



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

23 OCTOBER 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 (*from 7:51pm*)
Cr L Caruso
Cr E Gill
Cr D Pilkington
Cr S Reardon
Cr G Reynolds
Cr J Woodman
Cr R Zahra

STAFF

Acting Chief Executive Officer, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
Acting General Manager City Infrastructure, Ms K Pepe
General Manager Community Development, Ms P Webb
Manager Governance, Mr M Petrovski
Governance Coordinator, Ms J Rowett
Manager Communications and Customer Relations, Mr M Bennington
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

An apology was received from Cr S White.

LEAVE OF ABSENCE

Leave of absence for this meeting was previously granted to R Cook.

PUBLIC QUESTION TIME

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

DEPUTATIONS

DEP1 Anti-Poverty Network

Cr D Bryant declared a perceived conflict of interest on the basis of being a registered BAS Agent under the Commonwealth. Cr Bryant managed the conflict by remaining in the meeting.

In accordance with resolution 2027 from the 25 September 2017 Council Meeting, local residents, Aidan Jarvis and Jacinta Greaves were in attendance as a deputation from the Anti-Poverty Network in relation to the Newstart Allowance and Council Engagement.

Bring Forward Item NOM1 to this point of the Agenda

Moved Cr D Pilkington
Seconded Cr L Caruso

That Item NOM1 be brought forward to this point of the Agenda.

CARRIED
2078/2017

NOTICES OF MOTION
NOM1 Anti-Poverty Network

Cr D Bryant declared a perceived conflict of interest on the basis of being a registered BAS Agent under the Commonwealth. Cr Bryant managed the conflict by remaining in the meeting and not voting on the item.

Moved Cr B Brug

Seconded Cr C Buchanan

1. That the City of Salisbury thank the Anti-Poverty Network for addressing Council regarding the Newstart Allowance and how it affects City of Salisbury residents.
2. That Council will write to the relevant Federal Government Minister and/other local Federal Members of Parliament within the City of Salisbury in support of increasing the Newstart Allowance.
3. That Council acknowledges the work that it currently undertakes to assist the residents of City of Salisbury, and its commitment to work to help those that struggle in the community.
4. Council recognises that the Newstart Allowance is a Federal Government issue, but believes that Council has a responsibility on behalf of our local unemployed residents, thus we support the call for the Newstart Allowance and other inadequate Allowances to be urgently raised. Council supports campaigns by organisations that are calling for this Allowance to be raised.

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

1. That the City of Salisbury thank the Anti-Poverty Network for addressing Council regarding the Newstart Allowance and how it affects City of Salisbury residents.
2. That Council will write to the relevant Federal Government Minister and/other local Federal Members of Parliament within the City of Salisbury in support of increasing the Newstart Allowance.
3. That Council staff bring back a report on what resources and services it currently provides to homeless, low income and unemployed.
4. Council recognises that the Newstart Allowance is a Federal Government issue, but believes that Council has a responsibility on behalf of our local unemployed residents to support the current campaign by the Anti Poverty Network to be urgently raised.

CARRIED
UNANIMOUSLY
2079/2017

DEP2 Safety in Parabanks Shopping Centre Carpark

Mr William Cheffirs of the Shop, Distributive and Allied Employees Association, Ms Nerida Coad and Ms Sonya Romeo, Secretary SDA, were in attendance. Ms Coad made representations in relation to safety concerns in the Parabanks Shopping Centre Carpark and asked for Council to consider how it can assist in improving safety for staff in the Parabanks carpark.

DEP3 Carisbrooke House Demolition

Mr Michael Cartwright requested a written deputation (due to his location) in relation to the proposed demolition of Carisbrooke House (refer item 2.5.1 of the 16/10/2017 Works and Services agenda).

The information was provided to Elected Members prior to the meeting.

PRESENTATION OF MINUTES

Moved Cr R Zahra
Seconded Cr D Pilkington

The Minutes of the Council Meeting held on 25 September 2017, be taken and read as confirmed.

**CARRIED
2080/2017**

Moved Cr G Reynolds
Seconded Cr D Pilkington

The Minutes of the Confidential Council Meeting held on 25 September 2017, be taken and read as confirmed.

**CARRIED
2081/2017**

QUESTIONS ON NOTICE

QON1 Question on Notice - Enterprise Bargaining Agreement

Cr Beau Brug submitted the following questions, and General Manager Business Excellence, Mr Charles Mansueto provided the following responses:

Questions	City of Salisbury, AWU and Local Government Employees Enterprise Agreement No 10, 2016	City of Salisbury Municipal Officers Enterprise Agreement No 12, 2017
When does the current Enterprise Bargaining Agreement expire and what has been the total % increase in wages since this agreement?	<p>Expires: 30 June 2018</p> <p>% Increases:</p> <p>2.75% payable from 1 July 2016</p> <p>2.5% payable from 1 July 2017</p>	<p>New agreement to commence from 1 July 2017.</p> <p>Expires: 30 June 2019</p> <p>Awaiting approval of the agreement from the SA Employment Tribunal</p> <p>% Increases:</p> <p>2.2% from first full pay period on or after 1 July 2017</p> <p>2.2% from the first full pay period on or after 1 July 2018</p>
When is the next EBA negotiations commence and for what length of time is it expected to cover?	There is a requirement in the EA to commence negotiations “during the final six months of the life of the Agreement”. It is anticipated the Agreement will be for 2 years.	There is a requirement in the EA to “commence the process for negotiations for a new agreement six (6) months prior to the nominal expiry date”. It is anticipated the Agreement will be for 2 years.

