



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

17 DECEMBER 2018

MEMBERS PRESENT

Mayor G Aldridge
Cr M Blackmore
Cr L Braun
Cr B Brug
Cr C Buchanan
Cr A Duncan
Cr K Grenfell
Cr N Henningsen
Cr D Hood
Cr P Jensen (*from 6.34 pm*)
Cr S Ouk
Cr D Proleta
Cr S Reardon
Cr G Reynolds
Cr J Woodman

STAFF

Chief Executive Officer, Mr J Harry
A/General Manager Business Excellence, Ms G Page
A/General Manager City Development, Mr G Ratsch
General Manager Community Development, Ms P Webb
General Manager City Infrastructure, Mr J Devine
Manager Communications and Customer Relations, Mr M Bennington
Manager Governance, Mr M Petrovski
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

There were no Apologies.

LEAVE OF ABSENCE

Nil

ITEM 1: PUBLIC QUESTION TIME

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

ITEM 2: DEPUTATIONS / PRESENTATIONS

2.1 Deputation - Proposed Salisbury Community Hub Café

Cr P Jensen entered the meeting at 6.34 pm.

Mr David Waylen, Executive Officer of the Salisbury Business Association Inc. addressed Council in relation to a proposed Salisbury Community Hub Cafe.

2.2 Deputation - In relation to Petition opposing sale of Neales Green and Portions of Salisbury Oval

Mr Guisepe (Joe) Bivone addressed Council in relation to the petition lodged opposing the sale of Neales Green and portions of Salisbury Oval.

ITEM 3: PETITIONS

3.1 Petition Opposing the Sale of Land at Neales Green and Portions of Salisbury Oval

Cr B Brug declared a perceived conflict of interest on the basis of being a signatory on the petition. Cr Brug managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr C Buchanan declared a perceived conflict of interest on the basis of previously voting against the sale of Neales Green during the previous term of Council and has publicly stated that he will be opposing the sale of Neales Green. Cr Buchanan managed the conflict by remaining in the meeting and voting in the best interest of all residents of the City of Salisbury.

Cr L Braun declared a perceived conflict of interest on the basis of being a signatory on the petition. Cr Braun managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr N Henningsen declared a perceived conflict of interest on the basis of being a signatory on the petition on the premise that the land was bequeathed to the people. Cr Henningsen managed the conflict by remaining in the meeting and voting in the best interest of the community as a whole.

Cr S Reardon declared a perceived conflict of interest on the basis of being a signatory on the petition. Cr Reardon managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr A Duncan declared a perceived conflict of interest on the basis of being a signatory on the petition and has publicly stated that he would like to save Neales Green. Cr Duncan managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr D Proleta declared a perceived conflict of interest on the basis of being a signatory on the petition and attending the rally during caretaker mode. Cr Proleta managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr C Buchanan

Seconded Cr B Brug

1. The attached notice of petitions in relation to opposing the sale of land at Neales Green and portions of Salisbury Oval be received.
2. Council note that staff propose to report back to Council addressing the petition in March 2019 via the Strategic Property Development Sub-Committee.
3. A copy of the report that is due in January 2019, addressing the history of the Neales Green land ownership, be sent to the head petitioner and to identified members of the Save Neales Green Committee.
4. The report in January 2019 provide background information in the context of the Salisbury Oval Master Plan.

CARRIED
0042/2018
UNANIMOUSLY

3.2 Petition Protesting Road Surfacing in Wendy Avenue and Avis Court, Valley View

Moved Cr J Woodman
Seconded Cr A Duncan

1. The attached notice of petitions in relation to residents opposing the condition of the road surfacing in Wendy Avenue and Avis Court, Valley View be received.
2. Council note that staff propose to report back to Council addressing the petition in February 2019.

**CARRIED
0043/2018**

ITEM 4: PRESENTATION OF MINUTES

Moved Cr L Braun
Seconded Cr S Reardon

The Minutes of the Council Meeting held on 26 November 2018, be taken and read as confirmed.

