



MINUTES

of

COUNCIL MEETING

held in the

**WALKERVILLE CIVIC CENTRE
COUNCIL CHAMBERS
66 WALKERVILLE TERRACE GILBERTON**

on

MONDAY 21 NOVEMBER 2016 AT 7PM

KIKI MAGRO
CHIEF EXECUTIVE OFFICER

MINUTES
21 NOVEMBER 2016

The Mayor declared the meeting open at 7.00pm

1. ATTENDANCE RECORD

1.1 Present

Mayor R Grigg
Councillor M Bishop
Councillor G Busato
Councillor E Fricker
Councillor M Graham-King
Councillor D Shetliffe
Councillor G Webster
Councillor D Whiting
Councillor J Williams

Chief Executive Officer, K Magro
General Manager, H Barclay
Protocol, Compliance & Governance Officer, D Bria
Manager Assets & Infrastructure, J Bowen
Manager Community Development & Engagement, F Deckert
Manager Finance, G Lewis
Manager Marketing & Communications, S DeNicola
Manager Planning & Environment, M Kwaitkowski

1.2 Apologies

Nil

1.3 Not Present / Leave of Absence

Leave of Absence – Councillor Shetliffe

MOVED: Councillor Whiting
SECONDED: Councillor Fricker

CNC173/16-17

Councillor Shetliffe is requesting leave of absence from 18 January 2017 until 12 February 2017 (inclusive).

CARRIED

2. CONFIRMATION OF MINUTES

MOVED: Councillor Busato
SECONDED: Councillor Bishop

CNC174/16-17

That the minutes of the Council meeting held on the 17 October 2016 be confirmed as a true

and accurate record of the proceedings.

CARRIED

3. DECLARATIONS OF INTEREST (material, actual, perceived)

3.1 Material Interest

Councillor Graham-King declared a material interest in item 12.3.6 Amendments to parking controls Walkerville Terrace as her husband provided a submission to protect the drive way entrance to their house at 86 Walkerville Tce. Councillor Graham-King informed members that she will leave the Chamber whilst the matter was being considered.

3.2 Perceived Interest

Mayor Grigg declared an interest in item 16.1.3 Request to bury ashes as he knows the family.

4. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED TRAINING, CONFERENCES OR SEMINARS

4.1 Mayors Report

MOVED: Councillor Webster

SECONDED: Councillor Williams

CNC175/16-17

That Council receives and notes the Mayoral Diary from 8 October 2016 – 11 November 2016.

CARRIED

4.2 Local Government Association of SA (LGA) Conference & AGM Update - Councillor Shetliffe

MOVED: Councillor Fricker

SECONDED: Councillor Busato

CNC176/16-17

That Councillor Shetliffe's report on the LGA's Conference and AGM held on 20 and 21 October 2016 (marked as Attachment A) be received and noted.

CARRIED

5. QUESTIONS WITHOUT NOTICE

5.1 Walkerville Oval – Councillor Williams

Has Council recently reassessed the condition of Walkerville Oval and are there any plans to remediate areas that are not showing signs of the regrowth of grass?

Administration Response – Manager Assets & Infrastructure

The trenches were left with sandy soil as backfill with the view that the turf would eventually knit over the trench lines. The contractor advised Council on this approach because of the poor drainage with the oval due to compaction. This approach ensured the drainage lines remained open whilst the turf grew, Council officers agreed that this approach was not working in some areas and has engaged Campbelltown City Council to re-turf the trench lines. This work is tentatively booked in for Monday 28 November. There is no expected downtime to the oval for this work.

With warmer weather commencing, how long is it since Walkerville Oval has been watered and is there an issue with the irrigation systems pump that needs rectifying?

Administration Response – Manager Assets & Infrastructure

The pump has had a malfunction and was sent away for repairs under the Defects Liability Period clause of the contract. The pump was recommissioned today and Council Officers will be undertaking an increased watering program over the coming weeks.

6. QUESTIONS FROM THE GALLERY

Nil

7. QUESTIONS ON NOTICE

Nil

8. PETITIONS

Nil

9. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil

10. MOTIONS WITHOUT NOTICE

10.1 Wicking Beds – Councillor Whiting

MOVED: Councillor Whiting
SECONDED: Councillor Williams

CNC177/16-17

That Council investigate the use of “wicking beds” as a water saving measure for bedding and flowering plants, with consideration be given to establishing a small test bed at a suitable Council owned site to act as a demonstration device for the information of residents.