<p>Apart from council what other parties are involved in the EBA negotiations?</p>	<p>AWU – Australian Workers Union, represented by AWU Industrial Officer. Local Government (LGE) Award Employee Workplace Representatives and nominated LGE Employees (last Agreement negotiation was 9 in total).</p>	<p>ASU – Australian Services Union, represented by ASU Industrial Officer ASU Employee Representatives and other nominated ASU Employees (last Agreement negotiation was 7 in total).</p>
<p>What role does the CEO play in the negotiation?</p>	<p>The CEO is not a member of the negotiating team and does not negotiate on matters raised as part of the EA negotiations; however the CEO sets the strategic framework for the negotiations. The CEO provides leadership to Executive to identify management’s negotiating position to increasing productivity and flexibility of work practices in order to deliver a fiscally responsible agreement. The CEO conducts briefings to all staff on the progress of negotiations and is the responsible officer who signs the approved agreement.</p>	
<p>How many staff, (indoor / outdoor) are affected by the EBA?</p>	<p>All staff covered by the Local Government Employees Award (“The Award is binding on the industry of the occupations of all persons excepting any clerical employees or other non manual workers engaged by any municipal corporation...”) currently approximately 110 employees.</p>	<p>All administration employees whose duties are covered by the classification criteria of the Agreement. (Clause 1.3 Parties Bound) Currently this is approximately 315 employees. The Agreement is not binding on CEO & General Managers so they have been excluded from this number.</p>

How does council and the EBA parties involved measure increased productivity and its subsequent correlation with income increases for the current agreement?	At the core of the enterprise agreements is the commitment for continuous improvement to review and improve service delivery and deliver more productive outcomes and cost savings for council.
How will any EBA increases be expected to be funded by council?	Council incorporates an estimate of any future increases into its LTFP and annual budget, which is considered within the overall Council budget approval process.
What if any discretion has the CEO have to exclude external parties from EBA negotiations?	The <i>Fair Work Act 1994</i> sets out the regulations in relation to who can legally participate in the negotiation of an Enterprise Agreement. Registered Employee Associations (Trade Unions) may represent employees in any negotiations or proceedings in relation to Enterprise Agreements, providing they have members amongst the group of employees or are authorised in writing. The CEO cannot exclude the union from negotiations. Employees nominate their representatives to be part of the negotiating committee.

QON2 Question on Notice - future development of hilltop areas

At the 25/09/2017 Council Meeting, Mr Ian Rigby asked the following question, which was taken on notice.

Will Council continue to manage and look at future development of hilltop areas, not just Salisbury Heights, to ensure that water catchment and drainage is actioned prior to any current and future development approvals and have a third party review proposed improvements prior to any work commencing to establish what is really required rather than just makeshift improvements or changes which might not fully fix the concerns?

Acting General Manager City Infrastructure, Karen Pepe provided the following response:

Council will continue to analyse and make assessments to determine appropriate designs for the whole City, which includes consideration of the 30 year plan, with respect to development and ongoing increases in runoff. This information is then used to determine flood mitigation strategies for the City.

QON3 Question on Notice - Salisbury Heights flooding issue

As part of Other Business at the 25/09/2017 Council Meeting, Cr Chad Buchanan provided further commentary on the Salisbury Heights flooding issue addressed in Public Question Time (PQT1) and referred to a newspaper article in March 2015 in which the Mayor made comments around investigations undertaken in relation to this matter. Councillor Buchanan then asked questions of the Mayor on behalf of Mr Adrian Rigby in relation to those comments.

The Mayor took the questions on notice.

The following response has been provided by the General Manager City Development, Mr Terry Sutcliffe:

A Stormwater Management Report was prepared as part of the investigations that were undertaken by Council when the land was rezoned to the Residential Hills Zone. These investigations included the preparation of a conceptual stormwater capture and disposal strategy for the affected area to cater for minor and major rainfall events, to ensure that post development water flow rates are maintained at the same rate as pre-development flow rates (noting however that with development the total volume of stormwater run-off increases, but the objective is to maintain the pre-development rate of flow, and to control volumes where possible). This information was made publicly available as part of the consultation process and Council considered that these investigations adequately addressed the stormwater management requirements for the precinct.

The following text is an excerpt from the Desired Character statement of the Residential Hills Zone that explicitly requires stormwater management to be a consideration for development in the precinct –

It will be important for development to include adequate stormwater management systems to ensure that development does not impact upon sites downstream, and does not over burden existing stormwater infrastructure. Development should be designed and sited to retain existing watercourses and drainage lines. In particular, allotments fronting the northern side of Taylor Avenue at Salisbury Heights contain a significant drainage line which runs through the rear of these allotments down to Stanford Road. An easement must be created to contain and protect this watercourse prior to any additional division of these allotments to ensure run-off is effectively managed and does not impact upon downstream properties.

At this stage, there have been no new housing estates constructed in the Coomurra Drive precinct as a result of the rezoning. Any current issues are due to existing development, including upstream from Coomurra Drive.

Council has also prepared a guideline specifically for the development of the Coomurra Drive precinct to facilitate a coordinated development outcome. The guideline is on Councils website (link below) and was posted to all the owners in the precinct.

http://www.salisbury.sa.gov.au/Build/Planning_Building_and_Forms/Development_Services_Fact_Sheets_and_Information/Residential_Hills_Zone_Coomurra_Drive_Salisbury_Heights

The guide has the following specific reference to storm water management.

Drainage

Stormwater should be satisfactorily managed on site and there should no substantial increase of stormwater flow rate and volume that increases the risk of flooding downstream. Where this is not possible, a stormwater contribution may be paid for Council to undertake works outside the development site to manage the flow velocity of stormwater and water quality.

Stormwater design and management will need to be addressed at the land division stage and will include the following:

- *Road reserves (swale) to slow flows;*
- *Roads designed as overland flow paths;*
- *Pipes to be designed for intended flows; and*
- *Energy dissipation devices to avoid erosion.*

Easements may be required where pipes traverse over private land. In some cases, a sewer easement may also be required.

The use of pumping systems is not favoured but where no other option is available, a double pump system designed to convey surface water drainage up to the street water table will be considered.

Applicants should consider engaging the services of an experienced and qualified stormwater engineer to assist with their stormwater design

QUESTIONS WITHOUT NOTICE

Nil

NOTICES OF MOTION (*continued*)

NOM2 Illegal Dumping

Cr E Gill declared a perceived conflict of interest on the basis of being a deputy member of the Board NAWMA. Cr E Gill left the meeting at 07:42 pm.

Cr D Balaza declared a material conflict of interest on the basis of being a member of the Board of NAWMA. Cr D Balaza left the meeting at 07:42 pm.

Cr J Woodman declared a material conflict of interest on the basis of being a member of the Board of NAWMA. Cr J Woodman left the meeting at 07:43 pm.

Cr G Reynolds declared a perceived conflict of interest on the basis of being a deputy member of the Board of NAWMA. Cr G Reynolds left the meeting at 07:43 pm.

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

Cr D Bryant returned to the meeting at 07:45 pm.

Cr G Caruso entered the meeting at 7:51 pm.

