



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

22 MAY 2017

MEMBERS PRESENT

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

STAFF

Chief Executive Officer, Mr J Harry
General Manager Business Excellence, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
General Manager City Infrastructure, Mr M van der Pennen
General Manager Community Development, Ms P Webb
Manager Governance, 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.

DECLARATION OF OFFICE – LEVELS WARD COUNCILLOR

Mrs Bev Christerson JP facilitated the reading and signing of the Declaration of Office for Cr Beau Brug.

APOLOGIES

Apologies were received from Cr L Caruso and Cr R Cook.

LEAVE OF ABSENCE

Nil

2017/18 ANNUAL PLAN - VERBAL REPRESENTATIONS

No representations were made.

PUBLIC QUESTION TIME

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

DEPUTATIONS

DEP1 Elector Representation Review - Persons making written submissions to be heard.

In accordance with section 12(10) of the *Local Government Act 1999*, Mr Lindsay Virgo, St Kilda 5110, who made a submission in the third round of public consultation, presented to Council on his submission to the Elector Representation Review.

DEP2 Refusal of Deputation Request

A request was received from Mr Pas Forgione, SA Poverty Network SA's Co-ordinator for himself and Ms Suzie Newbury to attend the 22/05/2017 Council meeting as a deputation in relation to job seekers in the northern suburbs.

After meeting with Mr Forgione, the Mayor determined to refuse the request to appear on the basis that the Network is seeking Council support regarding an issue which falls outside of Council's jurisdiction.

PRESENTATION OF MINUTES

Moved Cr D Pilkington
Seconded Cr R Zahra

The Minutes of the Council Meeting held on 24 April 2017, be taken and read as confirmed.

CARRIED
1773/2017

Moved Cr D Pilkington
Seconded Cr S White

The Minutes of the Confidential Council Meeting held on 24 April 2017, be taken and read as confirmed.

CARRIED
1774/2017

QUESTIONS ON NOTICE

No Questions on Notice were received.

QUESTIONS WITHOUT NOTICE

QWON1 Follow Up on Previous Notice of Motion

Cr Bryant asked a question in relation to status of action against his Notice of Motion from the April Council Meeting.

The Question was answered by the Mayor.

NOTICES OF MOTION

NOM1 Consideration of connector road: Coreena Road and Halba Road, Paralowie

Cr C Buchanan left the meeting at 06:51 pm.

Cr C Buchanan returned to the meeting at 06:51 pm.

Moved Cr G Reynolds
Seconded Cr C Buchanan

1. That staff report on the options and costs of building a one way connector road, incorporating parallel parking, to link Coreena Road with Halba Road, Paralowie.

CARRIED
1775/2017

PETITIONS

PET1 Petition Objecting to Proposed Development of 32 Nelson Crescent, Mawson Lakes (361/128/2017/2A)

Cr G Reynolds declared an actual conflict of interest on the basis of being a member of the Development Assessment Panel. Cr G Reynolds left the meeting at 6:57 pm.

Cr S White declared an actual conflict of interest on the basis of being a member of the Development Assessment Panel. Cr S White left the meeting at 6:57 pm.

Moved Cr D Balaza

Seconded Cr B Brug

1. The notice of petition in relation to Development Application 361/128/2017/2A – Application for 2 x Two Storey Dwellings at 32 Nelson Crescent, Mawson Lakes be received, noting that the matters raised in the petition will be considered by Council's Development Assessment Panel in its assessment of the development application.
2. That the lead petitioner be advised of Council's action in relation to the petition.

CARRIED
1776/2017

Cr S White returned to the meeting at 7:01 pm.

Cr G Reynolds returned to the meeting at 7:01 pm.

PET2 Petition Objecting to Proposed Parking Restrictions in Springbank Waters, Burton

Moved Cr D Proleta

Seconded Cr C Buchanan

1. The attached notice of petitions in relation to proposed parking restrictions in Springbank Waters, Burton be received.
2. Council note that staff propose to report to the Works and Services Committee to address the petition in June 2017.

CARRIED
1777/2017

COMMITTEE REPORTS

1 Policy and Planning Committee Meeting

Minutes of the Policy and Planning Committee Meeting held on 15 May 2017 were considered by Council.

Administration

1.0.1 Future Reports for the Policy and Planning Committee

Moved Cr D Pilkington
Seconded Cr R Zahra

1. The information be received.

CARRIED
1778/2017

Urban Development

1.3.1 Draft Transport Strategic Action Plan

Moved Cr S White
Seconded Cr D Pilkington

1. The Draft Transport Strategic Action Plan and Background Technical Papers be noted.
2. That a further report be presented to the June 2017 meeting of the Policy and Planning Committee with a final draft of the Transport Strategic Action Plan for endorsement, incorporating any amendments as resolved by Council.

