COUNCIL

MINUTES

28 NOVEMBER 2000

MINUTES OF THE MEETING OF THE COUNCIL HELD IN THE COUNCIL
CHAMBERS, 1 CASHEL STREET, PASADENA ON TUESDAY, 28 NOVEMBER
2000 AT 7.06 PM.

MEMBERSHIP:

His Worship the Mayor (I Brooks) (Chair)
Crs C Hart, D Rowe, S Fisher, C Adcock, J Sanderson, N Lawson, C
Gellie, R Warren, H Chennell, E Grimm, R Marshall and C Campbell

INDEX

PRAYER: ................................................................. 1

PRESENT: ................................................................. 1

APOLOGIES: ............................................................... 1

LEAVE: ................................................................. 1

STAFF IN ATTENDANCE: ................................................. 1

WELCOME: ............................................................... 1

BUSINESS: .............................................................. 1

1. CONFIRMATION OF MINUTES ........................................ 1
   1.1 FULL COUNCIL - 24 OCTOBER 2000 ............................ 1
   1.2 SPECIAL COUNCIL - 7 NOVEMBER 2000 ...................... 2

2. BUSINESS RAISED BY THE MAYOR ............................. 2
   2.1 MAYOR’S REPORT .................................................. 2
      2.1.1 ALLOCATION OF OLYMPIC TORCH RELAY BANNERS 2

3. WRITTEN REPORTS FROM ELECTED MEMBERS AS
   COUNCIL REPRESENTATIVES ON OUTSIDE BODIES ........... 2

4. QUESTIONS ON NOTICE ............................................. 3
5. QUESTIONS WITHOUT NOTICE ................................................................. 3
   5.1 CR MARSHALL .................................................................................... 3
   5.2 CR ROWE .......................................................................................... 3
   5.3 CR LAWSON .................................................................................... 3

6. PETITIONS ............................................................................. 3
   6.1 PETITION - BLACKWOOD BUSINESS NETWORK ....................... 3

7. DEPUTATIONS ........................................................................ 3

8. GALLERY QUESTION TIME .......................................................... 4
   8.1 MS MOYA KEEN, MELROSE PARK/DAW PARK COMMUNITY
       ASSOCIATION INC ........................................................................... 4
   8.2 MR PAUL HENSHALL, RESIDENT OF ORMOND AVENUE, DAW
       PARK ............................................................................................ 4

9. REPORTS OF STANDING COMMITTEE MEETINGS .................... 5
   9.1 PLANNING AND DEVELOPMENT COMMITTEE - TUESDAY, 7
       NOVEMBER 2000 ........................................................................ 5
   9.2 ENGINEERING AND ENVIRONMENTAL SERVICES COMMITTEE -
       TUESDAY, 14 NOVEMBER 2000 .................................................. 5
   9.3 CORPORATE AND COMMUNITY SERVICES COMMITTEE -
       TUESDAY, 14 NOVEMBER 2000 .................................................. 5
   3.5 HILLS SKATE FACILITY ................................................................. 5

10. REPORTS FROM CENTENNIAL PARK CEMETERY AUTHORITY .... 6
    10.1 CENTENNIAL PARK CEMETERY AUTHORITY .................................. 6

11. APPOINTMENTS TO INTERNAL/EXTERNAL BODIES ............. 6
    11.1 SA COUNTRY ARTS TRUST .......................................................... 6

12. BUSINESS RAISED BY THE CHIEF EXECUTIVE OFFICER ....... 6
    12.1 CHIEF EXECUTIVE OFFICER’S REPORT .......................................... 6
    12.2 LOW IMPACT TELECOMMUNICATION FACILITIES .................... 7
    12.3 CODE OF CONDUCT FOR EMPLOYEES ....................................... 7
    12.4 1999/2000 ANNUAL REPORT .......................................................... 7
    12.5 NATIONAL ROAD FUNDING CAMPAIGN ........................................ 7
    12.6 APEX CHRISTMAS PARADE, BLACKWOOD ................................. 7
    12.7 RESTRUCTURE OF ENGINEERING AND ENVIRONMENTAL
         SERVICES COMMITTEE STANDARD AGENDA ITEMS ................ 8
    12.8 FIREWORKS / PERMITS ................................................................. 8
12.9 ON-STREET PARKING IMPROVEMENTS – WAITE STREET, BLACKWOOD CENTRE .......................................................... 8
12.10 LOCAL GOVERNMENT ASSOCIATION – STRATEGIC MANAGEMENT PLANNING FOR WATER AND SALINITY ...................... 10
12.11 LOCAL STATE GOVERNMENT PARTNERSHIPS PROGRAM – SCOPING STUDY .......................................................... 10
12.12 RATE REVIEW .......................................................................................................................... 10