Moved Cr B Brug

Seconded Cr C Buchanan

1. That staff report on strategies undertaken by Council in addressing illegal dumping.
2. That staff report on any further opportunities to increase utilisation and accessibility to current waste disposal services offered by the City of Salisbury.

CARRIED
2082/2017

Cr D Balaza returned to the meeting at 07:53 pm.

Cr E Gill returned to the meeting at 07:53 pm.

Cr G Reynolds returned to the meeting at 07:53 pm.

Cr J Woodman returned to the meeting at 07:53 pm.

NOM3 Council Meeting Close Time

Cr D Pilkington left the meeting at 07:56 pm.

Cr D Pilkington returned to the meeting at 07:58 pm.

Cr D Proleta left the meeting at 08:10 pm.

Cr D Proleta returned to the meeting at 08:13 pm.

Moved Cr D Bryant

Seconded Cr L Caruso

1. That Council's Code of Practice for Meeting Procedures be amended to reflect that where Council meetings continue to 11.30pm, unless there is a specific motion adopted at the meeting to continue beyond this time, the meeting will be adjourned to a date and time specified as part of the motion.

FORMAL MOTION TO BE PUT

Moved Cr D Proleta

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

Seconded Cr D Pilkington

CARRIED
2083/2017

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

Crs D Proleta, G Caruso, L Caruso, E Gill, D Pilkington, S Reardon and J Woodman

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

Crs D Balaza, S Bedford, B Brug, D Bryant, C Buchanan, G Reynolds and R Zahra

*The **FORMAL MOTION** was **TIED***

*The Mayor exercised her **CASTING VOTE** and the **FORMAL MOTION** was **CARRIED***

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

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

Crs D Bryant, L Caruso, D Pilkington, S Reardon and J Woodman

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

Crs D Proleta, D Balaza, S Bedford, B Brug, C Buchanan, G Caruso, E Gill, G Reynolds and R Zahra

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

NOM4 Shopping Trolleys

Cr E Gill left the meeting at 08:39 pm.

Cr E Gill returned to the meeting at 08:41 pm.

Moved Cr B Brug

Seconded Cr D Balaza

1. That staff bring back a report on what options are available for Council to collect shopping trolleys and recoup costs from major retailers for dumped trolleys.
2. That staff advise what options are available for issuing fines for dumping trolleys.

CARRIED
UNANIMOUSLY
2084/2017

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 8:43 pm.

The meeting reconvened at 8:52 pm.

In the absence of Cr C Buchanan, the Mayor brought forward NOM6 to this point on the agenda.

NOM6 Northern Connector Noise

Crs G Caruso, C Buchanan and G Reynolds entered the meeting at 8:53 pm.

Moved Cr B Brug
Seconded Cr R Zahra

1. That Council officers communicate with the Department for Transport and Infrastructure:
 - 1.1 to convey concerns of nearby residents regarding excessive noise during construction, and future traffic noise from the Northern Connector project; and
 - 1.2 request that the Department provide advice to residents about noise attenuation measures that can be implemented to resolve those concerns.

**CARRIED
2085/2017**

NOM7 Recreational Vehicle Site in the Salisbury City Centre

Cr D Balaza declared a material conflict of interest on the basis of being a member of the Salisbury Business Association. Cr D Balaza left the meeting at 09:02 pm.

Moved Cr S Reardon
Seconded Cr C Buchanan

1. That the report regarding the Recreational Vehicle Site in the Salisbury City Centre, as requested by a decision of Council on the 25 September 2017, be provided prior or at the meeting of Council in February 2018.

**CARRIED
2086/2017**

Cr D Balaza returned to the meeting at 09:08 pm.

NOM8 Clean Up of Creeks/Trails

Cr S Bedford left the meeting at 09:15 pm.

Cr S Bedford returned to the meeting at 09:18 pm.

Moved Cr C Buchanan

Seconded Cr B Brug

1. Staff report back on the current maintenance schedule over the last 5 years of our creeks, in particular the Little Para trail system.
2. Staff report back on the number of Council employees or contractors assigned to this task and how often this task is undertaken.
3. Staff provide costing of employing two full time Council employees, dedicated to maintaining and cleaning our trails, creeks and catchments (including ANZAC plantation, Salisbury Heights and required clean up in associated reserve/floodway).

**CARRIED
2087/2017**

NOM9 Salisbury City Centre Carparking

Cr D Balaza declared a perceived conflict of interest on the basis of being a member of the governing body of the Salisbury Business Association. Cr Balaza managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr B Brug

1. Noting Council's resolution of 24 April 2017 regarding the Salisbury, Mawson Lakes and Ingle Farm Car Parking Review as it relates to Salisbury City Centre, that a further report be provided to Council incorporating an analysis on the potential opportunities, merits, impediments and associated costs of constructing a multi-storey car parking facility in the Salisbury City Centre.

The motion LAPSED for want of a seconder.

NOM5 Closure of General Motors Holden

Cr D Bryant declared a perceived conflict of interest on the basis of being a member of Northern Economic Leaders. Cr Bryant managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr C Buchanan

Seconded Cr J Woodman

1. The City of Salisbury acknowledges the rich history and contribution of General Motors Holden to the Northern Suburbs of Adelaide, with the construction of the Holden plant in 1958, opening the body hardware plant in 1960, and opening the body and vehicle assembly plant in 1962, servicing the community until late 2017.
2. The City of Salisbury notes the Elizabeth plant, until its closure, was considered amongst the most efficient and productive of General Motors' car manufacturing plants in the world.
3. The City of Salisbury expresses its gratitude to the workers of General Motors Holden for their contribution to the City of Salisbury, the Northern Suburbs and the state of South Australia.
4. The City of Salisbury expresses its continued support for services that have been put in place to assist workers to transition into new employment beyond the Holden's closure, recognising that more work needs to be done for those who have not transitioned to other employment, and acknowledging that some have chosen to retire earlier than they might have done otherwise.
5. The City of Salisbury reaffirm its commitment to working to support further economic investment in the City and the Northern Suburbs, and to do what it can to support alternative industries and businesses that utilise the Holden's site in the future.
6. That the Chief Executive Officer write to the Premier of South Australia, the Minister for Automotive Transformation to express Council's continued willingness to work with them and our neighbouring Councils to implement the Northern Economic Plan.
7. The City of Salisbury expresses its sadness in the closure of car manufacturing in this state.