CARRIED
1779/2017

2 Works and Services Committee Meeting

Minutes of the Works and Services Committee Meeting held on 15 May 2017 were considered by Council.

Administration

2.0.1 Future Reports for the Works and Services Committee

Moved Cr J Woodman

Seconded Cr R Zahra

1. The information be received.

**CARRIED
1780/2017**

Community Centres and Youth

2.1.1 Investigation of Costs Associated with Waterslide/Diving Platform Installation at Salisbury Recreation Precinct

Moved Cr G Caruso

Seconded Cr J Woodman

1. That the information be received.
2. A decision regarding the installation of the water play feature be deferred pending council consideration of a long term plan for the aquatic facilities.

**CARRIED
1781/2017**

Public Works

2.6.1 Capital Progress Report - April 2017

Moved Cr R Zahra

Seconded Cr G Reynolds

1. The information be received.

**CARRIED
1782/2017**

2.6.2 St Kilda Master Plan - Stage 2

Cr D Balaza declared a perceived conflict of interest on the basis of his employment. Cr D Balaza left the meeting at 7:20 pm.

Moved Cr D Pilkington
Seconded Cr S White

1. This report is received and noted.
2. The draft St Kilda Stage 2 – Marine Recreation Precinct and Mangroves Master Plan be endorsed, with staff authorised to action priorities 1 and 2 provided in Attachment 1 to this report (Item No. 2.6.2, Works and Services Committee, 15/05/2017).
3. That authorisation to progress with priorities 3 to 8 inclusive provided in the St Kilda Stage 2 – Marine Recreation Precinct and Mangroves Master Plan be subject of consideration of further reports to Council.
4. That NIB TRN 23902 St Kilda Master Plan – Stage 2 Implementation be updated to reflect the revised spending detailed in Section 3.3 of Item 2.9.1 Works & Services Committee, 15 May 2017.
5. That respondents to the community engagement process on the Stage 2 Master Plan be advised of the outcomes, including via Council's website.
6. Residents and stakeholders continue to be engaged in relation to the elements in the detailed design phase of the master plan implementation.

*Amended via
resolution
1891/2017 of
24/07/2017*

**CARRIED
1783/2017**

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

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

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

Crs D Proleta, S Bedford, B Brug, C Buchanan, S Reardon and R Zahra

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

Cr D Balaza returned to the meeting at 07:41 pm.

FURTHER MOTION - St Kilda Master Plan – Stage 2

Cr D Balaza declared a perceived conflict of interest on the basis of his employment. Cr D Balaza left the meeting at 7:48 pm.

Moved Cr C Buchanan
Seconded Cr D Proleta

1. Staff be authorised to continue seeking grant support from

other levels of Government for projects listed as priorities 3 to 8 within the draft St Kilda stage 2 Marine Recreation Precinct and Mangroves master plan provided as Attachment 1 to Item number 2.6.2 Works and Services Committee 15/05/2017.

With leave of the meeting and consent of the seconder Cr C Buchanan VARIED the MOTION as follows:

1. Staff be authorised to continue seeking grant support from other levels of Government for projects listed as priorities 1 to 8 within the draft St Kilda stage 2 Marine Recreation Precinct and Mangroves master plan provided as Attachment 1 to Item number 2.6.2 Works and Services Committee 15/05/2017.

**CARRIED
1784/2017**

Cr D Balaza returned to the meeting at 8:03 pm.

Confidential Items

Refer to CONFIDENTIAL ITEMS section of Council Minutes

2.9.1 Land Acquisitions Budget Adjustments

3 Resources and Governance Committee Meeting

Minutes of the Resources and Governance Committee Meeting held on 15 May 2017 were considered by Council.

Administration

3.0.1 Future Reports for the Resources and Governance Committee

Moved Cr R Zahra

Seconded Cr S Bedford

1. The information be received.

**CARRIED
1785/2017**

Health, Animal Management and By-laws

3.3.1 Little Para Golf Course - Playing Area Signage

Moved Cr G Reynolds

Seconded Cr J Woodman

1. That the information be received.
2. Pursuant to the power contained in section 246(3)(e) of the *Local Government Act 1999*, the Council resolves, effective from 30 May 2017, to apply sub-clause 9.25.4 of *By-law No. 4-Local Government Land* (the By-law) to the Local Government land comprising the Little Para Golf Course as detailed in the diagram in Attachment 1 to this report so that the permission of the Council (or its agent) is required to play or practice the game of golf on the land unless a person is a member of the Little Para Golf Course or, has paid the required fee.
3. That, as a playing area for the purposes of sub-clause 9.30 of the By-law, the Council resolves by way of a direction under clause 9.30.3 of the By-law, that the Little Para Golf Course as detailed in the diagram in Attachment 1 to this report must not, without the permission of the Council (or its agent), be used by any person:
 - a. to play or practice the game of golf unless the person is a member of the Little Para Golf Course or, has paid the required fee; or
 - b. to play or practice any other sporting activity.

