MINUTES

OF THE

COUNCIL MEETING

HELD ON

TUESDAY 10 DECEMBER 2019
COUNCIL

MINUTES 10 DECEMBER 2019

MINUTES OF A MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, 131 BELAIR ROAD, TORRENS PARK ON TUESDAY, 10 DECEMBER 2019 AT 7PM.

MEMBERSHIP: Mayor H Holmes-Ross
Crs J Bange, J Berry, A Christopoulos, S Fisher, K Hockley, D Kruse, C McCarthy, D Munro, J Sanderson, K Steele, L Taeuber, A Tilley and Y Todd

INDEX

PLEDGE AND KAURNA ACKNOWLEDGEMENT .................................................. 1
WELCOME .......................................................................................................... 1
PRESENT: .......................................................................................................... 2
APOLOGIES: ...................................................................................................... 2
LEAVE OF ABSENCE: ......................................................................................... 2
ABSENT: ............................................................................................................. 2
STAFF IN ATTENDANCE: ................................................................................... 2
BUSINESS .......................................................................................................... 2
  1. ELECTED MEMBERS’ DECLARATIONS OF INTERESTS ...................... 2
  2. CONFIRMATION OF MINUTES .............................................................. 2
     2.1 FULL COUNCIL MEETING - 26 NOVEMBER 2019 ......................... 2
  3. ADJOURNED MOTIONS ........................................................................... 3
  4. DEPUTATIONS ......................................................................................... 3
     4.1 MR ADRIAN SYKES - MANSON OVAL TENNIS COURT
        RECONSTRUCTION AND COURT LIGHTING ........................................ 3
     4.2 MR BRETT HIDSON - MANSON OVAL TENNIS COURT
        RECONSTRUCTION AND COURT LIGHTING ........................................ 3
     4.3 MS LIZ GOOD - MANSON OVAL TENNIS COURT
        RECONSTRUCTION AND COURT LIGHTING ........................................ 3
     4.4 MS LETA NORTHCOTT - COLONEL LIGHT WEST TENNIS CLUB
        CHANGE IN COURT USAGE TRIAL ....................................................... 3
     4.5 DR DEAN LANYON - DENMAN TENNIS CLUB LIGHTS .................... 4
4.6 MS REBECCA SHORT - PRICE AVENUE, CLAPHAM - PROPOSED STREETSCAPE WORKS AND TREE REMOVALS.................................................. 4

5. ADJOURNED BUSINESS ................................................................................. 4

6. PRESENTATIONS ......................................................................................... 4

7. GALLERY QUESTION TIME ...................................................................... 4

QUESTIONS FROM THE COUNCIL MEETING – 10 DECEMBER 2019 .................. 4

8. PETITIONS ..................................................................................................... 4

9. DECISION REPORTS .................................................................................. 5

9.1 MANSON OVAL TENNIS COURT RECONSTRUCTION AND COURT LIGHTING...... 5

9.2 INDEPENDENT REVIEW OF A DECISION POLICY (S270), REQUEST FOR SERVICE AND UNREASONABLE COMPLAINTS AND REQUESTS POLICIES .................................................................................. 6

9.3 PRICE AVENUE, CLAPHAM - PROPOSED STREETSCAPE WORKS AND TREE REMOVALS ........................................................................... 8

9.4 CITIES POWER PARTNERSHIP .................................................................. 8

9.5 TENNIS SPONSORSHIP SIGNS - DENMAN AND COUNCIL WIDE TENNIS CLUBS .......................................................... 11

MEETING ADJOURNED

MEETING RESUMED

9.6 COLONEL LIGHT WEST TENNIS CLUB CHANGE IN COURT USAGE TRIAL ................................................................. 12

9.7 LOT 6 (NO.9) ARCADIA COURT, MITCHAM - WAIVER TO LAND MANAGEMENT AGREEMENT .......................................................... 13

CHANGE TO ORDER OF BUSINESS ................................................................ 14

10 CONFIDENTIAL REPORTS ........................................................................ 14

10.1 BLACKWOOD - STATUS OF PURCHASING PROPERTY .............................. 14

CHANGE TO ORDER OF BUSINESS ................................................................ 15

11. DISCUSSION ITEMS FOR FUTURE DECISION ....................................... 16

11.1 MITCHAM SUNDAY MARKETS BY THE CREEK ........................................... 16

11.2 PRICE MEMORIAL OVAL STAGE 2B - COMMUNITY CONSULTATION FEEDBACK ................................................................. 16