CARRIED
2088/2017

*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 Proleta, D Balaza, S Bedford, B Brug, D Bryant, C Buchanan, G Caruso, L Caruso, E Gill, D Pilkington, S Reardon, G Reynolds, J Woodman and R Zahra

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

Nil

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

PETITIONS

No Petitions have been received.

COMMITTEE REPORTS

1 Policy and Planning Committee Meeting

Minutes of the Policy and Planning Committee Meeting held on 16 October 2017 were considered by Council.

Administration

1.0.1 Future Reports for the Policy and Planning Committee

Moved Cr R Zahra
Seconded Cr G Caruso

1. The information be received.

**CARRIED
2089/2017**

Community Development

1.1.1 2017/18 Library Service Christmas Operating Hours

Moved Cr D Pilkington
Seconded Cr R Zahra

1. It is recommended that:
 - a. On Saturday 23 December 2017 all Library Branches operate according to their normal branch operating hours, including the Justice of the Peace services.
 - b. On Sunday 24 December 2017, (Christmas Eve) all Library Branches close.
 - c. On 27, 28, 29, 30 and 31 December 2017 (declared public holidays) Len Beadell Library operates normal branch hours whilst all other library branches and the Justice of the Peace service remain closed.
 - d. On Tuesday, 2 January 2018 all Library Branches and Justice of the Peace services return to normal operating hours.

**CARRIED
2090/2017**

1.1.2 Salisbury Suicide Prevention Community Network Update

Moved Cr D Pilkington
Seconded Cr B Brug

1. The information be received.
2. Council continue to support the Salisbury Community Suicide Prevention Network – ‘Every Life Matters’, by providing staff assistance for a maximum of 3 days per month for the next 12 months.

CARRIED
2091/2017

1.1.3 Minutes of the Youth Council Sub Committee meeting held on Tuesday 10 October 2017

1.1.3-YC1 Minutes of the Youth Council Sub Committee meeting held on Tuesday 13 June 2017

Moved Cr D Pilkington
Seconded Cr G Caruso

The Minutes of the Youth Council Sub Committee Meeting held on 13 June 2017, be taken and read as confirmed.

CARRIED
2092/2017

1.1.3-YC2 Youth Council Membership

Moved Cr D Pilkington
Seconded Cr G Caruso

1. That the resignation of Kimberly Daniels from the position of Mentor on Salisbury Youth Council be received and accepted.
2. That the resignation of Cameron Rowe from the position of Youth Member on Salisbury Youth Council be received and accepted.

CARRIED
2093/2017

1.1.3-YC3 Mentor Application

Cr D Balaza declared a perceived conflict of interest on the basis of being a member of the Salisbury Business Association, of which the mentor applicant is an employee. Cr Balaza managed the conflict by remaining in the meeting and not voting on the item.

Moved Cr D Pilkington
Seconded Cr G Caruso

1. That David Waylen be appointed as a Mentor to the Salisbury Youth Council until December 2018.

CARRIED
2094/2017

1.1.3-YC4 Youth Council Project Team Updates

Moved Cr D Pilkington
Seconded Cr G Caruso

1. That the information be received and noted.

CARRIED
2095/2017

1.1.3-YC5 SA Youth Week 2018

Moved Cr D Pilkington
Seconded Cr G Caruso

1. That the information be received and noted.

CARRIED
2096/2017

1.1.3-YC6 Twelve25 Salisbury Youth Enterprise Centre - October Update

Moved Cr D Pilkington
Seconded Cr G Caruso

1. That the information be received and noted.

CARRIED
2097/2017

1.1.3-YCOB1 Salisbury North Skate Park Upgrade

Moved Cr D Pilkington
Seconded Cr G Caruso

1. That staff provide a report in December 2017 with costings for upgrading shading, seating and lighting and refurbishing the Salisbury North Skate Park for budget consideration.

**CARRIED
2098/2017**

1.1.3-YCOB2 Support for Newstart Allowance

Cr D Bryant declared a perceived conflict of interest on the basis of being a registered BAS Agent under the Commonwealth. Cr Bryant managed the conflict by remaining in the meeting and not voting on the item.

Moved Cr D Pilkington
Seconded Cr G Caruso

1. That Youth Council develop a working party to organise correspondence to the Minister for Human Services outlining support of Newstart Allowance.

**CARRIED
2099/2017**

Urban Development

1.3.1 Salisbury Community Hub - Update Report

Cr D Balaza declared a perceived conflict of interest on the basis of being a member of the Salisbury Business Association. Cr Balaza managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr D Bryant left the meeting at 10:02 pm.

Cr D Bryant returned to the meeting at 10:04 pm.

Moved Cr D Pilkington
Seconded Cr G Caruso

1. That the report be received.

**CARRIED
2100/2017**

The majority of members present voted IN FAVOUR of the MOTION.

Cr D Balaza voted IN FAVOUR of the MOTION.

Cr J Woodman called a point of order under Clause 29 of the Code of Practice for Meeting Procedures in relation to Cr C Buchanan.

The Mayor ruled the point of order to be valid and allowed Cr Buchanan to make a personal explanation before asking him to leave while Council considered the matter.

Cr C Buchanan left the meeting at 10:07 pm.

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

Cr J Woodman left the meeting at 10:23 pm.

Cr B Brug left the meeting at 10:24 pm.

Cr B Brug returned to the meeting at 10:26 pm.

Cr L Caruso left the meeting at 10:28 pm.

Cr L Caruso returned to the meeting at 10:29 pm.

Cr D Proleta left the meeting at 10:29 pm.

Cr D Proleta returned to the meeting at 10:32 pm.

Moved Cr G Caruso

Seconded Cr J Woodman

1. That Cr Buchanan be removed from the remainder of the meeting.

LOST

Moved Cr B Brug

Seconded Cr D Proleta

1. That no action be taken.

**CARRIED
2101/2017**

Cr C Buchanan returned to the meeting at 10:40 pm.

2 Works and Services Committee Meeting

Minutes of the Works and Services Committee Meeting held on 16 October 2017 were considered by Council.

Administration

2.0.1 Future Reports for the Works and Services Committee

Moved Cr R Zahra
Seconded Cr G Reynolds

1. The information be received.

CARRIED
2102/2017

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

Property

2.5.1 Carisbrooke House - Future Use

Cr B Brug left the meeting at 10:42 pm.

Cr B Brug returned to the meeting at 10:44 pm.

Mayor G Aldridge left the meeting at 10:49 pm. Deputy Mayor D Proleta assumed the Chair at 10:49 pm.