4. That the Administration undertake all necessary steps to give effect to the Council's resolution under paragraphs 2 and 3 above, including by:
 - a. publishing notice of them in the Government Gazette and in a local newspaper circulating in the Council's area;
 - b. making copies of them available online and within the Councils register of by-laws; and
 - c. erecting signage as appropriate on the land.
5. (If council resolves as per recommendation 2 and 3) that Belgravia staff be trained and appointed as Authorised Officers for the purposes of being able to enforce Sub-clauses 9.25.4 and 9.30 of By-law in respect of the Little Para Golf Course.

CARRIED
1786/2017

External Relations

3.4.1 LGA Governance Review Update

Moved Cr D Pilkington
Seconded Cr R Zahra

1. Information be received.

CARRIED
1787/2017

Corporate Governance

3.6.1 Review of Elected Members Training and Development Policy

Moved Cr D Pilkington
Seconded Cr R Zahra

1. The information be received.
2. The Elected Members Training and Development Policy as set out in Attachment 1 to this report (Resources and Governance 3.6.1, 15/05/2017), be endorsed.

CARRIED
1788/2017

3.6.2 Summary Report for Attendance at Training and Development Activity - Cr Gill

Moved Cr D Pilkington
Seconded Cr J Woodman

1. The information be received.

**CARRIED
1789/2017**

Other Business

3.7.1 Provision of IT Loan Equipment

Moved Cr D Pilkington
Seconded Cr D Bryant

1. That the information be received.
2. That Council endorse Option 1 to maintain the existing provision of IT equipment available to community groups to be utilised in house as part of room hire arrangements available through libraries and community centres.

**CARRIED
1790/2017**

Confidential Items

Refer to CONFIDENTIAL ITEMS section of Council Minutes

3.8.1 Appointment of the Development Assessment Panel Public Officer

6 Budget and Finance Committee Meeting

Minutes of the Budget and Finance Committee Meeting held on 15 May 2017 were considered by Council.

Administration

6.0.1 Future Reports for the Budget and Finance Committee

Moved Cr J Woodman

Seconded Cr R Zahra

1. The information be received.

**CARRIED
1791/2017**

6.0.2 Minutes of the Program Review Sub Committee meeting held on Monday 8 May 2017

6.0.2-PRSC1 Strategic Development Projects Program Review Update

Moved Cr R Zahra

Seconded Cr S White

1. That the update report be noted, and the matters arising from consideration of the report by the Sub-Committee be addressed in the final draft report to the Program Review Sub-Committee in July 2017 on the Strategic Development Projects Program Review.

**CARRIED
1792/2017**

6.0.2-PRSC2 Future Considerations of Program Review Sub Committee

Moved Cr R Zahra

Seconded Cr S White

1. That the information be received.
2. That a further report be brought back prior to the conclusion of the current schedule of Program Reviews that incorporates the committee's feedback on options available to Council to assess ongoing program and service needs.

**CARRIED
1793/2017**

6.0.2-PRSC3 CEO and Governance Program Review Brief and Background Paper

Moved Cr R Zahra
Seconded Cr S White

1. Information be received.
2. The CEO and Governance Program Review Brief and Background Paper as set out in Attachments 1 and 2 to this report (Item No. PRSC3, Program Review Sub Committee, 8 May 2017) be endorsed.

CARRIED
1794/2017

Finance

6.1.1 Council Finance Report - April 2017

Moved Cr R Zahra
Seconded Cr D Pilkington

1. The information be received.

CARRIED
1795/2017

6.1.2 Loan Borrowings 2016/17

Moved Cr D Pilkington
Seconded Cr G Reynolds

1. The information be received.

CARRIED
1796/2017

6.1.3 Draft Fees and Charges 2017/18

Cr D Balaza declared a material conflict of interest on the basis of being a member of the NAWMA Board. Cr D Balaza left the meeting at 08:07 pm.

Cr E Gill declared a material conflict of interest on the basis of being deputy member of the NAWMA Board. Cr E Gill left the meeting at 08:08 pm.

Cr J Woodman declared a material conflict of interest on the basis of being a member of the NAWMA Board. Cr J Woodman left the meeting at 08:08 pm.

Cr G Reynolds declared a material conflict of interest on the basis of being a deputy member of the NAWMA Board. Cr G Reynolds left the meeting at 08:08 pm.