12. INFORMATION ONLY REPORTS ................................................................. 16

12.1 MITCHAM 2030 STRATEGIC DIRECTIONS COMMUNITY CONSULTATION FINDINGS ................................................................. 16

12.2 DENMAN TENNIS CLUB LIGHT FITTING REPLACEMENT ....................... 16

12.3 TORRENS PARK WATERCOURSE UPGRADES FURTHER INFORMATION ON BENEFITS OF UPGRADING SYSTEM .......................... 17

12.4 QUARTER 1 PERFORMANCE REPORT 2019/20 ..................................... 17
12.5 HISTORY AND HERITAGE GROUP - 25 SEPTEMBER 2019 MEETING ...

12.6 ZEST FEST 2019 SUMMARY .......................................................... 17

12.7 COUNCIL RESOLUTIONS PROGRESS REPORT .............................. 17

CHANGE TO ORDER OF BUSINESS....................................................... 18

9. DECISION REPORTS ........................................................................ 18

9.10 TREE REPORT DECEMBER 2019 ................................................ 18

9.8 CODE OF PRACTICE - MEETING PROCEDURES ............................. 18

CLOSE: .............................................................................................. 19
PLEDGE AND KAURNA ACKNOWLEDGEMENT

The Mayor pledged:

We acknowledge that this land we meet on is the traditional land of the Kaurna people. We respect their spiritual relationship with their country.

We, as a Council, welcome all members of the community and pledge honesty and good governance in all of our dealings.

WELCOME

The Mayor welcomed those present to the meeting and advised the Chamber that the meeting was being recorded for teaching and training purposes.
PRESENT:
Her Worship the Mayor (H Holmes-Ross)
Crs J Bange, J Berry, A Christopoulos, S Fisher, K Hockley, D Kruse, C McCarthy, D Munro, J Sanderson, K Steele, L Taeuber, A Tilley and Y Todd

8:46pm Cr Hockley arrived at the meeting.
9:48pm Cr Tilley left the meeting.
10:59pm Cr Christopoulos left the meeting.
11:00pm Cr Berry left the meeting.

APOLOGIES:

LEAVE OF ABSENCE:

ABSENT:

STAFF IN ATTENDANCE:
Acting Chief Executive Officer (K O'Neill), General Manager, Engineering & Horticulture (D Baker), Acting General Manager Corporate Services and Innovation (D Jellings), General Manager Development Services & Community Safety (C Harrison), Manager City Operations (W Hutchinson), Manager Property (T Vi-Alternetti), Acting Manager Development Services (T Pride), Team Leader Governance (D Horton), Team Leader Traffic & Transport (R Tang), Sporting Facility & Recreation Officer (H Ashworth) Senior Property & Facilities Advisor (J Valentine), Project Officer Natural Environments (B Leonello), Minute Secretary (J Barrett)

BUSINESS

1. Elected Members’ Declarations of Interests

7:01pm Cr Todd and Cr Tilley declared that they would leave the meeting and not participate in the debate or decision in Item 9.7 Lot 6 (no 9) Arcadia Court, Mitcham – waiver to Land Management Agreement to avoid breaches of the Council Assessment Panel Members – Code of Conduct adopted pursuant to Schedule 3 of the Planning, Development and Infrastructure Act 2016 (PDI Act).

2. Confirmation of Minutes

2.1 Full Council Meeting - 26 November 2019

MOVED Cr Bange

That the Minutes of the Full Council Meeting held on 26 November 2019 be confirmed.

SECONDED Cr Fisher
CARRIED UNANIMOUSLY
3. **ADJOURNED MOTIONS**

   Nil

4. **DEPUTATIONS**

   4.1 **MR ADRIAN SYKES - MANSON OVAL TENNIS COURT RECONSTRUCTION AND COURT LIGHTING**

   Mr Adrian Sykes of Bellevue Heights was granted permission to address the Council concerning **Item 9.1 – Manson Oval Tennis Court Reconstruction and Court Lighting**.

   7:06pm leave of the meeting was sought and granted for Mr Sykes to speak for an additional three (3) minutes.

   4.2 **MR BRETT HIDSON - MANSON OVAL TENNIS COURT RECONSTRUCTION AND COURT LIGHTING**

   Mr Brett Hidson (Tennis SA) of West Lakes Shore was granted permission to address the Council concerning **Item 9.1 – Manson Oval Tennis Court Reconstruction and Court Lighting**.