Mayor G Aldridge returned to the meeting at 10:53 pm and resumed the Chair.

Moved Cr D Balaza
Seconded Cr D Proleta

1. The information be received.
2. A report come to Council regarding the renovation of Carisbrook House for the purpose of a café and recreation area.
3. Remedial works take place to Carisbrook House to be funded via existing maintenance budget lines or possible insurance claims.

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

1. The information be received.
2. A report come to Council regarding the renovation of Carisbrook House for the purpose of a café and recreation area.
3. Remedial works take place to Carisbrook House to be funded via existing maintenance budget lines or possible insurance claims.
4. That Council agree to the current tenancy being extended for a two year period as requested by the current tenants .

CARRIED
UNANIMOUSLY
2103/2017

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 10:57 pm.

The meeting reconvened at 11:03 pm.

Public Works**2.6.1 Capital Progress Report - September 2017**

Moved Cr R Zahra

Seconded Cr G Caruso

1. Following community consultation, retain the playground currently located at Hailes Green, Salisbury, and return the associated project balance of \$9k within PR20018 Play Space / Playground Renewal Program.
2. Amend the 2017/18 PR22843 Plant and Fleet Replacement Program to reflect the changes as set out in this report (Item No. 2.6.1 Works and Services Committee, 16 October 2017).
3. Amend the 2017/18 PR13952 School Zones and Pedestrian Crossings Program to reflect the change as set out in this report (Item No. 2.6.1 Works and Services Committee, 16 October 2017).
4. The 2017/18 PR18097 Building Renewal Program as set out in this report (Item No. 2.6.1 Works and Services Committee, 16th October 2017) be endorsed for detailed design and implementation.
5. Amend the 2017/18 PR20548 Bridge Renewal Program to reflect the changes as set out in this report (Item No. 2.6.1 Works and Services Committee, 16th October 2017).
6. Due to an unsuccessful grant application, include within the 2017/18 First Quarter Budget Review, the adjustment of expected income from \$75k to \$0, defer the associated Greenfields Industrial Area Traffic Improvement project for future consideration whilst retaining the \$75k expenditure budget within the program to supplement costs incurred constructing the new roundabout at RM Williams / Wright Road, eastern intersection.
7. Approve the inclusion of a non-discretionary 2017/18 First Quarter Budget Review \$30k additional expenditure budget allocation for PR23413 Mawson Lakes Fitness Loop and Equipment project.
8. Include within the 2017/18 First Quarter Budget Review, the additional \$54k income and expenditure associated with PR23459 Fairbanks Reserve & Byron Bay Traffic, with the result being nil effect.

9. Include within the 2017/18 First Quarter Budget Review an approved \$20k non-discretionary bid for PR23459 Fairbanks Reserve & Byron Bay Traffic to address the fitness loop additional expenditure.
10. Include within the 2017/18 First Quarter Budget Review an adjustment to income and expenditure budget within PR22512 Drainage & Waterways Planning Program to amend income budget from \$60k to \$0, expenditure budget from \$60k Council contribution to \$70k, with the approval to action upon acceptance of this report.

CARRIED
2104/2017

2.6.2 Dog Parks for Small Dogs

Moved Cr R Zahra
Seconded Cr J Woodman

1. The information within this report be received and noted.
2. A budget bid for small dog park areas be developed for consideration as part of the 2018/19 budget deliberations and this includes construction costs for dog parks and legal costs for the by-law review.

CARRIED
2105/2017

Crs S Reardon and C Buchanan entered the meeting at 11:04 pm.

2.6.3 Flooding Issues - Anzac Plantation Catchment, Salisbury Heights

Moved Cr G Caruso
Seconded Cr D Pilkington

1. Council receive and note the information in this report.

CARRIED
2106/2017

2.6.4 Salisbury Wetlands - Management and Opportunities

Moved Cr D Pilkington
Seconded Cr J Woodman

1. That the report be received and noted.
2. That Council note the ongoing importance of the Salisbury wetland program in contributing to the Adelaide Coastal Water Quality Improvement Plan, managed by the SA EPA.
3. That staff proceed with detail design and costings to facilitate kayaking at the Greenfield wetlands and report back to Council.

CARRIED
2107/2017

Confidential Items

Refer to CONFIDENTIAL ITEMS section of Council Minutes

2.9.1 Revocation of Community Land Classification for the whole of Neales Green, a portion of Salisbury Oval and the whole of St Jays Recreation Centre

3 Resources and Governance Committee Meeting

Minutes of the Resources and Governance Committee Meeting held on 16 October 2017 were considered by Council.

Crs B Brug and G Reynolds entered the meeting at 11:05 pm.

Administration

3.0.1 Future Reports for the Resources and Governance Committee

Moved Cr J Woodman

Seconded Cr R Zahra

1. The information be received.

**CARRIED
2108/2017**

Corporate Management

3.5.1 White Ribbon Australia Accreditation

Moved Cr D Proleta

Seconded Cr E Gill

1. Information be received.
2. The City of Salisbury participates in the White Ribbon Australia Workplace Accreditation Program.
3. A New Initiative Bid for \$31,000 to include the \$15,000 accreditation fee and additional resource is put forward for Council consideration in the 2018/19 budget.

**CARRIED
2109/2017**

Corporate Governance

3.6.1 Investigation of options for changes to audio recording of Committee and Council meetings

Moved Cr R Zahra

Seconded Cr G Caruso

1. Audio recording be undertaken for all Council and standing committee meetings.
2. Where an audio recording of a meeting is taken, the minimum retention period be for the remainder of the current term of the Council with retention beyond that period then determined by the *State Records Act 1997* and General Disposal Schedule 20.
3. The Code of Practice for Meeting Procedures be modified to include the following:

S.REC RECORDING OF MEETINGS

- (1) *Public meetings of Council and Council Standing Committees may be recorded to assist the Minute Secretary with preparation of the minutes following the meeting. The recording is not intended to be an enduring record of the meeting: the minutes exist for that purpose.*
- (2) *Any recording of a Council or Council Standing Committee meeting will be retained for the remainder of the current term of the council.*
- (3) *Where a copy of any recording of a Council or Council Standing Committee meeting is accessed/provided for a purpose other than preparation of the minutes, the recording will be retained within the City of Salisbury record keeping system in accordance with the requirements of the State Records Act 1997 with the retention period as determined by the General Disposal Schedule 20.*
4. To facilitate audio recording of meetings convened in locations other than the Council Chamber, a mobile recording solution, microphone and laptop allocated to the Governance Division, be purchased or leased at an estimated purchase cost of up to \$2,500.
5. The facilitation of an externally web-hosted video recording of Council and committee meetings and associated publishing be considered as part of the 2018/19 budget process.