CARRIED

11. MOTIONS WITH NOTICE

11.1 Comments of the Auditor-General in his Annual Report to Parliament for the year ended 30 June 2016 in respect to the Waste to Resources Fund and the waste levies

– Councillor Busato

MOVED: Councillor Busato
SECONDED: Councillor Whiting

CNC178/16-17

1. That Council note the comments of the Auditor-General in his Annual Report to Parliament for the year ended 30 June 2016 in respect to the Waste to Resources Fund and the waste levies. In particular, that
 - I. The balance of the Waste to Resources Fund continued to increase and as at 30 June 2016 was \$86.8m.
 - II. The increase in waste levy rates have offset decreases in the volume of solid waste collected over the last 5 years.
2. That administration write to the Minister for Sustainability, Environment & Conservation seeking confirmation and more information about amending the Waste to Resources Fund so that it can be used to finance the Government's climate change agenda.

CARRIED

12. REPORTS REQUIRING DECISION OF COUNCIL

12.1 Strategy

Nil

12.2 Policy

12.2.1 Risk Management Policy

MOVED: Councillor Webster
SECONDED: Councillor Fricker

CNC179/16-17

That Council adopt the draft Risk Management Policy, appearing as Attachment A and note the Risk Management Framework appearing as Attachment B.

CARRIED

12.2.2 Informal Gatherings Policy – Review

MOVED: Councillor Graham-King
SECONDED: Councillor Webster

CNC180/16-17

That Council adopts the revised Informal Gatherings Policy marked up as Attachment A to this report.

CARRIED

12.2.3 Draft Dog and Cat Management Regulations 2016

MOVED: Councillor Shetliffe
SECONDED: Councillor Whiting

CNC181/16-17

1. That Council receives and notes the draft Regulations to be made under the *Dog and Cat Management (Miscellaneous) Amendment Act 2016*.
2. That Administration write to the LGA and advise that Council is satisfied that the proposed regulations align with the intent of the Act.

CARRIED

12.2.4 Draft Local Nuisance and Litter Control Regulations 2016

MOVED: Councillor Whiting
SECONDED: Councillor Busato

CNC182/16-17

1. That Council receives and notes the draft Regulations to be made under the *Local Nuisance and Litter Control Act* information report.
2. That Administration write to the LGA before 2 December 2016, advising that Council is satisfied that the draft regulations align with the intent of the Act.

CARRIED

12.3 Operational

12.3.1 Financial Reports 2015-16

MOVED: Councillor Fricker
SECONDED: Councillor Bishop

CNC183/16-17

That the Audited Financial Statements for the financial year ended 30 June 2016 presented in Attachment A be adopted by Council.

CARRIED

12.3.2 Draft 2015-16 Annual Report

MOVED: Councillor Williams
SECONDED: Councillor Fricker

CNC184/16-17

That Council adopt the *Draft 2015/16 Annual Report* as presented as Attachment A; and that upon adopting the Draft Audited Financial Statements for the financial year ended 30 June 2016, that these Statements be included in the *2015/16 Annual Report*.

CARRIED

12.3.3 Eastern Health Authority Budget Review 1

MOVED: Councillor Shetliffe
SECONDED: Councillor Whiting

CNC185/16-17

That Council endorses Eastern Health Authority's Budget Review 1 for the financial year ended 30 June 2017 as presented in Attachment A.

CARRIED

12.3.4 Budget Review 1 2016-17

Manager Finance tabled a revised Attachment A.

MOVED: Councillor Fricker
SECONDED: Councillor Webster

CNC186/16-17

That the Council adopts Budget Review 1 for the financial year 2016-17 as presented in Attachment A and the variances contained within it as its amended and current budget for the period ended 30 June 2017.

CARRIED

12.3.5 Amendments to parking controls in Gilberton Precinct

MOVED: Councillor Shetliffe
SECONDED: Councillor Whiting

CNC187/16-17

1. That Council receive and note the comments received from the community consultation on the proposed amendments to the parking controls in the Gilberton Precinct (Edwin Terrace, Frederick Street, Buckingham Street and James Street.)
2. That Council note and receive the report on the proposed amendments to the parking controls in the Gilberton Precinct including the following amendments:
 - a) the 2-hour parking controls (residential parking permit exempt) be proposed along the full length of Edwin Terrace between James Street and Stephen Terrace on the southern side and retain as per the plans on the northern side.
 - b) that yellow lines be painted on the corners of Frederick and James Street.
3. That Council authorise administration to implement the proposed changes to parking controls in the Gilberton Precinct in accordance with the proposed amendments contained in this report.