**CARRIED
0044/2018**

ITEM 5: COMMITTEE REPORTS

5.1 Policy and Planning Committee - Recommendations for Council Ratification

Moved Cr B Brug
Seconded Cr L Braun

1. That Council adopt the recommendations of the Policy and Planning Committee meeting on 15 October 2018, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 22 October 2018), and listed below:
 - 1.0.1 Future Reports for the Policy and Planning Committee
 - 1.0.2 Appointment of Deputy Chair – Policy and Planning Committee
 - 1.0.3 Membership of the Strategic and International Partnerships Sub Committee
 - 1.0.4 Membership of the Tourism and Visitor Sub Committee
 - 1.1.1 Future Reports for the Youth Council Sub Committee
 - 1.1.2 Youth Council Membership – Resignations
 - 1.1.3 Youth Council Project Team Updates
 - 1.1.4 Youth Programs and Events Update October 2018 – January 2019
 - 1.3.1 Annual Report of the Council Assessment Panel for 2017/2018
 - 1.3.2 Planning Reforms Update
 - 1.3.3 Salisbury Community Hub – Project and Construction Progress Report

CARRIED
0045/2018

5.2 Works and Services Committee - Recommendations for Council Ratification

Cr Reardon indicated that she would like Item 2.0.3 in the report of the Works and Services Committee to be withdrawn and dealt with separately.

Cr Blackmore indicated that she would like Item W&S-OB3 in the report of the Works and Services Committee to be withdrawn and dealt with separately.

Moved Cr C Buchanan

Seconded Cr B Brug

1. That Council adopt the recommendations of the Works and Services Committee meeting on 10 December 2018, contained in the report to Council (Item No. 5.2 on the agenda for the Council meeting held on 17 December 2018), and listed below, with the exception of Items **2.0.3 – Membership of the Strategic Property Development Sub Committee**, and **W&S-OB3 – New Sub-Committee – to consider play space renewal/upgrade program, the streetscape renewal program and the footpath program**, which will be considered separately:

2.0.1 Appointment of Deputy Chair – Works and Services Committee

2.0.2 Future Reports for the Works and Services Committee

2.2.1 The Salisbury Home and Community Services Business Model Project (Aged and Disability Services)

2.6.1 Capital Works Report – November 2018

W&S-OB1 Parking Options – Alice Crescent, Burton

W&S-OB2 Traffic Measures – Intersection of Kings Road and Melvina Avenue, Paralowie

**CARRIED
0046/2018**

2.0.3 Membership of the Strategic Property Development Sub Committee

Cr B Brug left the meeting at 07:48 pm.

Cr B Brug returned to the meeting at 07:51 pm.

Moved Cr S Reardon

Seconded Cr J Woodman

1. The Membership of the Strategic Property Development Sub Committee comprise:
 - Cr N. Henningsen (Chairperson as resolved by Council 26/11/18)
 - Cr Reynolds
 - Cr Proleta
 - Cr Braun
 - Cr Grenfell
 - Cr S Reardon
2. The Mayor be appointed as an ex-officio member of the Strategic Property Development Sub Committee.

3. The Terms of Reference be amended to reflect the updated membership of six (6).

With leave of the meeting and consent of the seconder, Cr S Reardon VARIED the MOTION as follows:

1. The Membership of the Strategic Property Development Sub Committee comprise:
 - Cr N. Henningsen (Chairperson as resolved by Council 26/11/18)
 - Cr Reynolds
 - Cr Proleta
 - Cr Braun
 - Cr Grenfell
 - Cr S Reardon
 - Cr M Blackmore
2. The Mayor be appointed as an ex-officio member of the Strategic Property Development Sub Committee.
3. The Terms of Reference be amended to reflect the updated membership of seven (7).

CARRIED
UNANIMOUSLY
0047/2018

W&S-OB3 New Sub-Committee – to consider play space renewal/upgrade program, the streetscape renewal program and the footpath program

Cr J Woodman left the meeting at 08:06 pm.

Moved Cr C Buchanan
Seconded Cr M Blackmore

That:

1. Staff bring back a report creating a new sub-committee, including the Terms of Reference, to look at reviewing the play space renewal/upgrade program, the streetscape renewal program and the footpath program.
2. That street tree removal be included in the draft Terms of Reference.