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

1. Audio recording be undertaken for all Council and standing committee meetings.
2. Where an audio recording of a meeting is taken, the minimum retention period be for the remainder of the current term of the Council and during the final 12 months of the term of Council the recordings be kept for a period of 12 months with retention beyond that period then determined by the *State Records Act 1997* and General Disposal Schedule 20.
3. The Code of Practice for Meeting Procedures be modified to include the following:

S.REC RECORDING OF MEETINGS

- (1) Public meetings of Council and Council Standing Committees be recorded to assist the Minute Secretary with preparation of the minutes following the meeting. The recording is not intended to be an enduring record of the meeting: the minutes exist for that purpose.*
 - (2) Any recording of a Council or Council Standing Committee meeting will be retained for the remainder of the current term of the council and during the final 12 months of the term of Council the recordings be kept for a period of 12 months from the date of the meeting.*
 - (3) Where a copy of any recording of a Council or Council Standing Committee meeting is accessed/provided for a purpose other than preparation of the minutes, the recording will be retained within the City of Salisbury record keeping system in accordance with the requirements of the State Records Act 1997 with the retention period as determined by the General Disposal Schedule 20.*
4. To facilitate audio recording of meetings convened in locations other than the Council Chamber, a mobile recording solution, microphone and laptop allocated to the Governance Division, be purchased or leased at an estimated purchase cost of up to \$2,500.
 5. The facilitation of an externally web-hosted video recording of Council and committee meetings and associated publishing be considered as part of the 2018/19 budget process.

**CARRIED
2110/2017**

3.6.2 Amendments to Local Government Act and Regulations Mobile Food Vans

Cr D Balaza declared a perceived conflict on the basis of being a member of the Salisbury Business Association which was raised during debate. Cr Balaza managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr L Caruso
Seconded Cr D Proleta

1. This report be received and noted.
2. Staff provide a further report in December 2017 for Council to consider adoption of a Mobile Food Vendors Policy.

**CARRIED
2111/2017**

Cr B Brug sought leave of the meeting to speak for second time and leave was granted.

AMENDMENT

Moved Cr B Brug
Seconded Cr C Buchanan

1. This report be received and noted.
2. Staff provide a further report in December 2017 for Council to consider adoption of a Mobile Food Vendors Policy, and such report include advice about the merits and cost impact of not imposing permit fees for mobile food vans in the City of Salisbury.

The AMENDMENT was PUT and LOST

The MOTION was PUT and CARRIED

3.6.3 Variations to Delegations

Moved Cr R Zahra

Seconded Cr D Pilkington

1. In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Acts contained in the proposed Instruments of Delegation forming attachments to this report (Attachments 1 and 2, Item No. 3.6.3, Resources and Governance Committee, 16/10/2017), are hereby delegated from 30 October 2017 to the person occupying the office of Chief Executive Officer, subject to the conditions and/or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instruments of Delegation as follows:
 - 2.1 *Natural Resources Management Act 2004*
 - Sections 135(1), 135(2), 135(16), 135(18), 147(2), 149(1), 149(2), 149(4), 150(1), 150(4) – Attachment 1
 - 2.2 *Environment Protection Act 1993*
 - Section 38(1), 38(3), 54C(2), – Attachment 2
2. 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
2112/2017

4 Audit Committee Meeting

Minutes of the Audit Committee Meeting held on 10 October 2017 were considered by Council.

Administration

4.0.1 Appointment of Deputy Chairman - Audit Committee

Cr D Balaza left the meeting at 11:52 pm.

Moved Cr J Woodman
Seconded Cr R Zahra

1. Mr C Johnson be appointed as Deputy Chairman of the Audit Committee for the remainder of the term of Council.

**CARRIED
2113/2017**

4.0.2 Future Reports for the Audit Committee of Council

Moved Cr J Woodman
Seconded Cr G Caruso

1. The information be received.

**CARRIED
2114/2017**

Reports

4.2.1 Report to the Audit Committee for the year ended 30 June 2017, prepared by Bentleys

Moved Cr G Caruso
Seconded Cr R Zahra

1. The information be received.

**CARRIED
2115/2017**

4.2.2 End of Financial Year Statements and Analysis

Moved Cr J Woodman

Seconded Cr G Caruso

1. The information be received.
2. In accordance with Section 126(4)(a) of the Local Government Act 1999 the Audit Committee advises that it has reviewed the annual financial statements of the Council for the year ended 30 June 2017 and is satisfied they present fairly the state of affairs of Council, subject to satisfactory responses to the following questions taken on notice which will be circulated out of session, with changes in the financial statements made where appropriate:
 - a. How is it that the Statement of Cash Flows has Payment for Materials, Contracts and Other Expenses of \$54M, whereas the Statement of Comprehensive Income shows \$48.8M, without a \$6M reduction in creditors?
 - b. Why does Note 11 reconciliation of Cash show a balance of Net (increase)/decrease in inventories and Net increase/(decrease) in Trade and Other Payables which are inconsistent with the balance sheet?
 - c. Why does the movement in the share of the operating result for NAWMA in Note 19 not reconcile to the equity share disclosed in the Statement of Comprehensive Income?
3. In accordance with Regulation 22 of the Local Government (Financial Management) Regulations 2011 clauses (3) (a) and (4), that the Chief Executive Officer and the Chair of the City of Salisbury Audit Committee sign the statement to certify the independence of the Council Auditor, Bentleys.

CARRIED
2116/2017

6 Budget and Finance Committee Meeting

Minutes of the Budget and Finance Committee Meeting held on 16 October 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
2117/2017

6.0.2 Minutes of the Program Review Sub Committee meeting held on Monday 9 October 2017

Moved Cr G Caruso
Seconded Cr R Zahra

With the amendment to the minutes to reflect Cr D Bryant as an apology for the meeting, the information contained in the Program Review Sub Committee minutes of the meeting held on 9 October 2017 be received and noted with respect to the following recommendations contained therein to be adopted by Council:

CARRIED
2118/2017

PRSC1 Future Considerations of Program Review Sub Committee

Moved Cr G Caruso
Seconded Cr R Zahra

1. That staff bring back a further report based on Part 6 of this report (PRSC 09/10/2017, PRSC1 Future Considerations of Program Review Committee), including options for a new name for the Sub Committee and membership details to include the Mayor and one Elected Member from each ward with the other Elected Member from each ward as proxy, together with draft Terms of Reference for further consideration.