Moved Cr S White

Seconded Cr D Proleta

1. The Fees and Charges as set out in Attachment 1 to this report (Item No. 6.1.3, Budget and Finance Committee, 15/05/2017) be endorsed. Where fees and charges are set by regulation, gazettal notice or other government agency those fees will be applied by Council, with staff authorised to update the 2017/2018 Fees and Charges Booklet accordingly.
2. The Fees and Charges booklet is to be updated for the outcomes of the ATO GST class ruling once finalised by the SA Local Government Financial Managers Group.
3. The Manager Community Health & Wellbeing be delegated authority to vary Positive Ageing Services room hire fees for not for profit organisations where they are working in partnership with Council or have demonstrated limited capacity to pay.
4. The Manager Community Capacity and Learning be delegated authority to vary fees for regular bookings at Twelve25 by existing permanent user groups in accordance with the Memorandum of Understanding with Council.
5. The Manager Community Capacity and Learning be delegated authority to vary Library fees or Twelve25 fees for the purpose of introducing new programs and / or allowing for increases in supply costs.
6. The General Manager City Infrastructure be delegated authority to vary fees by up to \$300 for Salisbury Memorial Park for customers who demonstrate financial hardship but do not qualify for the Centrelink Funeral Assistance Program, and to recover additional costs associated with providing a non-standard product or service.
7. The Manager Governance be delegated authority to waive fees for a single copy of any publicly available document as set out in the Access to Information section of the Fees and Charges document.

8. The Manager Property and Buildings be delegated authority to vary casual hire of park facilities fees and bonds for Council activities, Community events, for not for profit organisations providing benefit to the community, and for the purpose of recovering additional costs associated with event bookings.
9. The Chief Executive Officer be delegated authority to negotiate fees consistent with those endorsed in the Fees and Charges Booklet to facilitate access to services/facilities in circumstances not specified within the Fees and Charges Booklet (for example, extended booking of a Council facility) and to waive or vary the requirement for payment of a fee, charge or bond where Council is providing 'in kind' support to an event or activity or there is a community benefit to be achieved.
10. For ease of administration, staff are authorised to round fees to the nearest 5 cents, where applicable.

CARRIED
1797/2017

Cr E Gill returned to the meeting at 8:11 pm.

Cr D Balaza returned to the meeting at 8:11 pm.

Cr G Reynolds returned to the meeting at 8:11 pm.

Cr J Woodman returned to the meeting at 8:11 pm.

Annual Plan and Budget

6.4.1 Council Solutions 2017/18 Budget

Moved Cr R Zahra

Seconded Cr D Pilkington

1. The proposed Council Solutions Regional Subsidiary 2017/18 Annual Budget be considered and noted.

CARRIED
1798/2017

6.4.2 Additional Information - New Initiative Bids 2017/18

Moved Cr R Zahra

Seconded Cr G Reynolds

1. The information be received.
2. That New Initiative Bid STN21461: Strategic Projects Program – Planning Program be reduced to \$120,000, and reference to the Food Park and Salt Fields developments be removed from the bid.
3. That \$18,000 be included in the 2017/18 budget to enable the continuation of the LAN Esports Tournament.
4. That New Initiative Bid STN23922: Salisbury City Centre Renewal, Church Street extension and technical investigations, confirmation of future year expenditure and scale of project not be funded at this time.

CARRIED
1799/2017

6.4.3 NAWMA 2017/18 Budget, Service Agreement and Business Plan

Cr E Gill declared a material conflict of interest on the basis of being a deputy member of the NAWMA Board. Cr E Gill left the meeting at 8:14 pm.

Cr D Balaza declared a material conflict of interest on the basis of being a member of the NAWMA Board. Cr D Balaza left the meeting at 8:15 pm.

Cr J Woodman declared a material conflict of interest on the basis of being a member of the NAWMA Board. Cr J Woodman left the meeting at 8:15 pm.

Cr G Reynolds declared a material conflict of interest on the basis of being a deputy member of the NAWMA Board. Cr G Reynolds left the meeting at 8:15 pm.

Moved Cr G Caruso

Seconded Cr D Bryant

1. The information be received.
2. The Northern Adelaide Waste Management Authority Annual Budget 2017/18, as set out in Attachment 1 to this report (Item No. 6.4.3, Budget and Finance Committee, 15/05/2017) be endorsed.
3. The Service Agreement between the Northern Adelaide Waste Management Authority and the City of Salisbury (April 2017), as set out in Attachment 2 to this report (Item No. 6.4.3, Budget and Finance Committee, 15/05/2017) be endorsed.
4. The 2017/18 Northern Adelaide Waste Management Authority Business Plan, as set out in Attachment 3 to this report (Item No. 6.4.3, Budget and Finance Committee, 15/05/2017) be endorsed

**CARRIED
1800/2017**

Cr D Balaza returned to the meeting at 08:15 pm.

Cr E Gill returned to the meeting at 08:16 pm.

Cr J Woodman returned to the meeting at 08:16 pm.

Cr G Reynolds returned to the meeting at 08:16 pm.