   7:13pm leave of the meeting was sought and granted for Mr Hidson to speak for an additional three (3) minutes.

   4.3 **MS LIZ GOOD - MANSON OVAL TENNIS COURT RECONSTRUCTION AND COURT LIGHTING**

   Ms Liz Good of Bellevue Heights was granted permission to address the Council concerning **Item 9.1 – Manson Oval Tennis Court Reconstruction and Court Lighting**.

   7:20pm leave of the meeting was sought and granted for Ms Good to speak for an additional three (3) minutes.

   7.22pm Mr Brett Hidson answered questions from Elected Members.

   4.4 **MS LETA NORTHCOTT - COLONEL LIGHT WEST TENNIS CLUB CHANGE IN COURT USAGE TRIAL**

   Ms Leta Northcott of Colonel Light Gardens was granted permission to address the Council concerning **Item 9.6 – Colonel Light West Tennis Club Change in Court Usage Trial**.
4.5 DR DEAN LANYON - DENMAN TENNIS CLUB LIGHTS

Dr Dean Lanyon of Bridgewater was granted permission to address the Council concerning Item 12.2 – Denman Tennis Club Light Fitting Replacement and answered questions from Elected Members.

4.6 MS REBECCA SHORT - PRICE AVENUE, CLAPHAM - PROPOSED STREETSCAPE WORKS AND TREE REMOVALS

Ms Rebecca Short of Clapham was granted permission to address the Council concerning Item 9.3 – Price Avenue, Clapham – Proposed Streetscape Works and Tree Removals.

7.36pm leave of the meeting was sought and granted for Ms Short to speak for an additional three (3) minutes.

5. ADJOURNED BUSINESS
Nil

6. PRESENTATIONS
Nil

7. GALLERY QUESTION TIME

QUESTIONS FROM THE COUNCIL MEETING – 10 DECEMBER 2019
Nil

8. PETITIONS
Nil
9. DECISION REPORTS

9.1 MANSON OVAL TENNIS COURT RECONSTRUCTION AND COURT LIGHTING

Report Author/Manager: Hayley Ashworth / Thuyen Vi-Alternetti
General Manager: Craig Harrison
(Meeting Date: 10 December 2019)
(Location: Craigburn Ward)
(Consultant Used: $Nil)

DECISION 1 – Landlord Approval & Council Funding

MOVED Cr Taeuber

1. That landlord approval be granted for the court reconstruction and lighting installation at the Manson Oval Tennis Courts, Bellevue Heights, subject to Development Approval.

2. That Council endorse the Engineer’s recommendation to allow for a pavement depth of 480mm for the tennis courts as recommended by the Engineer, noting that this option has an estimated timeframe of 5-7 years before cracking may appear and regular maintenance to the courts needs to occur.

3. That Council endorse a one off capital contribution of $121,088 and an increase in re-current operational costs of $22,915 per annum and for court reconstruction and lighting installation at Manson Oval Tennis Courts to be included at Budget Review 2.

4. That Council manage the project to deliver the design, construction and commissioning stages of the project, noting that development approval will be required.

5. That Council authorises the Chief Executive Officer to execute the funding agreement between Council and Bellevue Heights Tennis Club to enable the delivery of the project.

6. That administration ensures appropriate recognition is made of Council’s contribution to the project.

SECONDED Cr Kruse

CARRIED

DECISION 2 – Lease Fees

MOVED Cr Taeuber

That Council does not waive Bellevue Heights Tennis Club’s Lease fees of $610 (plus annual CPI increases) per annum for the next 15 years.

SECONDED Cr Bange

CARRIED
9.2 INDEPENDENT REVIEW OF A DECISION POLICY (S270), REQUEST FOR SERVICE AND UNREASONABLE COMPLAINTS AND REQUESTS POLICIES

Report Author/Manager: Deb Horton
Acting General Manager: Ursula Hickey
(Meeting Date: 10 December 2019)
(Location: Council Wide)
(Consultant Used: $Nil)

DECISION 1 – REQUEST FOR SERVICE POLICY

MOVED Cr Berry

That Council endorse the new Request for Service Policy as provided at Attachment A of this report with minor amendments delegated to the Chief Executive Officer.