13. ADJOURNED MOTIONS ............................................................................................................. 10

14. NOTICES OF MOTION .................................................................................................................. 10

15. MOTIONS WITHOUT NOTICE ................................................................................................. 11
    15.1 CR MARSHALL - HARD RUBBISH COLLECTION .................................................................. 11
    15.2 CR GRIMM - ZOO SPONSORSHIP .................................................................................. 11
    15.3 CR WARREN - CENTENNIAL PARK .................................................................................. 11
    15.4 PLANNING COMMITTEE MEETINGS .................................................................................. 12

16. REPORTS OUTSTANDING AND RESOLUTIONS NOT YET EFFECTED .................................................. 13

17. ANY OTHER BUSINESS ........................................................................................................... 13

18. CONFIDENTIAL .......................................................................................................................... 13
    18.1 HAWTHORNDENE DRIVE PROJECT .................................................................................. 13

CLOSE: ............................................................................................................................................. 13
MINUTES OF THE MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, 1 CASHEL STREET, PASADENA ON TUESDAY, 28 NOVEMBER 2000 AT 7.06 PM.

MEMBERSHIP: His Worship the Mayor (Ivan Brooks), Crs C Hart, D Rowe, S Fisher, C Adcock, J Sanderson, N Lawson, C Gellie, R Warren, H Chennell, E Grimm, R Marshall and C Campbell

PRAYER:
The Mayor read a prayer for blessing on the Council and ratepayers.

PRESENT: His Worship the Mayor (Ivan Brooks) (Chair)
Crs C Hart, D Rowe, S Fisher, C Adcock, J Sanderson, N Lawson, C Gellie, R Warren, E Grimm, R Marshall and C Campbell

APOLOGIES: Cr H Chennell

LEAVE: Nil

STAFF IN ATTENDANCE: Chief Executive Officer, Director Corporate Services, Director Engineering and Environmental Services, Director Planning and Development A/Director Community and Information Services, Senior Policy Planner, Manager Information Technology, Manager Human Resources and Secretary

WELCOME:
The Chair welcomed those present to the meeting.

BUSINESS:
1. CONFIRMATION OF MINUTES
   1.1 FULL COUNCIL - 24 OCTOBER 2000

   MOVECr Sanderson, seconded Cr Fisher that the Minutes of the Meeting held on 24 October 2000 be confirmed.

   CARRIED
1.2 SPECIAL COUNCIL - 7 NOVEMBER 2000

MOVED Cr Sanderson, seconded Cr Fisher that the Minutes of the Special Meeting of Council held on 7 November 2000 be confirmed. CARRIED

2. BUSINESS RAISED BY THE MAYOR

2.1 MAYOR’S REPORT

A list of activities undertaken by the Mayor was detailed in the Agenda.

MOVED Cr Fisher, seconded Cr Campbell that the report be received. CARRIED

2.1.1 ALLOCATION OF OLYMPIC TORCH RELAY BANNERS
(Ref: 105.2.3) Virginia Fisher (Prepared: 17/11/2000)

Mayor Brooks conducted a ballot for the allocation of Olympic Torch Relay Banners and the following schools were successful:

- Urrbrae Agricultural High School
- Clapham Primary School
- Westbourne Park Primary School
- Scotch College
- Mercedes College
- Colonel Light Gardens Primary School
- Mitcham Girls High School

MOVED Cr Fisher, seconded Cr Sanderson that Council awards an Olympic Torch Relay Banner to the following schools drawn from the ballot:

- Urrbrae Agricultural High School
- Clapham Primary School
- Westbourne Park Primary School
- Scotch College
- Mercedes College
- Colonel Light Gardens Primary School
- Mitcham Girls High School

CARRIED

3. WRITTEN REPORTS FROM ELECTED MEMBERS AS COUNCIL REPRESENTATIVES ON OUTSIDE BODIES

Nil
4. QUESTIONS ON NOTICE

Nil

5. QUESTIONS WITHOUT NOTICE

5.1 CR MARSHALL

One question

5.2 CR ROWE

One question

5.3 CR LAWSON

One question

CR GRIMM LEFT THE MEETING AT 7.19 PM AND RETURNED AT 7.21 PM DURING DISCUSSION OF THIS ITEM.

6. PETITIONS

6.1 PETITION - BLACKWOOD BUSINESS NETWORK
(Ref: 375.3.5) Richard Bowey (Prepared:15.11.00)

MOVED Cr Fisher, seconded Cr Campbell:

(1) That the petition be received.

(2) That Council advises the Blackwood Business Network of its previous decision to conduct a Rate Review and its timetable.  

CARRIED

7. DEPUTATIONS

Nil
8. GALLERY QUESTION TIME

8.1 MS MOYA KEEN, MELROSE PARK/DAW PARK COMMUNITY ASSOCIATION INC

QUESTION

Our Association is concerned about the comments attributed to Mr Brian Hurn, which suggest that the Local Government Association, as a whole, approves of the proposed changes to the Development (System Improvement Program) amendment Bill 2000. These would appear to make a mockery of the democratic processes, where individuals or Associations like ours have the opportunity to voice their opinions regarding development in their immediacy.

Does Mr Hurn indeed speak for all Councils?

Can we be assured that Council will uphold the public's right to be heard regarding any development in Mitcham?

ANSWER

Mayor Brooks replied that Mitcham Council has a policy of being very democratic and open and if it has the choice, where possible, all meetings will be open to the public.

8.2 MR PAUL HENSHALL, RESIDENT OF ORMOND AVENUE, DAW PARK

QUESTION

Could Council clarify the situation of the Bi-Lo development on Goodwood Road/Ormond Avenue?

ANSWER

The Director Planning and Development said the Consultants had informed him that the project had been delayed and the supermarket would probably not open until March 2001. The chemist shop will open earlier.

QUESTION

Why was the decision to close Ormond Avenue reversed? As a resident of Ormond Avenue, I am keen to hear the reason(s) behind the decision and also in regard to the ramps on Hope Street/Ormond Avenue.

ANSWER

The Director Engineering and Environmental Services replied that the decision to close Ormond Avenue was not reversed, Council merely deferred the decision pending a broader study of the area.
Petsitions had been received from residents of Dudley Avenue also requesting a road closure and other traffic calming measures, prompted by the Council's consideration of a road closure of Ormond Avenue. Council had resolved not to make a decision until a study encompassing the whole area had been conducted six months after the construction of the shopping centre.

9. REPORTS OF STANDING COMMITTEE MEETINGS

9.1 PLANNING AND DEVELOPMENT COMMITTEE - TUESDAY, 7 NOVEMBER 2000

MOVED Cr Fisher, seconded Cr Grimm that the Minutes of the Planning and Development Committee Meeting held on 7 November 2000 be received and the relevant recommendations adopted, with the exception of Item 13.1 which was adopted at a Special Council Meeting held on 7 November 2000.

CARRIED

9.2 ENGINEERING AND ENVIRONMENTAL SERVICES COMMITTEE - TUESDAY, 14 NOVEMBER 2000

MOVED Cr Lawson, seconded Cr Grimm that the Minutes of the Engineering and Environmental Services Committee Meeting held on 14 November 2000 be received and the recommendations adopted.

CARRIED

9.3 CORPORATE AND COMMUNITY SERVICES COMMITTEE - TUESDAY, 14 NOVEMBER 2000

MOVED Cr Grimm, seconded Cr Lawson that the Minutes of the Corporate and Community Services Committee Meeting held on 14 November 2000 be received and the recommendations adopted, with the exception of Item 3.5 which is dealt with hereunder:

CARRIED

3.5 HILLS SKATE FACILITY

(Ref: SU.125.6.3) Shane Dunkley (Prepared: 30.10.00)

MOVED Cr Grimm, seconded Cr Lawson:

(1) That the Report on the Hills Skate Facility Workshop held on the 18 October 2000 be received and the recommendations adopted.