Budget Review

6.5.1 Third Quarter Budget Review 2016/17

Cr D Balaza declared a perceived conflict of interest on the basis of his employment. Cr Balaza managed the conflict by remaining in the meeting and not voting on the item.

Moved Cr R Zahra

Seconded Cr C Buchanan

1. The budget variances identified in this review and contained in the Budget Variation Summary (Appendix 1, Attachment 1, Item No. 6.5.1, Budget and Finance Committee, 15/05/2017) be endorsed and net operating \$1,087,650 debited to the Sundry Project Fund and net capital \$2,141,880 be credited to the Sundry Project Fund. This will bring the balance to **(\$1,054,230)**.
2. Funds be allocated for the following **non-discretionary** net bids:

OPERATING

- Storm Damage – Tree Removal, Pruning, Streetscape \$ 100,000
- Supplementary Election – Levels Ward \$ 35,000

CAPITAL

- Land Acquisition - Confidential until settled \$ 22,000
- Acquisition Land Salisbury Bowling Club \$ 50,000
- Land Acquisition – Confidential until settled \$ 145,000
- Confidential Item \$ 2,791,000

TOTAL \$ 3,143,000

NB: If parts 1 & 2 of this resolution are moved as recommended this will bring the balance of the Sundry Projects Fund to (\$4,197,230).

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

OPERATING

- Polaris Centre Facility Hire Outgoings Adjustment \$ 25,700

TOTAL \$ 25,700

NB: If parts 1,2 & 3 of this resolution are moved as recommended this will bring the balance of the Sundry Projects Fund to (\$4,222,930).

4. Council approve the following transfers:
 - a. Transfer \$51,000 capital from Minor Land Acquisitions to fund the completion of an acquisition of land as per Council Resolution 0830/2015 (December 2015), which is to remain confidential until the finalisation of the acquisition process (Also refer to 2. New Bid Proposals - Capital).
 - b. Transfer \$1,140,000 capital expenditure from Diment Road Upgrade to the Road Reseal Program. As per 2016/17 New Initiative Bid TRN13948, Councils' contribution towards the project was contingent on receiving Grant funding towards the project. This funding request was unsuccessful (Resolution 1597/2017 February 2017).
 - c. Transfer \$50,000 contractual services from Civil Minor Capital Works to Footbridge/Culvert/Boardwalk Maintenance contractual services for repairs to Footbridges.
 - d. Transfer \$60,000 contractual services from Footpath Maintenance Pavers to Residential Road Verges for additional verge mowing activity to residential units as a result of unseasonal growth.
 - e. Transfer \$93,500 from Parks and Landscape City Growth to various Parks and Landscape contractual services to allow for parks growth in the 2016/17 financial year.
 - f. Transfer \$12,200 from Civil City Growth to Footbridge/Culvert/Boardwalk Maintenance contractual services to allow for growth in the 2016/17 financial year.
 - g. Transfer \$25,000 capital expenditure from PR22308 Walpole Road Upgrade PR21456 to Reserve Upgrade Program for the minor upgrade to Passmore Place Reserve
5. Council approve the following budget timing adjustments, that will result in a decrease in loan borrowings/increase in investments in the 2016/17 financial year and an increase in loan borrowings/decrease in investments in the 2017/18 financial year:
 - a. Mawson Lakes Interchange – Pedestrian and Cycle \$2,300,000
 - b. Salisbury Community Hub \$1,500,000
 - c. Para Hills Community Hub \$1,400,000

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

NB: If parts 1 to 6 of this resolution are moved as recommended investments in 2016/17 will decrease by \$977,070.

**CARRIED
1801/2017**

*The majority of member present voted IN FAVOUR of the MOTION.
Cr D Balaza DID NOT VOTE on the MOTION.*

Rating Matters

**6.6.1 Adelaide and Mount Lofty Ranges Natural Resources
Management Board (NRM) Separate Rate**

Moved Cr E Gill

Seconded Cr G Caruso

1. The information be received and the resolution for the Natural Resources Management separate rate be prepared for the June 2017 meeting of Council.

**CARRIED
1802/2017**

6.6.2 Public Awareness - Rate Notice Information

Cr D Bryant declared a perceived conflict of interest on the basis of being a member of the Liberal Party of SA. Cr D Bryant left the meeting at 8:21 pm.

Cr G Reynolds declared a perceived conflict of interest on the basis of being a member of the Liberal Party of SA. Cr G Reynolds left the meeting at 8:23 pm.

Cr D Pilkington declared a perceived conflict of interest on the basis of being a member of the Liberal Party of SA. Cr D Pilkington left the meeting at 8:23 pm.

Cr S White declared a perceived conflict of interest on the basis of being a member of the Liberal Party of SA. Cr S White left the meeting at 8:24 pm.