SECONDED Cr Bange

CARRIED

DECISION 2 – INDEPENDENT REVIEW OF A DECISION POLICY

MOVED Cr Kruse

That Council endorse the revised Independent Review of a Decision Policy as provided at Attachment B of this report with minor amendments delegated to the Chief Executive Officer and incorporating the following amendments:

- The below two paragraphs cited from Item 7.9 (Mortlock Park Complaints) of the Full Council Agenda 11 December 2018 be inserted into Section 3. Scope:
  - Under Section 270 of the Act, any person is entitled to ask for a review of a decision made by Council, its employees or other person acting on behalf of Council. This is referred to as a Section 270 Internal Review.
  - An Internal Review does not look at whether the decision is a good or bad one. It is more about whether the Council followed its established and endorsed policies and procedures and gave due consideration to the information available at the time the decision was made.

SECONDED Cr Bange

CARRIED

DECISION 3 – UNREASONABLE COMPLAINTS AND REQUESTS POLICY

MOVED Cr Todd

That Council endorse the new Unreasonable Complaints and Requests Policy as provided at Attachment C of this report with minor amendments delegated to the Chief Executive Officer and incorporating the following amendments:

- Remove the paragraph in the policy under the heading Unreasonable
Complainant Conduct.

SECONDED Cr Fisher

FORMAL MOTION - QUESTION BE PUT

MOVED Cr Berry

That the question be put.

SECONDED Cr McCarthy

CARRIED

SUBSTANTIVE MOTION WAS PUT

MOVED Cr Todd

That Council endorse the new Unreasonable Complaints and Requests Policy as provided at Attachment C of this report with minor amendments delegated to the Chief Executive Officer and incorporating the following amendments:

- Remove the paragraph in the policy under the heading Unreasonable Complainant Conduct.

SECONDED Cr Fisher

LOST

MOVED Cr Kruse

That Council endorse the new Unreasonable Complaints and Requests Policy as provided at Attachment C of this report with minor amendments delegated to the Chief Executive Officer.

SECONDED Cr Bange

FORMAL MOTION - QUESTION BE ADJOURNED

MOVED Cr Munro

That the motion be adjourned until the next meeting.

SECONDED Cr Christopoulos

CARRIED
9.3 PRICE AVENUE, CLAPHAM - PROPOSED STREETSCAPE WORKS AND TREE REMOVALS
Report Author/Manager: Richard Tang / Chris Haskas
General Manager: Daniel Baker
(Meeting Date: 10 December 2019)
(Location: Gault Ward)
(Consultant Used: $Nil)

MOVED Cr Berry

1. That Council supports the opportunity for streetscape upgrade within Price Avenue, Clapham; and

2. That Council approves removal of the twenty three (23) non-regulated trees as identified along Price Avenue, Clapham.

SECONDED Cr Fisher CARRIED UNANIMOUSLY

9.4 CITIES POWER PARTNERSHIP
Report Author/Manager: Ben Leonello / Stephen Saffin
General Manager: Craig Harrison
(Meeting Date: 10 December 2019)
(Location: Council Wide)
(Consultant Used: $Nil)

MOVED Cr Bange

1. That Council opt into the Cities Power Partnership.

2. Council note findings of research into: (1) the membership of ‘Cities Power Partnership’, a climate change initiative developed specifically for local government; and (2) what climate change initiatives are being offered by the South Australian Local Government Authority and Australian Local Government Authority (ALGA).

3. As a priority and in parallel to above Council staff finalise the “Mitcham 2030” Strategic Management Plan, Environment and Sustainability Strategy and review the Resilient South program within six months.

4. Once the above work is completed Council is provided with a report to determine a minimum of five City Power Partnership pledges that are viewed as tangible, achievable and economically prudent and align with the development and implementation of the “Mitcham 2030” Strategic Management Plan, the Environment and Sustainability Strategy and the Resilient South program.

SECONDED Cr Fisher
VARIATION

The Seconder with the consent of the Mover, sought and was granted leave of the meeting to vary paragraph three as follows:

As a priority and in parallel to the above, Council staff finalise the “Mitcham 2030” Strategic Management Plan, Environment and Sustainability Strategy and review the Resilient South program within six months.

SUBSTANTIVE MOTION

MOVED Cr Bange

1. That Council opt into the Cities Power Partnership.

2. Council note findings of research into: (1) the membership of ‘Cities Power Partnership’, a climate change initiative developed specifically for local government; and (2) what climate change initiatives are being offered by the South Australian Local Government Authority and Australian Local Government Authority (ALGA).