CARRIED
2119/2017

Finance

6.1.1 Budget Timetable 2018/19

Moved Cr D Pilkington
Seconded Cr J Woodman

1. Information be received.
2. Council endorse the timetable for the preparation and presentation of the 2018/19 budget, subject to adoption of meeting schedule by Council at the November Council meeting.
3. That the proposed weekend workshop in February 2018 be held locally and not as a residential workshop.

**CARRIED
2120/2017**

Confidential Items

Refer to CONFIDENTIAL ITEMS section of Council Minutes

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

7 Sport, Recreation and Grants Committee Meeting

Minutes of the Sport, Recreation and Grants Committee Meeting held on 9 October 2017 were considered by Council.

Administration

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

Moved Cr D Bryant
Seconded Cr J Woodman

1. The information be received.

**CARRIED
2121/2017**

Community Grants

7.2.1 Youth Sponsorship - September Applications

Moved Cr J Woodman
Seconded Cr L Caruso

1. The information be received.

**CARRIED
2122/2017**

7.2.2 Community Grants Program Applications for October 2017

Moved Cr R Zahra
Seconded Cr D Proleta

1. The information be received and noted.

**CARRIED
2123/2017**

Cr D Balaza returned to the meeting at 11:56 pm.

7.2.3 10/2017: Adelaide FX Drilldance Team Inc. - Community Grants Program Application

Moved Cr S Reardon
Seconded Cr L Caruso

1. The information be received and noted.

**CARRIED
2124/2017**

7.2.4 20/2017: Providence Chick [World Harvest Christian Centre Inc.] - Community Grants Program Application

Moved Cr S Reardon
Seconded Cr L Caruso

1. The information be received and noted.

**CARRIED
2125/2017**

7.2.5 21/2017: Australian Refugee Association Inc. - Community Grants Program Application

Moved Cr J Woodman
Seconded Cr D Pilkington

1. The information be received and noted.

**CARRIED
2126/2017**

7.2.6 24/2017: Uniting In Care Salisbury Inc. - Community Grants Program Application

Moved Cr B Brug
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 October 2017 round of Community Grants as follows:
 - a. Grant No. 24/2017: Uniting In Care Salisbury Inc. be awarded the amount of **\$2,500.00** to assist with the purchase of \$20 Essential Cards for the 2017 Parcel of Love project as outlined in the Community Grant Application and additional information.

**CARRIED
2127/2017**

**7.2.7 26/2017: Penfield Pistol, Rifle and Archery Club Inc. -
Community Grants Program Application**

Moved Cr B Brug
Seconded Cr G Caruso

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 October 2017 round of Community Grants as follows:
 - a. Grant No. 26/2017: Penfield Pistol. Rifle and Archery Club Inc. be awarded the amount of **\$2,500.00** to assist with the purchase of a defibrillator for ongoing use as outlined in the Community Grant Application and additional information.

**CARRIED
2128/2017**

**7.2.8 Strategic and International Partnerships Sub Committee
Grant Criteria Consideration Request**

Moved Cr J Woodman
Seconded Cr L Caruso

1. The information be received and noted.
2. A report, outlining options to include the Sister City Program in the Youth Sponsorship and Community Grants Program Guidelines be provided to the Sport, Recreation and Grants Committee for consideration in November 2017.

**CARRIED
2129/2017**

GENERAL BUSINESS

GB1 End of Year Financial Statement and Analysis

Moved Cr L Caruso
Seconded Cr S Bedford

1. The information be received.
2. The Annual Financial Statements for the year ended 30 June 2017 be adopted.

**CARRIED
2130/2017**

Item GB2 was deferred to be discussed following confidential item C1.

GB3 Voting Advice to Council Delegate for the Local Government Association Annual General Meeting - 16 November 2017

Moved Cr C Buchanan
Seconded Cr J Woodman

1. Council direct its voting delegate in relation to the following Notices of Motion:

- 1.1 **AGM161117/6.4 LGA Submission – Review of the Code of Conduct (LGA Board)**

Recommendation 1

That the Annual General Meeting endorses the LGA's framework for replacing the existing code of conduct for council members and reconfiguring the support arrangements in place to assist councils in managing council members' behaviour.

Recommendation 2

That the Annual General Meeting notes the report and the attached submission, which was endorsed by the LGA Board on 28 September 2017.

– SUPPORT

1.2 **AGM161117/8.2 Material Conflicts of Interest
(West Torrens)**

That the Annual General Meeting requests the LGA to seek the amendment of section 74 of the Local Government Act 1999 (LG Act) to enable a member of council who has declared a material conflict of interest in a matter to be discussed at a meeting of council, to be able to elect to remain in the meeting, participate in the debate and vote on the matter if the member is able to demonstrate that it is in the public interest for the member to do so particularly when nominating for community membership or conferences and seminars specifically related to local government business I.e. Local Government Association Annual General Meeting, Australian Local Government National Congress etc.

–NOT SUPPORT subject to the clarification of the intent to bring back the qualification exemption

1.3 **AGM161117/8.7 2018 Periodic Election Postal
Voting (Mitcham)**

That the Annual General Meeting requests the LGA to seek assurances of overnight delivery during the two week period when voting happens during the 2018 periodic election to ensure that all votes posted by 6 pm on the last Thursday will be received in time to be counted.

– SUPPORT

2. Council direct its voting delegate (Mayor Gillian Aldridge or Deputy Mayor Donna Proleta as proxy) to vote in favour of the Local Government Association Annual General Meeting recommendations as set out in the attachment to this report (Council, 23 October 2017, Item GB3).

**CARRIED
2131/2017**

OTHER BUSINESS

OB1 Salisbury United Football Club

Cr D Bryant left the meeting at 12:34 am.

Cr C Buchanan referred to an email from the Club Secretary of the Salisbury United Football Club.

Moved Cr C Buchanan
Seconded Cr D Proleta

1. That a report be brought forward advising how Council can support the Salisbury United Football Club with advice/assistance regarding to the issues presented to Council by the Club Secretary in an email dated 22 October 2017.