(2) That Council adopts the Terms of Reference for the establishment of a Hills Skate Facility Stakeholder Group.
(3) That three Elected Members be nominated as representatives on the Hills Skate Facility Stakeholders Group.

(4) That Council writes to community associations within the Blackwood and Belair area inviting nominations for two local community representatives who are supportive of the establishment of a Hills Skate Facility in the Hills.

(5) That Cr Lawson, Cr Grimm and Cr Marshall be nominated as representatives on the Hills Skate Facility Stakeholders Group. CARRIED

10. REPORTS FROM CENTENNIAL PARK CEMETERY AUTHORITY

10.1 CENTENNIAL PARK CEMETERY AUTHORITY
(Ref: SU.110.2.2) Helen Green (Prepared 15/11/00)

MOVED Cr Marshall, seconded Cr Gellie that the Minutes of the Board of Management, Centennial Park Cemetery Authority and the Centennial Park Educational Trust held on 26 October 2000 be received. CARRIED

11. APPOINTMENTS TO INTERNAL/EXTERNAL BODIES

11.1 SA COUNTRY ARTS TRUST
(Ref: 321.1.21) Anne Jenner (Prepared 15/11/00)

MOVED Cr Campbell, seconded Cr Fisher that Council nominates Cr Gellie to the SA Country Arts Trust. CARRIED

12. BUSINESS RAISED BY THE CHIEF EXECUTIVE OFFICER

12.1 CHIEF EXECUTIVE OFFICER’S REPORT
(Ref: 240.1.12) Ron Malcolm (Prepared 21/11/00)

A list of activities undertaken by the Chief Executive Officer was detailed in the Agenda.

MOVED Cr Fisher, seconded Cr Adcock that the report be received. CARRIED
12.2 **LOW IMPACT TELECOMMUNICATION FACILITIES**  
(*Ref: 335.1.16*) Jason Willcocks (Prepared: 11/7/00)

MOVED Cr Fisher, seconded Cr Lawson that the report be received for information only.  
CARRIED

12.3 **CODE OF CONDUCT FOR EMPLOYEES**  
(*Ref: SU.240.1.20*) John Skoblyk (Prepared: 26/10/00)

MOVED Cr Lawson, seconded Cr Fisher:

(1) That the Code of Conduct for Public Officers in Local Government (Policy No 1.3.3) be repealed.

(2) That the new Code of Conduct for all Employees of the City of Mitcham (as per the attachment) be adopted.  
CARRIED

12.4 **1999/2000 ANNUAL REPORT**  
(*150.1.5*) Julie Lamond (Prepared: 1/2/00)

MOVED Cr Sanderson, seconded Cr Gellie that pursuant to Section 131 of the Local Government Act 1999, the Annual Report be received and adopted.  
CARRIED

12.5 **NATIONAL ROAD FUNDING CAMPAIGN**  
(*Ref: SU.400.1.2*) Richard Bowey (Prepared: 21/11/00)

MOVED Cr Fisher, seconded Cr Campbell:

(1) That the information be received.

(2) That Council makes an allocation in the 2001/2002 Budget as its contribution towards the Campaign.  
CARRIED

12.6 **APEX CHRISTMAS PARADE, BLACKWOOD**  
(*Ref: 320.1.3*) Meredith Nunan (Prepared: 17/11/00)

MOVED Cr Marshall, seconded Cr Campbell that the report be received for information only.  
CARRIED
12.7 RESTRUCTURE OF ENGINEERING AND ENVIRONMENTAL SERVICES COMMITTEE STANDARD AGENDA ITEMS
(Ref: 115.2.4) Con Theodoroulakes (Prepared: 20/11/00)

MOVED Cr Marshall, seconded Cr Sanderson that the standard agenda items of the Engineering and Environmental Services Committee be restructured:

(1) By deleting the heading No. 3. - Health and replacing it with Public and Environmental Health.