CARRIED
0048/2018

5.3 Resources and Governance Committee - Recommendations for Council Ratification

Cr Brug indicated that he would like Item 3.0.1 in the report of the Resources and Governance Committee to be withdrawn and dealt with separately.

Moved Cr B Brug

Seconded Cr P Jensen

1. That Council adopt the recommendations of the Resources and Governance Committee meeting on 10 December 2018, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 17 December 2018), and listed below, with the exception of **Item 3.0.1 – Appointment of Deputy Chair – Resources and Governance Committee**, which will be considered separately:

3.0.2 Future Reports for the Resources and Governance Committee

3.4.1 Local Government Association Annual General Meeting
Voting Advice to Council.

**CARRIED
0049/2018**

3.0.1 Appointment of Deputy Chair - Resources and Governance Committee

Moved Cr B Brug

Seconded Cr C Buchanan

1. Cr P Jensen be appointed as Deputy Chairman of the Resources and Governance Committee for a two year term.

**CARRIED
0050/2018**

5.4 Audit Committee of Council

No Audit Committee of Council meeting was held in December 2018.

5.5 Council Assessment Panel Meeting

Minutes of the Council Assessment Panel Meeting held on 4 December 2018 were noted by Council.

5.6 Budget and Finance Committee - Recommendations for Council Ratification

Moved Cr B Brug

Seconded Cr N Henningsen

1. That Council adopt the recommendations of the Budget and Finance Committee meeting on 10 December 2018, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 17 December 2018), and listed below:

6.0.1 Appointment of Deputy Chair – Budget and Finance Committee

6.0.2 Future Reports for the Budget and Finance Committee

6.0.3 Membership of the Innovation and Business Development Sub
Committee

**CARRIED
0051/2018**

5.7 Sport, Recreation and Grants Committee - Recommendations for Council Ratification

Moved Cr L Braun

Seconded Cr N Henningsen

1. That Council adopt the recommendations of the Sport, Recreation and Grants Committee meeting on 4 December 2018, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 17 December 2018), and listed below:

7.0.1 Presentation of the Minutes of the Sport, Recreation and Grants Committee Meeting held on 10 September 2018

7.0.2 Appointment of Deputy Chair – Sport, Recreation and Grants Committee

7.0.3 Future Reports for the Sport, Recreation and Grants Committee

7.2.1 Youth Sponsorship Applications - September and October 2018

7.2.2 Community Grants Program Applications for December 2018

7.2.3 24/2018: Pontian Brotherhood of South Australia Inc. - Community Grants Program Application

7.2.4 25/2018: The Dutch Community (Dutch Social And Welfare Club) Inc. - Community Grants Program Application

7.2.5 26/2018: Meals on Wheels (SA) Inc. - Community Grants Program Application

7.2.6 28/2018: Uniting In Care Salisbury Inc. - Community Grants Program Application

7.2.7 30/2018: Bhutanese Australian Association of South Australia Inc. - Community Grants Program Application

7.2.8 31/2018: Para Hills Brass Band Inc. - Community Grants Program Application

7.2.9 32/2018: Life Church SA Inc. - Community Grants Program Application

7.2.10 33/2018: Uniting Church in Australia Salisbury - Community Grants Program Application

7.2.11 34/2018: One Life Community Assist - Community Grants Program Application

SRG-OB1 Review of Policies

**CARRIED
0052/2018**

5.8 CEO Review Committee

No CEO Review Committee meeting was held in December 2018.

ITEM 6: GENERAL BUSINESS REPORTS

There were no General Business Reports.

ITEM 7: MOTIONS ON NOTICE

7.1 Motion on Notice - Collective Bargaining for Better Electricity Prices

Cr J Woodman returned to the meeting at 08:12 pm.

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

Moved Cr S Reardon

Seconded Cr C Buchanan

1. That the Administration investigate and provide advice to Council on the prospect of creating a critical mass of residential properties that would enable collective bargaining to effect a better electricity price for the residents of the City of Salisbury.

**CARRIED
0053/2018**

Further Motion: Council Buildings Powered by Renewable Energy

Moved Cr A Duncan

Seconded Cr C Buchanan

1. That a report be provided by the administration with advice about all Council owned buildings being powered by 100% renewable energy.