CARRIED

12.3.6 Amendments to parking controls on Walkerville Terrace

8.02pm Councillor Graham-King left the Chamber

MOVED: Councillor Whiting
SECONDED: Councillor Webster

CNC188/16-17

4. That Council receive and note the comments received from the community consultation on the proposed amendments to the parking controls on Walkerville Terrace, Walkerville.
5. That Council note and receive the report on the proposed amendments to the parking controls on Walkerville Terrace, Walkerville including the following amendments:
 - a) Amend proposal to alter the hours of the 10 minute parking zone to the hours of 6.30 am to 5:30 pm to reflect the hours of operation of the post office.
 - b) Remove no stopping at any times from both sides of the crossover to the front of 84 Walkerville Terrace.
6. That Council authorise administration to implement the proposed changes to parking controls on Walkerville Terrace in accordance with the proposed amendments contained in this report.

CARRIED

12.3.7 Amendments to parking controls on Park Terrace

At 8.08pm Councillor Graham-King re-entered the Chamber

At 8.08pm Councillor Whiting left the Chamber

MOVED: Councillor Webster
SECONDED: Councillor Busato

CNC189/16-17

1. That Council receive and note the comments received from the community consultation on the proposed amendments to the parking controls on Park Terrace, Gilberton.
2. That Council note and receive the report on the proposed amendments to the parking controls on Park Terrace, Gilberton including the following amendments:
 - a) The proposed parking restrictions be applied seven days a week.
3. That Council authorise administration to implement the proposed changes to parking controls on Park Terrace, Gilberton in accordance with the proposed amendments contained in this report.

CARRIED

12.3.8 Amendments to parking controls on Church Terrace

At 8.13pm Councillor Whiting re-entered the Chamber

MOVED: Councillor Shetliffe

SECONDED: Councillor Fricker

CNC190/16-17

1. That Council receive and note the comments received from the community consultation on the proposed amendments to the parking controls on Church Terrace, Walkerville.
2. That Council note and receive the report on the proposed amendments to the parking controls on Church Terrace, Walkerville including the following amendments.
 - a) Include a residential permit exempt sign under the no parking signs and ¼ hour parking signs between number 7 to 11A Church Terrace.
 - b) Include a residential permit exempt sign under the no parking signs and ¼ hour parking signs between number 8 to 10B Church Terrace.
 - c) Alteration to the parking timeframe to 3 hours rather than 2 hours between Warwick Street and Smith Street
3. That Council authorise administration to implement the proposed changes to parking controls on Church Terrace in accordance with the proposed amendments contained in this report.

CARRIED

12.3.9 Amendments to parking controls on Clarke Street

MOVED Councillor Whiting

SECONDED: Councillor Williams

CNC191/16-17

1. That Council receive and note the comments received from the community consultation on the proposed amendments to the parking controls on Clarke Street, Walkerville.
2. That Council note and receive the report on the proposed amendments to the parking controls on Clarke Street, Walkerville including the following amendments:
 - a) Change the 2 hour parking proposed to 3 hours and include (residential permit exempt) signage for these parking areas.
 - b) Do not increase the new line from the corner of Warwick Street and Clarke Street along Warwick Street to retain the existing parking spaces.
 - c) Remove portion of yellow line after the existing driveway and move parking sign closer to crossover to rear of number 24 Warwick Street to create larger parking area aloft Clarke Street.

3. That Council authorise administration to implement the proposed changes to parking controls on Clarke Street in accordance with the proposed amendments contained in this report.

CARRIED

12.3.10 Appointment of Deputy Mayor

MOVED: Councillor Shetliffe

SECONDED: Councillor Busato

CNC192/16-17

That Council elects Cr Fricker as Deputy Mayor from 9am 22 November 2016 until 12 noon Tuesday 21 November 2017, to act in the absence of the Mayor.

CARRIED

12.3.11 Eastern Waste Management Authority – Appointment of Member

MOVED: Councillor Webster

SECONDED: Councillor Whiting

CNC193/16-17

That Council appoints Councillor Busato as its representative to the Eastern Waste Management Authority to 23 November 2018.