3. As a priority and in parallel to the above, Council staff finalise the “Mitcham 2030” Strategic Management Plan, Environment and Sustainability Strategy and review the Resilient South program within six months.

4. Once the above work is completed Council is provided with a report to determine a minimum of five City Power Partnership pledges that are viewed as tangible, achievable and economically prudent and align with the development and implementation of the “Mitcham 2030” Strategic Management Plan, the Environment and Sustainability Strategy and the Resilient South program.

SECONDED Cr Fisher

AMENDMENT

MOVED Cr Munro

1. Council note findings of research into: (1) the membership of ‘Cities Power Partnership’, a climate change initiative developed specifically for local government; and (2) what climate change initiatives are being offered by the South Australian Local Government Authority and Australian Local Government Authority (ALGA).

2. As a priority and in parallel to the above, Council staff finalise the “Mitcham 2030” Strategic Management Plan, Environment and Sustainability Strategy and review the Resilient South program within six months.

3. Once the above work is completed Council is provided with a report
to determine a minimum of five City Power Partnership pledges that are viewed as tangible, achievable and economically prudent and align with the development and implementation of the “Mitcham 2030” Strategic Management Plan, the Environment and Sustainability Strategy and the Resilient South program.

The Mayor did not accept Cr Munro’s amendment.

SUBSTANTIVE MOTION WAS PUT

MOVED Cr Bange

1. That Council opt into the Cities Power Partnership.

2. Council note findings of research into: (1) the membership of ‘Cities Power Partnership’, a climate change initiative developed specifically for local government; and (2) what climate change initiatives are being offered by the South Australian Local Government Authority and Australian Local Government Authority (ALGA).

3. As a priority and in parallel to the above, Council staff finalise the “Mitcham 2030” Strategic Management Plan, Environment and Sustainability Strategy and review the Resilient South program within six months.

4. Once the above work is completed Council is provided with a report to determine a minimum of five City Power Partnership pledges that are viewed as tangible, achievable and economically prudent and align with the development and implementation of the “Mitcham 2030” Strategic Management Plan, the Environment and Sustainability Strategy and the Resilient South program.

SECONDED Cr Fisher

CARRIED

8.46pm Cr Hockley arrived during discussion of this item.

A DIVISION WAS CALLED BY CR BANGE AND THE DECISION WAS SET ASIDE.

For the motion: Cr Bange, Cr Berry, Cr Fisher, Cr Kruse, Cr McCarthy, Cr Sanderson, Cr Steele, Cr Taeuber, Cr Tilley, Cr Todd

Against the motion: Cr Christopoulos, Cr Munro

THE CHAIR DECLARED THE MOTION CARRIED
9.5 TENNIS SPONSORSHIP SIGNS - DENMAN AND COUNCIL WIDE TENNIS CLUBS

Report Author/Manager: John Valentine / Thuyen Vi-Alternetti
General Manager: Craig Harrison
(Meeting Date: 10 December 2019)
(Location: Council Wide)
(Consultant Used: $1,000)

DECISION 1 – GUIDING PRINCIPAL FOR TENNIS COURTS SIGNS

MOVED Cr Tilley

That Council does not establish a guiding principle for ball stop netting signs and will deal with future signs in accordance with existing leases and the requirements of the Development Act, 1993.

SECONDED Cr McCarthy

CARRIED 8:52pm Cr Tilley sought and was granted leave of the meeting to continue speaking.

9.04pm Cr Steele left the meeting.
9.08pm Cr Steele returned to the meeting.
9.16pm Cr Fisher and Cr Munro left the meeting.
9.18pm Cr Munro returned to the meeting.
9.19pm Cr Fisher returned to the meeting.

DECISION 2 - DENMAN TENNIS CLUB SIGNS

MOVED Cr Tilley

That Council as the Landlord, subject to planning development consent, gives approval for the signage/backstops on the Denman Tennis Courts (Council to lodge planning application).

SECONDED Cr Christopoulos

9.28pm Cr Bange left and returned to the meeting during discussion of this item.

FORMAL MOTION - QUESTION LIE ON THE TABLE

MOVED Cr Berry

That the question lie on the table.

SECONDED Cr McCarthy

CARRIED

ADJOURNMENT OF MEETING

THE MEETING ADJOURNED AT 9.32pm.
RESUMPTION OF MEETING
THE MEETING RESUMED AT 9.45pm.