**CARRIED
0054/2018**

BREAK

In accordance with the Code of Practice for Meeting Procedures, the presiding member provided a break to all present. The meeting was suspended at 8.45 pm.

Cr B Brug left the meeting at 8.45 pm and did not return.

The meeting reconvened at 8.58 pm.

ITEM 8: MAYOR'S DIARY

8.1 Mayor's Diary

Moved Cr D Proleta

Seconded Cr J Woodman

1. That this information be noted.

**CARRIED
0055/2018**

ITEM 9: ELECTED MEMBER REPRESENTATION ACTIVITIES

Cr Buchanan:

- Attended Burton Community Centre AGM and was re-elected as Chairperson of the Committee. Thanks and appreciation to General Manager Community Development and staff, particularly Christine and Mel.

Cr Reardon:

- Attended Historical Society Christmas Event and asked the Mayor to send letter of congratulations.

Cr Duncan:

- Attended Salisbury Christmas pageant

Cr Braun:

- Attended St Kilda and Surrounds Development and Tourism Association Inc. and joined the committee
- Attended Mawson Lakes Christmas Carols

Cr Jensen:

- Attended Asbestos Victims Memorial on 30 November 2018

Cr Blackmore:

- Attended Mawson Lakes Christmas Carols – great event
- Attended Every Life Matters meeting – next meeting will be held on 18 December 2018 at the Council Offices

Cr Woodman:

- Attended Friends of Dry Creek meeting and presented an award to staff member

Cr Henningsen:

- Attended Mayor's Christmas Breakfast

ITEM 10: QUESTIONS WITHOUT NOTICE

QWON1 Salisbury Park Shopping Centre

Cr A Duncan asked a question in relation to whether staff were aware of any applications to demolish the Salisbury Park Shopping Centre.

The Question was taken on Notice.

ITEM 11: QUESTIONS ON NOTICE

11.1 Question on Notice - Female Friendly Facilities at Sporting Clubs

Cr Shiralee Reardon submitted the following question:

1. Can the Administration advise how many sporting clubs and their locations currently have female friendly facilities across the city and those that would require an upgrade to achieve this level of amenity?

General Manager City Infrastructure, Mr John Devine has provided the following response:

Council's current facilities upgrade program includes consideration of the needs and desires of the club users and also both female friendly and accessibility requirements. This means that when a building is being considered for an upgrade an audit is conducted against relevant standards and guidelines, including areas such as toilets, change rooms, showers, etc against female friendly and DDA guidelines.

Over the last few years upgrades to Council facilities (such as those located at Walkleys Park, Burton Park, Rowe Park, Parafield Gardens Oval, Andrew Smith Drive Oval, and Underdown Park) have ensured that our facilities are suitable for current and future users and have included items such as separate shower cubicles, male, female and DDA compliant toilets.

Recently female friendly guidelines have been released which recommend a separating wall in addition to the separate toilet cubicles, and our new designs ensure that this is included.

Many of the older Council facilities which are yet to be upgraded, while fit for purpose, do not meet these new recently released female friendly guidelines. However, when they are scheduled to be upgraded the facility will be assessed against these new guidelines.

11.2 Question on Notice - Increasing Occurrence of Severe Weather Events and Storms

Cr Shiralee Reardon submitted the following question:

What plans/procedures do Council have in place to cope with the increasing occurrence of severe weather events and storms? When they were last updated?

The General Manager City Infrastructure has provided the following response:

- The City of Salisbury has a suite of emergency response plans to deal with weather related and non-weather related emergencies or events, including:
 - The Emergency Management Response Plan,
 - The Bushfire Management Plan,
 - The Business Continuity Plan.
- Our Asset Management Plans take into account change in climate as part of the considerations for asset upgrades.
- Our field services team have a range of procedures, including pre-emptive and responsive work practices, to assist preventing and managing the impacts of weather events.
- Engineering and technical standards are regularly updated to deal with or respond to changes in climate. This is done in association with organisations such as CSIRO, and the Bureau of Meteorology.
- The City of Salisbury is a member of the Northern Adelaide Zone Emergency Management Committee, which is co-ordinated by the State Government and has representation on it from other Councils in the northern region, as well as State and Federal agencies.
- Climate change is also recognized in our Strategic Risk Register, and as a consequence the Administration has controls in place to mitigate the impact of severe events. The Register is reviewed on a quarterly basis and was last reviewed in November 2018.