Moved Cr R Zahra

Seconded Cr D Balaza

1. Information in relation to the objection of the mandatory collection of the NRM levy displayed following Council resolution 1121/2016 (Item NOM3, Council Meeting 27/06/2016), Option B (Banner at the bottom of the rates notice) and Option E (Back of Rates Notice Envelope) is removed to provide opportunities to display relevant public awareness messages.
2. Information in relation to the objection of the mandatory collection of the NRM Levy displayed following Council resolution 1121/2016 (Item NOM3, Council Meeting 27/06/2016), Option A (Additional Wording on the rates notice), Option C (Modification to Wording in the Rate Brochure) and Option F (Website) be modified, updated and condensed to reflect the current state of the NRM Levy and enable retention on an ongoing basis.
3. That staff coordinate and display timely and relevant public awareness messages on rates notices and envelopes that are informative to our ratepayers, with rate capping being the focus for 2017/18.
4. That a report is presented to Council for consideration and approval where the proposed messaging is related to support or otherwise for a particular matter.

CARRIED
1803/2017

Cr D Bryant returned to the meeting at 8:40 pm.

Cr D Pilkington returned to the meeting at 8:40 pm.

Cr G Reynolds returned to the meeting at 8:40 pm.

Cr S White returned to the meeting at 8:40 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 8:40 pm.

The meeting reconvened at 8:51 pm.

Confidential Items

Refer to CONFIDENTIAL ITEMS section of Council Minutes

6.9.1 Minutes of the Confidential Program Review Sub Committee meeting held on Monday 8 May 2017

7 Sport, Recreation and Grants Committee Meeting

Minutes of the Sport, Recreation and Grants Committee Meeting held on 8 May 2017 were considered by Council.

Administration

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

Moved Cr R Zahra
Seconded Cr D Proleta

1. The information be received.

CARRIED
1804/2017

Community Grants

7.2.1 Youth Sponsorship - April Applications

Moved Cr S White
Seconded Cr J Woodman

1. The information be received.
2. The Youth Sponsorship Application to participate in the Mega Courts Indoor Sports International U15 Cricket Tour be received and funding be provided in support of the application at the following level:
 - Representing Australia or the community at an International level overseas at \$960.

LOST

7.2.2 Community Grants Program Applications for May 2017

Moved Cr R Zahra
Seconded Cr D Proleta

1. The information be received and noted.

CARRIED
1805/2017

7.2.3 07/2017: The Dutch Community (Dutch Social and Welfare Club) Inc.

Moved Cr J Woodman
Seconded Cr S White

1. The information be received and noted.

**CARRIED
1806/2017**

Other Business

7.3.1 Phoebe Wanganeen Aboriginal and Torres Strait Islander Scholarship Program 2017

Moved Cr D Balaza
Seconded Cr D Proleta

1. It is noted that in accordance with the delegated authority set out in the Terms of Reference, the Sports, Recreation and Grants Committee award the 2017 Phoebe Wanganeen Undergraduate Scholarship for three years at \$2000 per annum to Sareena Saunders.

**CARRIED
1807/2017**

GENERAL BUSINESS

GB1 2017 Supplementary Election - Levels Ward Results

Moved Cr C Buchanan

Seconded Cr R Zahra

1. The information be received.

CARRIED
1808/2017

GB2 Appointment of Cr Beau Brug to Committees

Moved Cr R Zahra

Seconded Cr G Reynolds

1. In accordance with Section 41 of the *Local Government Act 1999*, Cr Beau Brug be appointed as a member of the Policy and Planning Committee for the remainder of the current term of Council.
2. In accordance with Section 41 of the *Local Government Act 1999*, Cr Beau Brug be appointed as a member of the Budget and Finance Committee for the remainder of the current term of Council.
3. In accordance with Section 41 of the *Local Government Act 1999*, Cr Beau Brug be appointed as a member of the Resources and Governance Committee for the remainder of the current term of Council.
4. In accordance with Section 41 of the *Local Government Act 1999*, Cr Beau Brug be appointed as a member of the Sport, Recreation and Grants Committee for the remainder of the current term of Council.
5. In accordance with Section 41 of the *Local Government Act 1999*, Cr Beau Brug be appointed as a member of the Program Review Sub Committee for the remainder of the current term of Council.

CARRIED
1809/2017

GB3 Elector Representation Review

Cr C Buchanan sought leave of the meeting to speak for a further two minutes and leave was granted.

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

Moved Cr D Pilkington

Seconded Cr G Reynolds

1. The information be received.
2. Council notes the four submissions received from the community.
3. In respect to the issues of the future composition and structure of the City of Salisbury, Council re-affirms its support of the following:
 - a. The principal member of Council continue to be a Mayor elected by the community.
 - b. The future elected body of Council comprise the Mayor and fourteen (14) ward councillors.
 - c. The Council area be divided into seven wards, as per the ward structure presented as the "Proposed Ward Structure" in the Representation Review Report dated March 2017 (Attachment 1, Item No. GB3, Council, 22/05/2017).
 - d. Each of the proposed wards be represented by two (2) ward councillors.
 - e. The proposed wards be identified as West Ward (Ward 1), Central Ward (Ward 2), North Ward (Ward 3), Para Ward (Ward 4), East Ward (Ward 5), Hills Ward (Ward 6), and South Ward (Ward 7).
4. 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*.

