed Committee Structure to take effect February 2017 (Council Meeting 19/12/2016), this item was not discussed.

**GB7 Council Meeting Schedule, Agenda Structure and Evaluation
Process to reflect Council Decision 1481/2016, 19 December 2016**

As a result of Council's decision to rescind Council Resolution 1481/2016 – NOM2 Proposed Committee Structure to take effect February 2017 (Council Meeting 19/12/2016), this item was not discussed.

GB8 CEO recommendation to correct the minutes of the Council meeting on 24 October 2016

Moved Cr R Zahra
Seconded Cr G Caruso

1. That the minutes of the meeting of Council on 24 October 2016 be corrected at Part 2 of resolution 1392/2016 to reflect the correct meeting date in the reference to the attachment as follows:
2. *The Elector Representation Review Report (Item No. 3.6.3, Resources and Governance Committee, ~~16/05/2016~~–17/10/2016, Attachment 1) be endorsed to release for community consultation.*

**CARRIED
1572/2017**

OTHER BUSINESS

Nil.

MAYOR'S DIARY

MD1 Mayor's Diary

Moved Cr G Caruso
Seconded Cr S Reardon

1. That this information be noted.

**CARRIED
1573/2017**

Cr J Woodman returned to the meeting at 10:05 pm.

REPORTS FROM COUNCIL REPRESENTATIVES

Cr E Gill:

- 21/12 Break-up with Salisbury Business Assoc
- 24/12 Visit 2 Salisbury traders
- 27/12 Strikers match w/- Katrine Hildyard MP
- 29/12 Rotary Allsorts shop
- 11/1 Croquet Club Presentation
- Meeting w/- D Walker
- 12/1 Meeting w/- resident re St Kilda
- 12/1 Meeting w/- resident re trees
- 17/1 Radio w/- Rick Henke - Australia Day
- 19/1 ALGWA SA Branch Board meeting
- 23/1 Teleconference ALGWA National
- Resident for JP
- 26/1 Australia Day - Awards & Citizenship

CONFIDENTIAL ITEMS**2.9.1 Verge Mowing Program**

Moved Cr G Caruso
Seconded Cr R Zahra

1. *Pursuant to Section 90(2) and (3)(b)(i) 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.*
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

*On that basis the public's interest is best served by not disclosing the **Verge Mowing Program** 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
1574/2017

The meeting moved into confidence at 10:05 pm.

The meeting moved out of confidence at 10:30 pm.

2.9.2 LGA Public Lighting Business Case

Moved Cr R Zahra
Seconded Cr E Gill

1. *Pursuant to Section 90(2) and (3)(j)(i) and (j)(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 would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by 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*
 - *Information contained within the report and attachments has been provided to Council on a confidential basis, and contains commercial information of a public authority which, if disclosed, could compromise the commercial position of that public authority.*

*On that basis the public's interest is best served by not disclosing the **LGA Public Lighting Business Case** 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
1575/2017**

The meeting moved into confidence at 10:31 pm

The meeting moved out of confidence and closed at 10:32 pm.

CHAIRMAN.....

DATE.....