EXTENSION OF MEETING

MOVED Cr Bange
That the meeting be extended to 11pm or until the agenda is completed whichever is earlier.

SECONDED Cr Fisher CARRIED

9.46pm Cr Munro, Cr Christopoulos, Cr Kruse, Cr Hockley, Cr Berry returned to the meeting during discussion of this item.

9.6 COLONEL LIGHT WEST TENNIS CLUB CHANGE IN COURT USAGE TRIAL
Report Author/Manager: Hayley Ashworth / Thuyen Vi-Alternetti
General Manager: Craig Harrison
(Meeting Date: 10 December 2019)
(Location: Overton Ward)
(Consultant Used: $Nil)

9.48pm Cr Tilley left the meeting.

MOVED Cr Steele

1. That Council endorse a trial for Colonel Light West Tennis Club’s change in hours of use (no increase in overall hours) at Hillview Reserve, Colonel Light Gardens for the following hours for the summer 2019/2020 period:

   In summer (October to March):
   - Increasing court usage by 3 hours Wednesdays & Thursdays between 5pm – 8pm.
   - Decreasing court usage by 3 hours on Tuesdays & Thursdays between 9am - 12pm

2. That in consultation with Administration the Club will distribute letters to adjoining residents informing them of the trial for the proposed change in hours of use for Colonel Light West Tennis Club at Hillview Reserve, Colonel Light Gardens for the summer 2019/2020 period.

3. That at conclusion of the trial period, a further report be presented to Council for consideration and a decision on granting ongoing approval for the proposed change in hours of use for Colonel Light West Tennis Club at Hillview Reserve, Colonel Light Gardens.

SECONDED Cr Sanderson CARRIED UNANIMOUSLY
9.7 LOT 6 (NO.9) ARCADIA COURT, MITCHAM - WAIVER TO LAND MANAGEMENT AGREEMENT

Report Author/Manager: Brendan Fewster & Cassia Byrne / Tim Pride
General Manager: Craig Harrison
(Meeting Date: 10 December 2019)
(Location: Boorman Ward)
(Consultant Used: $Nil)

Councillor Todd reaffirmed that she would leave the meeting and not participate in the debate or decision in Item 9.7 Lot 6 (no 9) Arcadia Court, Mitcham – waiver to Land Management Agreement to avoid breaches of the Assessment Panel Members – Code of Conduct adopted pursuant to Schedule 3 of the Planning, Development and Infrastructure Act 2016 (PDI Act) and left the meeting at 9.51pm.

MOVED Cr Christopoulos

That the waiver of Clause 2.1.2 and 2.2.1 of the Land Management Agreement registered over land at Lot 6 (No. 9) Arcadia Court, Mitcham (Certificate of Title Volume 5949 Folio 661) to allow an encroachment within a side boundary building envelope and a building height in excess of 8 metres from natural ground level (maximum height of the proposed dwelling to be 8.9 metres) is not supported.

SECONDED Cr Fisher

10:08pm Cr Bange left and returned to the meeting during discussion of this item.

FORMAL MOTION - QUESTION BE PUT

MOVED Cr Berry

That the motion be put.

SECONDED Cr McCarthy  CARRIED

SUBSTANTIVE DECISION WAS PUT

MOVED Cr Christopoulos

That the waiver of Clause 2.1.2 and 2.2.1 of the Land Management Agreement registered over land at Lot 6 (No. 9) Arcadia Court, Mitcham (Certificate of Title Volume 5949 Folio 661) to allow an encroachment within a side boundary building envelope and a building height in excess of 8 metres from natural ground level (maximum height of the proposed dwelling to be 8.9 metres) is not supported.

SECONDED Cr Fisher  CARRIED
A DIVISION WAS CALLED BY CR MCCARTHY AND THE DECISION WAS SET ASIDE.

For the motion: Cr Bange, Cr Berry, Cr Christopoulos, Cr Fisher, Cr Sanderson, Cr Steele, Cr Taeuber

Against the motion: Cr Hockley, Cr Kruse, Cr Munro, Cr McCarthy

THE CHAIR DECLARED THE MOTION CARRIED

10.11pm Cr Todd returned to the meeting.

CHANGE TO ORDER OF BUSINESS

MOVED Cr Fisher

That item 10.1 Blackwood – Status of Purchasing Property be dealt with at this point.