11.3 Question on Notice - Verge Cutting Standards

Cr Shiralee Reardon submitted the following question:

Can the Administration advise the frequency and how the standard of the work performed is assessed under current arrangements for verge cutting and comment on the practical implications of creating smaller work teams taking ownership and responsibility for maintaining standards in a defined area?

General Manager City Infrastructure, Mr John Devine has provided the following response:

The verge contract works are currently audited on a daily basis with approximately one hour of auditing per contract, totalling two hours per day. (Two contracts East & West). An audit form is utilised to assess the performance standards against the contract specifications. Street sweepers are scheduled to follow soon after the contract cutting.

The verge mowing service is delivered as outcome based contracts with some specific program requirements to enable a consistent service level and to facilitate associated street sweeping programs. It is a service aimed at keeping the verges safe and tidy by not allowing uncontrolled growth.

Altering the size of the contract areas would only be possible with contractor agreement until the existing contracts expire in 2022. There are many factors that would need to be considered in reviewing the size of contract areas including administration, costs, market conditions, and impacts to street sweeping programs.

It is proposed to provide an update presentation to Elected Members on the Verge Cutting Program at an upcoming Innovation and Business Development Sub Committee, to confirm service levels and explore some options.

ITEM 12: OTHER BUSINESS / MOTIONS WITHOUT NOTICE

12.1 Audits of Verge Cutting

Moved Cr L Braun
Seconded Cr C Buchanan

That a report on regular audits for verge cutting be presented to the Innovation and Business Development Sub Committee.

**CARRIED
0056/2018**

12.2 Acknowledgement of Past Elected Members

Moved Cr C Buchanan
Seconded Cr S Reardon

1. That Council acknowledge and thank all former Councillors for their contribution to Council.
2. The Mayor invite all former Councillors to the opening of the Salisbury Community Hub.

**CARRIED
0057/2018**

ITEM 13: CONFIDENTIAL ITEMS

13.1 Budget and Finance Committee - Confidential Recommendation for Council Ratification

Moved Cr K Grenfell

Seconded Cr P Jensen

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 **Budget and Finance Committee - Confidential Recommendation for Council Ratification** 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
0058/2018**

The meeting moved into confidence at 9.35 pm.

The meeting moved out of confidence at 9.37 pm

13.2 Request for Extension of Confidentiality Order: Red Jam Pty Ltd - Legal Costs

Mayor G Aldridge declared a conflict of interest on the basis of receiving a campaign donation from Red Jam Pty Ltd four years ago. Mayor Aldridge left the meeting at 09:38 pm.

Deputy Mayor J Woodman assumed the chair at 9.38 pm.

Moved Cr N Henningsen

Seconded Cr J Woodman

1. *Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) and (d)(i) and (d)(ii) and (h) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
 - *it relates to information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and*
 - *information the disclosure of which would, on balance, be contrary to the public interest; and*
 - *commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
 - *commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest; and*
 - *legal advice.*
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 information will protect legal advice provided to the Council along with commercial information regarding the operations of Salisbury Water.*

*On that basis the public's interest is best served by not disclosing the **Request for Extension of Confidentiality Order: Red Jam Pty Ltd - Legal Costs** 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
0059/2018**

The meeting moved into confidence at 9.39 pm.

The meeting moved out of confidence at 9.40 pm.

Mayor Aldridge returned to the meeting at 9.40 pm and resumed the Chair.

13.3 Code of Conduct Complaint - 03/2018

Moved Cr J Woodman
Seconded Cr K Grenfell

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

*On that basis the public's interest is best served by not disclosing the **Code of Conduct Complaint - 03/2018** 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
0060/2018**

The meeting moved into confidence at 9.41 pm.

The meeting moved out of confidence and closed at 10.23 pm.

CHAIRMAN.....

DATE.....