**CARRIED
2132/2017**

Cr D Bryant returned to the meeting at 12:43 am.

OB2 Safety in Parabanks Shopping Centre Carpark

Cr R Zahra declared a perceived conflict of interest on the basis of being a member of the Shop Distributors and Allied Employees Association. Cr Zahra managed the conflict by remaining in the meeting and voting on the item.

Cr J Woodman declared a perceived conflict of interest on the basis of being a member of the Shop Distributors and Allied Employees Association. Cr Woodman managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr Buchanan declared a perceived conflict of interest on the basis of being a member of the Shop Distributors and Allied Employees Association. Cr Buchanan managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr B Brug declared a perceived conflict of interest on the basis of being a member of the Shop Distributors and Allied Employees Association. Cr Brug managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr C Buchanan
Seconded Cr D Proleta

1. That staff report on what current principles of development control and other provisions within the Development Plan, Building Code or Development Act are in relation to enforcing conditions on shopping centres to provide safe, light areas for shoppers, staff including provision of CCTV.

CARRIED
2133/2017

*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 Proleta, D Balaza, S Bedford, B Brug, D Bryant, C Buchanan, G Caruso, L Caruso, E Gill, D Pilkington, S Reardon, G Reynolds, J Woodman and R Zahra

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

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

OB3 Letter of Condolence

The Council was informed that Mr John Dyer, former Mayor of Woodville Council and past President of the LGA, had recently passed away.

Moved Cr E Gill
Seconded Cr C Buchanan

1. That Mayor Aldridge, on behalf of the City of Salisbury, write a letter of condolence to be sent to the family of Mr John Dyer.

CARRIED
2134/2017

BREAK

In accordance with section 10 (2) of the Code of Practice for Meeting Procedures, the Mayor provided a five minute break to all present. The meeting was suspended at 12:55 am.

Cr S Bedford left the meeting at 12:55 am and did not return.

The meeting reconvened at 1:02 am.

MAYOR'S DIARY

MD1 Mayor's Diary

Moved Cr D Bryant
Seconded Cr L Caruso

1. That this information be noted.

CARRIED
2135/2017

REPORTS FROM COUNCIL REPRESENTATIVES

Cr D Pilkington:

- Annual General Meeting of Salisbury East Neighbourhood Centre to be held on 24/10/2017

Cr S Reardon:

- Annual General Meeting of The Paddocks to be held on 25/10/2017
- Para Hills Hub is now underway and should be up and running in the next six months

CONFIDENTIAL ITEMS

2.9.1 **Revocation of Community Land Classification for the whole of Neales Green, a portion of Salisbury Oval and the whole of St Jays Recreation Centre**

Moved Cr R Zahra

Seconded Cr J Woodman

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

- it relates to information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and

- information the disclosure of which would, on balance, be contrary to the public interest.

2. *In weighing up the factors related to disclosure,*

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

- Non-disclosure of this matter at this time would protect Council's commercial position as public disclosure may provide third parties with a commercial advantage.

*On that basis the public's interest is best served by not disclosing the **Revocation of Community Land Classification for the whole of Neales Green, a portion of Salisbury Oval and the whole of St Jays Recreation Centre** 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
2136/2017**

The meeting moved into confidence at 1:04 am on 24 October 2017.

The meeting moved out of confidence at 1:06 am on 24 October 2017.

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

Moved Cr R Zahra
Seconded Cr D Pilkington

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
 - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non-disclosure of the matter and discussion of this item in confidence would protect information related to the personal affairs of any person (living or dead) and proposed action by Council where the rates for a property have been outstanding for a period of not less than three years.*

*On that basis the public's interest is best served by not disclosing the **Action of Rate Accounts Outstanding under Section 184 of the Local Government Act 1999** item and discussion at this point in time.*
3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

CARRIED
2137/2017

The meeting moved into confidence at 1:06 am on 24 October 2017.

The meeting moved out of confidence at 1:07 am on 24 October 2017.

C1 Minter Ellison Lawyers - Report on the Investigation of Code of Conduct Complaint 02/2017

Pursuant to Resolution 2142 of 23/10/2017, item C1 is no longer confidential, effective 23/10/2017

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

- Non disclosure of this matter at this time 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 02/2017** 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 the Acting Chief Executive Officer, General Managers, Manager Governance and Governance Support Officer be excluded from attendance at the meeting for this Agenda item.*

**CARRIED
2138/2017**

Cr E Gill declared a perceived conflict of interest on the basis of being the person named in the item. Cr E Gill left the meeting at 01:07 am.

The meeting moved into confidence at 1:07 am on 24 October 2017.

The following resolution is an extract from the 23/10/2017 Confidential Council Meeting and has been inserted into this minutes document since it was originally published.

C1 Minter Ellison Lawyers - Report on the Investigation of Code of Conduct Complaint 02/2017

Moved Cr R Zahra

Seconded Cr L Caruso

- 1. Information be received.*

***CARRIED
2142/2017***

The meeting moved out of confidence at 1:11 am on 24 October 2017.

GB2 Code of Conduct Complaint 02/2017 - Investigation Findings

Cr E Gill declared a perceived conflict of interest on the basis of being the person named in the item. Cr E Gill left the meeting at 01:12 am.

Moved Cr C Buchanan
Seconded Cr B Brug

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 02/2017, Minter Ellison Lawyers found that Cr Gill breached clauses 2.2, 2.3 and 2.4 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 02/2017 be provided to both parties to the complaint.
4. (a) make a public apology at Council and in writing to the concerned resident
(b) be removed from all Council appointed external representation such as NAWMA.

LOST

*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 B Brug, C Buchanan and S Reardon

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

Crs D Proleta, D Balaza, D Bryant, G Caruso, L Caruso, D Pilkington, G Reynolds, J Woodman and R Zahra

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

GB2 – FURTHER RECOMMENDATION

Moved Cr D Bryant
Seconded Cr S Reardon

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 02/2017, Minter Ellison Lawyers found that Cr Gill breached clauses 2.2, 2.3 and 2.4 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 02/2017 be provided to both parties to the complaint.
4. (a) Request Cr Gill make a public apology, either written or verbal; and
(b) Request Cr Gill attend training on media relations including the Council’s Media Policy and the behavioural expectations of council members more generally.

**CARRIED
2139/2017**

The meeting closed at 1:59 am.

CHAIRMAN.....

DATE.....