CARRIED

12.3.12 Walkerville Sports Club – Female Facilities Grant

MOVED: Councillor Whiting

SECONDED: Councillor Shetliffe

CNC194/16-17

That Council provide in principle support for any application by the Walkerville Sports Club (or its affiliates(s)) to the Office of Sport & Recreation for a grant under the Female Facilities Program relating to an upgrade of the Alfred Street tennis courts, noting that any up-grade may be subject to Development consent.

CARRIED

12.3.13 Memorial for the Gilberton Amateur Swimming Club

MOVED: Councillor Webster

SECONDED: Councillor Graham-King

CNC195/16-17

1. That Council note and receive the report on the proposed Memorial associated with the Gilberton Amateur Swimming Club.

2. That Council endorse the proposal for the Memorial associated with the Gilberton Amateur Swimming Club and allow the memorial to be located on the reserve at Lot 129/131 Severn Street, Gilberton.

CARRIED

13. IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

MOVED: Councillor Whiting

SECONDED: Councillor Williams

CNC196/16-17

That items 14.2.1, 14.3.1, 14.3.2, 14.3.3, 14.3.6, 14.3.9, 14.3.10, 14.3.11, 14.3.12 & 14.3.13 be received and noted.

CARRIED

14. REPORTS PRESENTED FOR INFORMATION

14.1 Strategy

Nil

14.2 Policy

14.2.1 Local Government (General) Variation Regulations 2016

MOVED: Councillor Whiting

SECONDED: Councillor Williams

CNC197/16-17

That the *Local Government (General) Variation Regulations 2016* report be received and noted.

CARRIED

14.3 Operational

14.3.1 2016/17 CAPEX Projects Status Report, November 2016

MOVED: Councillor Whiting

SECONDED: Councillor Williams

CNC198/16-17

That the 2016/17 CAPEX Projects Program Status Report, November 2016, be received and noted.

CARRIED

14.3.2 Monthly Financials

MOVED: Councillor Whiting
SECONDED: Councillor Williams

CNC199/16-17

That Council receives and notes the Monthly Financial Report for October 2016.

CARRIED

14.3.3 Report on Audit Findings

MOVED: Councillor Whiting
SECONDED: Councillor Williams

CNC200/16-17

That the Council receives and notes the Report of Audit Findings 2016 from the Council's auditors, Bentleys (SA) Pty Ltd.

CARRIED

14.3.4 Walkerville 40km per hour speed limit review

MOVED: Councillor Graham-King
SECONDED: Councillor Fricker

CNC201/16-17

That the update report on the 40km/h speed limit on Walkerville Terrace (between Stephen Terrace and Smith Street) be received and noted.

CARRIED

14.3.5 Storm Damage Update Report

MOVED: Councillor Webster
SECONDED: Councillor Busato

CNC202/16-17

That Council receive and note the Storm Damage Update Report.

CARRIED

14.3.6 Works Report for October 2016

MOVED: Councillor Whiting
SECONDED: Councillor Williams

CNC203/16-17

That Council receives and notes the Works Report for October 2016.

CARRIED

14.3.7 Customer Experience Service Report

MOVED: Councillor Busato
SECONDED: Councillor Fricker

CNC204/16-17

That Council receives and notes the Customer Experience Service Report for October 2016.

CARRIED

14.3.8 ERA Water Superintendent's Construction Progress Report

MOVED: Councillor Busato
SECONDED: Councillor Graham-King

CNC205/16-17

That the Superintendent's Construction Progress Report appearing as Attachment A is received and noted.

CARRIED

14.3.9 ERA Water Board Minutes

MOVED: Councillor Whiting
SECONDED: Councillor Williams

CNC206/16-17

That Council receives and notes the ERA Water Board Minutes for the meeting convened on 4 November 2016.

CARRIED

14.3.10 Strategic Planning & Development Policy Committee Minutes

MOVED: Councillor Whiting
SECONDED: Councillor Williams

CNC207/16-17

That Council receive and notes the Strategic Planning & Development Policy Committee Minutes held on 11 November 2016.

CARRIED

14.3.11 Eastern Health Authority Minutes

MOVED: Councillor Whiting
SECONDED: Councillor Williams

CNC208/16-17

That Council receives and notes the Eastern Health Authority Minutes for the meeting convened on 26 October 2016.