*The VOTE was **TIED***

The Mayor exercised her CASTING VOTE and voted IN FAVOUR of the MOTION.

*The MOTION was **CARRIED***

CARRIED
1810/2017

*A **DIVISION** was requested by Cr D Proleta 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, G Reynolds, 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, B Brug, D Bryant, C Buchanan and S Reardon

*The VOTE was **TIED***

The Mayor exercised her CASTING VOTE and voted IN FAVOUR of the MOTION.

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

Mayor G Aldridge left the meeting at 9:42 pm and did not return.

Deputy Mayor D Proleta assumed the Chair at 9:42 pm.

C1 Minter Ellison Lawyers - Report on the Investigation of Code of Conduct Complaint 01/2017

Cr C Buchanan declared a conflict of interest on the basis of being the subject of the Code of Conduct Complaint. Cr C Buchanan left the meeting at 9:43 pm.

Cr G Caruso declared a perceived conflict of interest on the basis of a previous matter. Cr G Caruso left the meeting at 9:43 pm.

Cr D Bryant declared a perceived conflict on the basis of an ongoing confidential matter. Cr D Bryant left the meeting at 9:44 pm.

Moved Cr D Pilkington

Seconded Cr J Woodman

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
 - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *will provide Council with the opportunity to consider the detailed report before determining the confidentiality to apply in future*

*On that basis the public's interest is best served by not disclosing the **Minter Ellison Lawyers - Report on the Investigation of Code of Conduct Complaint 01/2017** 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
1811/2017**

The meeting moved into confidence at 9:44 pm.

Moved Cr D Pilkington
Seconded Cr J Woodman

1. Information be received.
2. Pursuant to Section 91(7) of the Local Government Act 1999, it is recommended that the Minter Ellison report (Investigation of a breach of the Code of Conduct – Cr Buchanan; 10 May 2017) as set out as Attachment 1 to this report (Item No. C1, Council, 22 May 2017), discussion, and recommendations for this item will remain confidential and not available for public inspection until the conclusion of the current term of Council.
3. Pursuant to Section 91(9)(c) of the Local Government Act 1999, the power to revoke the order under Section 91(7)(a)&(b) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

CARRIED
1812/2017

The meeting moved out of confidence at 9:51 pm.

Cr G Caruso returned to the meeting at 09:52 pm.

Cr D Bryant returned to the meeting at 09:52 pm.

GB4 Code of Conduct Complaint 01/2017 - Investigation Findings

Cr G Caruso declared a perceived conflict of interest on the basis of a previous incident. Cr G Caruso left the meeting at 9:53 pm.

Cr D Bryant declared a perceived conflict of interest on the basis of an ongoing confidential matter. Cr Bryant left the meeting at 9:53 pm.

Moved Cr D Pilkington

Seconded Cr J Woodman

1. Information be received.
2. It be noted that, having investigated the alleged breach of the Code of Conduct for Council Members (the Code) as set out in Code of Conduct Complaint 01/2017, Minter Ellison Lawyers found that Cr Buchanan breached clauses 2.3 and 2.9 of the Code.
3. Written advice regarding the investigation findings, and Council's decision in relation to action to be taken in response to the Minter Ellison Lawyers report following the investigation of Code of Conduct Complaint 01/2017 be provided to both parties to the complaint.
4. Council resolved to remove Cr Buchanan from his position as a member of the Program Review Sub Committee.
5. Council require Cr Buchanan to attend training in relation to Council and Committee meetings including meeting procedures and etiquette.
6. Cr Proleta be appointed to the Program Review Sub Committee for the remainder of the term of Council.

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

1. Information be received.
2. It be noted that, having investigated the alleged breach of the Code of Conduct for Council Members (the Code) as set out in Code of Conduct Complaint 01/2017, Minter Ellison Lawyers found that Cr Buchanan breached clauses 2.3 and 2.9 of the Code.
3. Written advice regarding the investigation findings, and Council's decision in relation to action to be taken in response to the Minter Ellison Lawyers report following the investigation of Code of Conduct Complaint 01/2017 be provided to both parties to the complaint.
4. Council resolved to remove Cr Buchanan from his position as a member of the Program Review Sub Committee.
5. Cr Proleta be appointed to the Program Review Sub Committee for the remainder of the term of Council.

**CARRIED
1813/2017**

Cr G Caruso returned to the meeting at 10:00 pm.

Cr D Bryant returned to the meeting at 10:00 pm.