SECONDED Cr Sanderson

CARRIED

10 CONFIDENTIAL REPORTS

10.1 BLACKWOOD - STATUS OF PURCHASING PROPERTY
Report Author/Manager: Craig Harrison and Geoff Hayter, Property and Advisory Pty Ltd
General Manager: Craig Harrison
(Meeting Date: 10 December 2019)
(Location: Craigburn Ward)
(Consultant Used: $2000)

DECISION 1 – GO INTO CONFIDENCE

MOVED Cr Bange

That pursuant to Section 90(2) of the Local Government Act 1999, the Council orders the public be excluded with the exception of staff present for Agenda Item 10.1 Blackwood – Status of Purchasing Property.

The Council is satisfied with the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to the matter under consideration because the information is of the nature specified in Subsection 90(3)(b)(i)&(ii) of the Local Government Act 1999, being information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is proposing to conduct business and would, on balance, be contrary to the public interest because the disclosure could confer a commercial advantage.

SECONDED Cr Fisher

CARRIED UNANIMOUSLY

THE GALLERY LEFT THE MEETING AT 10:14PM SO CONFIDENTIAL MATTERS COULD BE DISCUSSED AND THE AUDIO RECORDING WAS STOPPED.
DECISION 3 – OUT OF CONFIDENCE / ITEMS REMAIN IN CONFIDENCE

MOVED Cr Bange

(1) That having considered the said information or matter pursuant to Section 90(2) and (3) under Part 3 of Chapter 6 of the Local Government Act 1999, the Council orders pursuant to Section 91(7) of the Local Government Act 1999 that the Report, Attachments, Minutes and Discussion of Agenda Item No 10.1 Blackwood – Status of Purchasing Property be kept confidential and released when the matter no longer prejudices the commercial position of the Council.

(2) That the Chief Executive Officer be authorised to review the confidentiality order annually.

(3) That pursuant to Section 91(9)(c) of the Local Government Act 1999 the Chief Executive Officer be authorised to revoke this order.

SECONDED Cr Munro

CARRIED UNANIMOUSLY

FOLLOWING DISCUSSION OF CONFIDENTIAL MATTERS, THE MEETING MOVED OUT OF CONFIDENCE AT 10:23PM AND THE AUDIO RECORDING WAS RECOMMENCED.

CHANGE TO ORDER OF BUSINESS

MOVED Cr Taeuber

That all items at 11. Discussion Items for Future Decision and 12. Information Only Reports be brought forward at this point.

SECONDED Cr Berry

CARRIED

RECOMMENDATIONS ADOPTED EN BLOC

MOVED Cr Taeuber

That the recommendations for Items 11.1, 11.2, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6 and 12.7 be adopted en bloc.

SECONDED Cr Bange

CARRIED
11. DISCUSSION ITEMS FOR FUTURE DECISION

11.1 MITCHAM SUNDAY MARKETS BY THE CREEK
Report Author/Manager: Kate O'Neill
Acting General Manager: Ursula Hickey
(Meeting Date: 10 December 2019)
(Location: Council Wide)

That the report be received for information only.

11.2 PRICE MEMORIAL OVAL STAGE 2B- COMMUNITY CONSULTATION FEEDBACK
Report Author/Manager: Hayley Ashworth / Thuyen Vi-Alternetti
General Manager: Craig Harrison
(Meeting Date: 10 December 2019)
(Location: Gault Ward)

That the report be received for information only.

12. INFORMATION ONLY REPORTS

12.1 MITCHAM 2030 STRATEGIC DIRECTIONS COMMUNITY CONSULTATION FINDINGS
Report Author/Manager: Alice Ralph / Dan Jellings
General Manager: Wade Reynolds
(Meeting Date: 10 December 2019)
(Location: Council Wide)
(Consultant Used: $Nil)

That the report be received for information only.

12.2 DENMAN TENNIS CLUB LIGHT FITTING REPLACEMENT
Report Author/Manager: Hayley Ashworth / Thuyen Vi-Alternetti
General Manager: Craig Harrison
(Meeting Date: 10 December 2019)
(Location: Gault Ward)
(Consultant Used: $Nil)

That the report be received for information only.
12.3 **TORRENS PARK WATERCOURSE UPGRADES FURTHER INFORMATION ON BENEFITS OF UPGRADING SYSTEM**

*Report Author/Manager: Russell King / Chris Haskas*
*General Manager: Daniel Baker*
*(Meeting Date: 10 December 2019)*
*(Location: Boorman Ward)*
*(Consultant Used: $Nil)*

That the report be received for information only.