CARRIED

14.3.12 East Waste Management Authority Tonnages

MOVED: Councillor Whiting

SECONDED: Councillor Williams

CNC209/16-17

That the report provided by the Eastern Waste Management Authority (trading as East Waste), showing the monthly tonnages collected for the period July 2016 – June 2017 and the monthly recycling statistics for the period July 2016 to June 2017 be received and noted.

CARRIED

14.3.13 Outstanding Council Resolutions / Action Report

MOVED: Councillor Whiting

SECONDED: Councillor Williams

CNC210/16-17

That Council receives and notes the list of outstanding Council resolutions as at 21 November 2016.

CARRIED

15. URGENT OTHER BUSINESS

Nil

16. CONFIDENTIAL ITEMS

16.1.1 Howie Reserve – Road Closure

Recommendation (Public)

MOVED: Councillor Whiting

SECONDED: Councillor Fricker

CNC211/16-17

That pursuant to Section 90(2) of the Local Government Act 1999 Council order that the public be excluded, with the exception of the Chief Executive Officer, Kiki Magro, the General Manager, Heather Barclay, Manager Assets & Infrastructure, J Bowen, Manager Finance, Gary Lewis and the Protocol, Compliance & Governance Officer, Deb Bria from being present at the meeting on the basis that the matter contained in this report entitled Howie Reserve – Road Closure is information of the nature specified in subsections 90(3)(h) of the Act being information relating to legal advice regarding the road closure of a portion of Victoria Terrace known as Howie Reserve.

CARRIED

Recommendation (Confidential)

MOVED: Councillor Busato

SECONDED: Councillor Graham-King

CNC212/16-17

1. The Administration proceed to close Portion A (as delineated within the report entitled “Howie Reserve – Road Closure” dated 21 November 2016) and that the boundaries of the land are drawn to ensure that all relevant services are maintained.
2. The Administration exclude closure of Portion B (as delineated within the report entitled “Howie Reserve – Road Closure” dated 21 November 2016) from the road closure process and that the boundaries of the land are drawn to ensure that all relevant services are maintained.
3. The Administration exclude closure of Portion C (as delineated within the report entitled “Howie Reserve – Road Closure” dated 21 November 2016) from the road closure process and that Ms Jackson be offered an authorisation under section 221 of the *Local Government Act 1999* (SA) while she remains the registered proprietor and a permanent resident at 6 Victoria Terrace.

CARRIED

16.1.1 Howie Reserve – Road Closure (cont)

Recommendation (Public)

MOVED: Councillor Busato
SECONDED: Councillor Shetliffe

CNC213/16-17

That the Council, having considered the said information or matter in confidence under Part 3 of Chapter 6 of the Local Government Act 1999, orders, pursuant to Section 91(7) of the Local Government Act 1999, that the report entitled “Howie Reserve – Road Closure” and any other documentation relative to the report to be retained in confidence and minutes relating to this Agenda Item be kept confidential until such time as the matter is resolved excepting that the Council authorises the release of relevant documentation to those parties identified in the substantive resolution relating to this Agenda Item

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the Local Government Act 1999 Council and re-admit the public.

CARRIED

16.1.2 Walkerville Sports Club – Financial Matters

MOVED: Councillor Shetliffe

SECONDED: Councillor Busato

CNC214/16-17

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public except the Chief Executive Officer, Kiki Magro, the General Manager, Heather Barclay, the Manager Finance, Gary Lewis, Manager Assets & Infrastructure, Joshua Bowen and the Protocol, Compliance & Governance Officer, Deb Bria be excluded from attendance at the meeting for the report on Walkerville Sports Club – Financial Issues.

The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information that is commercial information of a confidential nature the disclosure of which could reasonably expected to prejudice the commercial position of the person who supplied the information or that would confer a commercial advantage on a third party and that would, on balance, be contrary to the public interest.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the matter may prejudice the commercial position of the person who supplied the information.