(2) By inserting the heading Environment as heading No. 4 and renumbering the following headings accordingly.

CARRIED

12.8 FIREWORKS / PERMITS
(Ref: 200.4.1) John Zybek (Prepared: 16/11/00)

MOVED Cr Grimm, seconded Cr Gellie:

(1) That the report be received.

(2) That no application fee for fireworks permits be charged.

CARRIED

12.9 ON-STREET PARKING IMPROVEMENTS – WAITE STREET, BLACKWOOD CENTRE
(Ref: SU.160.4.7) Jason Willcocks (Prepared 17/11/00)

CR GELIE LEFT THE MEETING AT 8.23 PM AND RETURNED AT 8.32 PM DURING DISCUSSION OF THIS ITEM.

MOVED Cr Marshall, seconded Cr Grimm:

(1) That Council, pursuant to Section 17 of the Road Traffic Act and Cause A of the Minister’s Notice to Council dated 28 November 1999, exercises its power to install parking controls and pavement markings as indicated in the proposal plan.

(2) That, subject to objections relating to the removal of the trees, if any, being satisfactorily resolved, Council approves the removal of the trees described in the report and that they be replaced with advanced trees (two for one) in more appropriate locations.

(3) That Council receives the preliminary Waite Reserve schematic plan as a basis for consultation with Coles and the land owner, and the traders generally to gauge support for the concepts embodied in it.
(4) That, subject to a satisfactory outcome from Item 3 of this recommendation, Council progresses the design to documentation and general display for information of the community, and subsequent tender and development.

**AMENDMENT**

**MOVED** Cr Fisher, seconded Cr Lawson that (5) be added, viz:

(5) That the separate rate to the Blackwood businesses in the Blackwood Centre be maintained until the cost of these parking improvements is recovered from this separate rate to the extent of the budgeted costs previously determined by Council.

**CARRIED**

**THE AMENDMENT FORMED PART OF THE ORIGINAL MOTION, VIZ**

(1) That Council, pursuant to Section 17 of the Road Traffic Act and Cause A of the Minister’s Notice to Council dated 28 November 1999, exercises its power to install parking controls and pavement markings as indicated in the proposal plan.

(2) That, subject to objections relating to the removal of the trees, if any, being satisfactorily resolved, Council approves the removal of the trees described in the report and that they be replaced with advanced trees (two for one) in more appropriate locations.

(3) That Council receives the preliminary Waite Reserve schematic plan as a basis for consultation with Coles and the land owner, and the traders generally to gauge support for the concepts embodied in it.

(4) That, subject to a satisfactory outcome from Item 3 of this recommendation, Council progresses the design to documentation and general display for information of the community, and subsequent tender and development.

(5) That the separate rate to the Blackwood businesses in the Blackwood Centre be maintained until the cost of these parking improvements is recovered from this separate rate to the extent of the budgeted costs previously determined by Council.

**AND WAS PUT AND CARRIED**
12.10 LOCAL GOVERNMENT ASSOCIATION – STRATEGIC MANAGEMENT PLANNING FOR WATER AND SALINITY
(Ref: 475.1.15) Ron Malcolm (Prepared 15/11/00)

CR ADCOCK LEFT THE MEETING AT 8.42 PM AND RETURNED AT 8.45 PM DURING DISCUSSION OF THIS ITEM.

MOVED Cr Campbell, seconded Cr Sanderson that Council nominates Craig Walker, Environmental Planning Officer, to represent it at initial meetings of the project group as and when required and to report back to Council.

CARRIED

12.11 LOCAL STATE GOVERNMENT PARTNERSHIPS PROGRAM – SCOPING STUDY
(Ref: SU.321.1.1) Ron Malcolm (Prepared 22.11.00)

MOVED Cr Marshall, seconded Cr Grimm that the Chief Executive Officer keeps Council informed of progress.

CARRIED

12.12 RATE REVIEW
(Ref: SU 375.6.1) Richard Bowey (Prepared: 20.11.00)

MOVED Cr Marshall, seconded Cr Campbell:

(1) That a mail out be undertaken to notify property owners of the Rate Review.

(2) That budget funds up to $12,000 be allocated to cover the cost of the mail out.