12.4 **QUARTER 1 PERFORMANCE REPORT 2019/20**

*Report Author/Manager: Virginia Fisher / Dan Jellings*
*General Manager: Wade Reynolds*
*(Meeting Date: 10 December 2019)*
*(Location: Council Wide)*
*(Consultant Used: $Nil)*

That the report be received for information only.

12.5 **HISTORY AND HERITAGE GROUP - 25 SEPTEMBER 2019 MEETING**

*Report Author/Manager: Kate O'Neill*
*Acting General Manager: Ursula Hickey*
*(Meeting Date: 10 December 2019)*
*(Location: Council Wide)*
*(Consultant Used: $Nil)*

That the report be received for information only.

12.6 **ZEST FEST 2019 SUMMARY**

*Report Author/Manager: Katrina Head*
*Acting General Manager: Ursula Hickey*
*(Meeting Date: 10 December 2019)*
*(Location: Council Wide)*
*(Consultant Used: $Nil)*

That the report be received for information only.

12.7 **COUNCIL RESOLUTIONS PROGRESS REPORT**

*Report Author/Manager: Deb Horton*
*Acting General Manager: Ursula Hickey*
*(Meeting Date: 10 December 2019)*
*(Location: Council Wide)*
*(Consultant Used: $Nil)*

That the report and attachments be received for information only.
CHANGE TO ORDER OF BUSINESS

MOVED Cr Hockley

That item 9.10 Tree Report December 2019 be dealt with at this point.

SECONDED Cr Todd

CARRIED

9. DECISION REPORTS

9.10 TREE REPORT DECEMBER 2019
Report Author/Manager: Chris Tozer / Rick Hennig
General Manager: Daniel Baker
(Meeting Date: 10 December 2019)
(Location: Craigburn Ward)
(Consultant Used: $Nil)

MOVED Cr McCarthy

That Council approves removal of the following non-regulated tree:

(1) Mexican cypress located at 4 Wattle Avenue Hawthorndene.

SECONDED Cr Munro

CARRIED

9.8 CODE OF PRACTICE - MEETING PROCEDURES
Report Author/Manager: Deb Horton
General Manager: Ursula Hickey
(Meeting Date: 10 December 2019)
(Location: Council Wide)
(Consultant Used: $Nil)

DECISION 1 –PETITIONS “ADDRESS”

MOVED Cr Kruse

1. That “Address” for the purposes of Petitions be defined as either a street, and / or suburb, and / or PO Box and / or email address.

2. That ‘Signature’ for the purposes of Petitions be defined as either a handwritten signature, or an email address.

3. That Council notes that the above definitions facilitate electronic petitions to meet the requirements of ‘address’ and ‘signature’ within the City of Mitcham – Code of Practice (Meeting Procedures) in relation to petitions.

4. That the City of Mitcham Code of Practice (Meeting Procedures) at Attachment A of this report be updated where relevant to reflect this position.

SECONDED Cr Bange

LOST
Cr Hockley called a point of order against Cr Kruse, the Mayor ruled that Cr Kruse was in breach of the City of Mitcham Code of Practice (Meeting Procedures) Clause 36(2) Meeting protocols – Speaking during a meeting.

A DIVISION WAS CALLED BY CR KRUSE AND THE DECISION WAS SET ASIDE.

For the motion: Cr Bange, Cr Berry, Cr Hockley, Cr Kruse, Cr McCarthy

Against the motion: Cr Christopoulos, Cr Fisher, Cr Munro, Cr Sanderson, Cr Steele, Cr Taeuber, Cr Todd

THE CHAIR DECLARED THE MOTION LOST

MOVED Cr Bange

1. That “Address” for the purposes of Petitions be defined as either a street and suburb, and / or PO Box.

2. That ‘Signature’ for the purposes of Petitions be defined as either a handwritten signature, or an email address.

3. That Council notes that the above definitions facilitate electronic petitions to meet the requirements of ‘address’ and ‘signature’ within the City of Mitcham – Code of Practice (Meeting Procedures) in relation to petitions.

4. That the City of Mitcham Code of Practice (Meeting Procedures) at Attachment A of this report be updated where relevant to reflect this position.

SECONDED Cr Todd CARRIED

10.59pm Cr Christopoulos left the meeting.

11.00pm Cr Berry left the meeting.

CLOSE:

The meeting closed at 11.01pm.