CARRIED

Recommendation (Confidential)

At 9.58pm Councillor Whiting left the Chamber

At 10.02pm Councillor Whiting re-entered the Chamber

MOVED: Councillor Shetliffe

SECONDED: Councillor Fricker

CNC215/16-17

1. Council acknowledges the Walkerville Sports Club's request for financial assistance and resolves as follows:

1a) a 50% rebate on the specific claims from the WFC, WCC, WJFC & Softball club to the total value of \$ 5387.50

1b) A waiver of payment on loan number 70 to the WSC to the value of \$ \$6,298.92 during 2016/2017 due to not being able to use the Walkerville oval while the upgrade of the irrigation and drainage works were undertaken of the oval

2. The WSC be required to pay Council any remaining overdue amounts (as follows), within 2016/17.

• Outstanding repayments on Loan 70	\$18,896.76
• Outstanding Asset insurance	\$ 3,036.57
• Outstanding Service fees	\$ 2,200.04
• Outstanding Lease fee	\$ 289.85
• Outstanding Re-cert safety charge	\$ 293.93

3. That Administration write to the Walkerville Sport's Club advising them of Council's decision.

4. This matter be referred to Budget Review 2, as an additional operating cost.

CARRIED

16.1.2 Walkerville Sports Club – Financial Matters (cont)

MOVED: Councillor Shetliffe

SECONDED: Councillor Fricker

CNC216/16-17

Pursuant to s.91 (7)

That having considered the Agenda Item “Walkerville Sports Club – Financial Issues” in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report entitled “Walkerville Sports Club – Financial Hardship Claim” relevant to this Agenda Item be retained in confidence until such time as the subject matter of the report has been resolved (excepting that Council authorises the release of the minutes to substantive party/parties to enable enactment of the resolution) and that pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the review and power to revoke this Order.

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* Council and re-admit the public.

CARRIED

16.1.3 Request to Bury Ashes

MOVED: Councillor Fricker
SECONDED: Councillor Williams

CNC217/16-17

Pursuant to s90 (3) (a)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Council's Chief Executive Officer, Kiki Magro, General Manager, Heather Barclay, Manager Assets & Infrastructure, Joshua Bowen, Manager Finance, Gary Lewis & Protocol Compliance & Governance Officer, Deb Bria be excluded from attendance at the meeting for Agenda Item entitled Request to Bury Ashes

The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Mr Graham Mussared.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because disclosure of details may prematurely be disclosed before the details have been discussed with Mrs Mussared.

CARRIED

16.1.3 Request to Bury Ashes (cont)

Recommendation (Confidential)

MOVED: Councillor Fricker
SECONDED: Councillor Shetliffe

CNC218/16-17

1. That Council approves the request from Mrs Mussared to bury her husband's ashes (only) under or near an existing tree in the Linear Park is approved
2. That no memorial plaque is to be placed along the Linear Park

and:

That Administration writes to inform Mrs Mussared of Council's decision.

CARRIED

16.1.3 Request to Bury Ashes (cont)

MOVED: Councillor Shetliffe
SECONDED: Councillor Graham-King

CNC219/16-17

Pursuant to s.91 (7)

That having considered agenda item Request to Bury Ashes in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachments and minutes relevant to this Agenda Item entitled Request to Bury Ashes be retained in confidence for a period of 12 months excepting that Council authorises the release of the minutes to Mrs Mussared to enable enactment of the resolution and that pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the review and power to revoke this Order

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* Council and re-admit the public.

CARRIED

16.1.4 Election of Metropolitan Representatives to the LGA Board

MOVED: Councillor Shetliffe

SECONDED: Councillor Bishop

CNC220/16-17

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Chief Executive Officer, Kiki Magro, General Manager, Heather Barclay, Manager Finance Gary Lewis, Manager Assets & Infrastructure Joshua Bowen & Protocol, Compliance & Governance Officer, Deb Bria be excluded from attendance at the meeting for Agenda Item Election of Metropolitan Representatives to the LGA Board.

The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the nominated candidates.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because disclosure of details may prematurely be disclosed before the details have been discussed with Council.

CARRIED

16.1.4 Election of Metropolitan Representatives to the LGA Board (cont)

Recommendation (Confidential)

MOVED: Councillor Shetliffe

SECONDED: Councillor Webster

CNC221/16-17

That the ballot paper be marked as:

1	BRIA, Robert	Mayor	City of Norwood Payneham & St Peters
6	SPRAGG, Bill	Mayor	Adelaide Hills Council
8	REDMAN, Karen	Mayor	Town of Gawler
2	PARKIN, David	Mayor	City of Burnside
9	O'LOUGHLIN, David	Mayor	City of Prospect
7	ALDRIDGE, Gillian	Mayor	City of Salisbury
12	MANGOS, Arthur	Councillor	City of West Torrens
11	BOUCHEE, Rosalina (Mikki)	Councillor	City of Holdfast Bay
4	SPEAR, Glenn	Mayor	City of Mitcham
10	EVANS, Angela	Mayor	City of Charles Sturt
3	CLEARIHAN, Susan	Councillor	Adelaide City Council
5	KNIGHT, Kevin	Mayor	City of Tea Tree Gully