CARRIED

13. ADJOURNED MOTIONS

Nil

14. NOTICES OF MOTION

Nil
15. MOTIONS WITHOUT NOTICE

15.1 CR MARSHALL - HARD RUBBISH COLLECTION

MOVED Cr Marshall, seconded Cr Grimm that a complete review of Mitcham's hard rubbish collection be undertaken by March 2001 so that any changes to the service or relevant contracts can be brought about by the next collection in late 2001.

CARRIED

15.2 CR GRIMM - ZOO SPONSORSHIP

MOVED Cr Grimm, seconded Cr Fisher that Council re-instates in its Budget (2000/01, 2001/02, 2002/03) the amount of $900 per year for the continued sponsorship of:

Pygmy Hippopotamus ........................................ $600.00
Princess Parrot .................................................. $  40.00
Hooded Parrot .................................................. $  50.00
Golden-Shouldered Parrot .................................. $  50.00
Palm Cockatoo .................................................. $150.00

at the Royal Adelaide Zoological Gardens.

A DIVISION WAS CALLED FOR AND THE DECISION WAS SET ASIDE.

For the motion: Cr Hart, Cr Fisher, Cr Adcock, Cr Lawson, Cr Gellie, Cr Warren, Cr Grimm, Cr Marshall, Cr Campbell

Against the motion: Cr Rowe, Cr Sanderson.

THE CHAIR DECLARED THE MOTION CARRIED

15.3 CR WARREN - CENTENNIAL PARK

Crs Marshall, Rowe and Gellie declared they are Council’s representatives on the Centennial Park Cemetery Authority Board of Management but stayed in the room by virtue of Section 74 of the Local Government Act 1999 (ie no conflict of interest).

MOVED Cr Warren, seconded Cr Fisher that the Centennial Park management be requested to respond within two weeks in relation to the following questions:

(1) What awareness does the Centennial Park management have of problems encountered by residents in relation to the soil stockpile near the northern boundary, and in particular concerning the following points:
(a) The regular transfer of wind-carried fine dust from the soil stockpile onto and into the residents' houses, where a dust coating is produced that is difficult to remove.

(b) The potential problems associated with any soil-borne pathogens and chemicals present.

(c) The health risks associated with inhalation of fine dust.

(d) The inability of the residents to have their windows and doors open during the day and evenings to allow cooling gully winds and other winds to travel through their houses.

(2) What is the origin of the soil placed in the stockpile?

(3) What programs and time frames does Centennial Park have in place for removal of the soil stockpile?

(4) What budget allocation does Centennial Park have for removal of the stockpile?

(5) What assistance does the Centennial Park management believe Council could provide for overcoming the residents' concerns?

(6) Would the management notify the affected residents and the Pasadena Residents' Association about relevant decisions concerning the stockpile?

15.4 PLANNING COMMITTEE MEETINGS

MOVED Cr Fisher, seconded Cr Lawson:

(1) That the Mitcham Council writes to the Local Government Association, to the Minister of Local Government and the Minister for Planning and Mitcham's local parliamentarians expressing our deep concern at the undemocratic and anti-democratic concept of Council Planning Authority meetings being held in secret as put forward by the Minister for Planning's office.

(2) That Council further expresses concern that the concept of unelected and hence unrepresentative members being appointed to Planning Assessment Panels is autocratic, disempowering and anti-democratic.

CARRIED
16. **REPORTS OUTSTANDING AND RESOLUTIONS NOT YET EFFECTED**  
(Ref: 150.3.5) (Prepared: 23/11/00)  

MOVED Cr Sanderson, seconded Cr Fisher that the report be received. CARRIED

17. **ANY OTHER BUSINESS**

CR FISHER LEFT THE MEETING AT 9.41 AND RETURNED AT 9.44 PM DURING DISCUSSION OF THESE ITEMS.

CR GRIMM LEFT THE MEETING AT 9.41 PM AND RETURNED AT 9.43 PM DURING DISCUSSION OF THESE ITEMS.

18. **CONFIDENTIAL**

18.1 HAWTHORNDENE DRIVE PROJECT

CLOSE:

There being no further business, the meeting closed at 9.54 pm.