OTHER BUSINESS

Nil.

MAYOR'S DIARY

MD1 Mayor's Diary

Moved Cr E Gill
Seconded Cr G Caruso

1. That this information be noted.

CARRIED
1814/2017

REPORTS FROM COUNCIL REPRESENTATIVES

Cr E Gill:

29/4/2017	Prospect Eco Fair
	Trophy presentation Little Athletics
30/4/2017	Dutch Festival
2/5/2017	Radio
6/5/2017	Rotary All Sorts Shop
7/5/2017	JP luncheon at Mawson Lakes
9/5/2017	Volunteers Movie
13/5/2017	Dinner at Mobara Restaurant w/- resident
16/5/2017	Radio
17/5/2017	Rotary All sorts Shop
18/5/2017	ALGWA SA Branch teleconference
20/5/2017	Lunch at Watershed Cafe with residents
22/5/2017	Teleconference w/- ALGWA National

CONFIDENTIAL ITEMS
C2 Northern Connector and Greater Edinburgh Parks - Negotiation Principles

Moved Cr R Zahra

Seconded Cr D Pilkington

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*
 - *non-disclosure of this matter to the public would protect Council's commercial position prior to a Council position in relation to the matter being determined*

*On that basis the public's interest is best served by not disclosing the **Northern Connector and Greater Edinburgh Parks - Negotiation Principles** 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
1815/2017

The meeting moved into confidence at 10.01 pm.

The meeting moved out of confidence at 10.02 pm.

**C3 Development Assessment Panel Code of Conduct Complaint -
Report from Public Officer**

Moved Cr R Zahra

Seconded Cr E Gill

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
 - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non disclosure of this item will allow Council to consider detailed information relating to a Code of Conduct complaint matter prior to determining confidentiality to apply.*

*On that basis the public's interest is best served by not disclosing the **Development Assessment Panel Code of Conduct Complaint - Report from Public Officer** 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
1816/2017**

The meeting moved into confidence at 10.02 pm.

The meeting moved out of confidence at 10.07 pm.

2.9.1 Land Acquisitions Budget Adjustments

Moved Cr R Zahra

Seconded Cr S White

1. *Pursuant to Section 90(2) and (3)(f) 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 prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial.*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non-disclosure of this item will ensure compliance with existing confidentiality orders (Council Resolutions 0830/2015 and 2118/2010) that remain valid until such time as the execution of all necessary documentation relevant to land acquisitions.*

*On that basis the public's interest is best served by not disclosing the **Land Acquisitions Budget Adjustments** 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
1817/2017

The meeting moved into confidence at 10.08 pm.

The meeting moved out of confidence at 10.08 pm.

3.8.1 Appointment of the Development Assessment Panel Public Officer

Moved Cr R Zahra

Seconded Cr G Caruso

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
 - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non-disclosure of the matter and discussion of this item in confidence would protect information relating to the personal affairs of the person affected and proposed action by Council in considering the individual to whom those personal affairs relate for appointment as Public Officer of the Development Assessment Panel.*

*On that basis the public's interest is best served by not disclosing the **Appointment of the Development Assessment Panel Public Officer** 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
1818/2017

The meeting moved into confidence at 10.09 pm.

Moved Cr R Zahra
Seconded Cr G Caruso

1. That the Guidelines for the duties of the Public Officer of the Development Assessment Panel forming Attachment 1 to this report (Item No. 3.8.1, Resources and Governance Committee, 15/05/2017) be adopted for the term of appointment of the Public Officer concluding after any Panel meeting convened in May 2019.
2. That Mr John Hodgson be appointed as the Public Officer of the Development Assessment Panel, for a period of two years concluding after any Panel meeting convened in May 2019.
3. Pursuant to Section 91(7) of the Local Government Act 1999, it is recommended that the Attachment 2 – CV of Mr John Hodgson remain confidential and not available for public inspection until 15 May 2019.
4. Pursuant to Section 91(9)(c) of the Local Government Act 1999, the power to revoke the order under Section 91(7)(a)&(b) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

CARRIED
1819/2017

The meeting moved out of confidence at 10.10 pm.

6.9.1 Minutes of the Confidential Program Review Sub Committee meeting held on Monday 8 May 2017

Moved Cr R Zahra

Seconded Cr G Caruso

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

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

2. In weighing up the factors related to disclosure,

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

- Non disclosure of this matter would enable information that may have implications for resourcing/service levels to be considered in detail prior to a Council position in relation to the matter being determined.

On that basis the public's interest is best served by not disclosing the **Minutes of the Confidential Program Review Sub Committee meeting held on Monday 8 May 2017** 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
1820/2017**

The meeting moved into confidence at 10.10 pm.

The meeting moved out of confidence and closed at 10.21 pm.

CHAIRMAN.....

DATE.....