CARRIED

16.1.4 Election of Metropolitan Representatives to the LGA Board (cont)

MOVED: Councillor Whiting

SECONDED: Councillor Busato

CNC222/16-17

Pursuant to s.91 (7)

That having considered in the report entitled Election of Metropolitan Representative to the LGA Board in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachments and minutes relevant to this Agenda Item be retained in confidence for a period of 12 months excepting that Council authorises the release of the minutes to the LGA to enable enactment of the resolution and that pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the review and power to revoke this Order

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* Council and re-admit the public.

CARRIED

16.1.5 Community Land Management Plans and Leases and Licences Up-Date Report,
21 November 2016

MOVED: Councillor Fricker
SECONDED: Councillor Graham-King

CNC223/16-17

Pursuant to s90(3)(d)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public except the Council's Chief Executive Officer, Kiki Magro, the General Manager, Heather Barclay, Manager Finance, Gary Lewis, Manager Assets & Infrastructure Joshua Bowen and the Protocol, Compliance & Governance Officer, Deb Bria be excluded from attendance at the meeting for the report on Lease and Licences.

The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information that is commercial information of a confidential nature the disclosure of which could reasonably expected to prejudice the commercial position of the person who supplied the information or that would confer a commercial advantage on a third party and that would, on balance, be contrary to the public interest.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the matter may prejudice the commercial position of the person who supplied the information.

CARRIED

16.1.5 Community Land Management Plans and Leases and Licences Up-Date Report,
21 November 2016 (cont)

Recommendation (Confidential)

MOVED: Councillor Busato
SECONDED: Councillor Fricker

CNC224/16-17

That the Lease and Licence Up-Date Report, 21 November 2016, be received and noted.

CARRIED

16.1.5 Community Land Management Plans and Leases and Licences Up-Date Report,
21 November 2016 (cont)

Recommendation (Public)

MOVED: Councillor Whiting
SECONDED: Councillor Shetliffe

CNC225/16-17

Pursuant to s.91(7)

That having considered the Agenda Item, Lease and Licence Up-Date Report, 21 November 2016 in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report entitled Lease and Licence Up-Date Report, 21 November 2016 relevant to this Agenda Item be retained in confidence until such time as the subject matter of the report has been resolved (excepting that Council authorises the release of the minutes to substantive party/parties to enable enactment of the resolution) and that pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the review and power to revoke this Order.

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* Council and re-admit the public.

CARRIED

16.1.6 ERA Water Financial Report

Recommendation (Public)

MOVED: Councillor Busato
SECONDED: Councillor Graham-King

CNC226/16-17

That pursuant to Section 90(2) of the Local Government Act 1999 Council order that the public be excluded, with the exception of the Chief Executive Officer, Kiki Magro, the General Manager Heather Barclay, Manager Finance, Gary Lewis, Manager Assets & Infrastructure, Joshua Bowen and the Protocol Governance and Compliance Officer, Deb Bria from being present at the meeting on the basis that the matter contained in this report entitled ERA Water Financial Report) is information of a confidential nature (not being a trade secret) as specified in subsections 90(3)(d) of the Act and the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information; or confer a commercial advantage on a third party.

CARRIED

16.1.6 ERA Water Financial Report (cont)

Recommendation (Confidential)

MOVED: Councillor Whiting
SECONDED: Councillor Webster

CNC227/16-17

That the ERA Water Financial Report be received and noted.

CARRIED

Recommendation (Confidential)

MOVED: Councillor Shetliffe
SECONDED: Councillor Graham-King

CNC228/16-17

That the Council, having considered the said information or matter in confidence under Part 3 of Chapter 6 of the Local Government Act 1999, orders, pursuant to Section 91(7) of the Local Government Act 1999, that the agenda item entitled ERA Water Financial Report and any other documentation relative to the report be retained in confidence, excluding the minutes for 12 months or until such time as the project is finalised:

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the Local Government Act 1999 Council and re-admit the public.

CARRIED

CLOSURE

The meeting closed at 11.01pm

Presiding Member Signature:.....

Date:.....

