COUNCIL

MINUTES 24 OCTOBER 2000

MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS, 1 CASHEL STREET, PASADENA ON TUESDAY, 24 OCTOBER 2000 AT 7.11 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

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MINUTES OF THE MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, 1 CASHEL STREET, PASADENA ON TUESDAY, 24 OCTOBER 2000 AT 7.11 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), 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

APOLOGIES: Nil

LEAVE: Nil

STAFF IN ATTENDANCE: Chief Executive Officer, Director Corporate Services, Director Engineering and Environmental Services, Director Planning and Development and Secretary

WELCOME: The Chair welcomed those present to the meeting.

BUSINESS:

1. CONFIRMATION OF MINUTES

1.1 FULL COUNCIL - 26 SEPTEMBER 2000

MOVED Cr Fisher, seconded Cr Sanderson that the Minutes of the Meeting held 26 September 2000 be confirmed.

CARRIED
1.2 SPECIAL COUNCIL - 3 OCTOBER 2000

MOVED Cr Sanderson, seconded Cr Fisher that the Minutes of the Special Council Meeting held 3 October 2000 be confirmed.

CARRIED

2. BUSINESS RAISED BY THE MAYOR

2.1 MAYOR’S REPORT

Ivan Brooks (Prepared 16.10.00)

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

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

CARRIED

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

Nil

4. QUESTIONS ON NOTICE

Nil

5. QUESTIONS WITHOUT NOTICE

Nil

6. PETITIONS

Nil

7. DEPUTATIONS

7.1 MS ROSEMARY SANTICH, 117 MAIN ROAD, GLENALTA

Ms Rosemary Santich spoke to the meeting concerning her fire damaged home at 117 Main Road, Glenalta and the resultant publicity.

MOVED Cr Fisher, seconded Cr Chennell that Council writes a letter of thanks to Ms Santich for her explanation to Council.

CARRIED
7.2 MR GRAHAM BRADLEY, 3 DONCASTER AVENUE, COLONEL LIGHT GARDENS

Mr Graham Bradley, President of the Colonel Light Gardens Residents Association, spoke to Council urging their attendance at a meeting concerning urban consolidation.

8. GALLERY QUESTION TIME

8.1 MS JANET HILLGROVE, MELROSE PARK/DAW PARK COMMUNITY ASSOCIATION

QUESTIONS

What is Council's policy re parking signs - the blue with the letter "P"? There appears to be none on Goodwood Road.

The rather prohibitive private parking sign has not been changed on the car park at Goodwood Road, alongside the Uniting Church and opposite the strip shopping centre (this includes the Seven Day Supermarket). The agreement/Development Plan direction during redevelopment of the Uniting Church or at any development along Goodwood Road was supposed to include car parking for any nearby shopping strip, etc. Yet again we ask "Can this please have attention?"

ANSWER

The Mayor replied that the questions would be taken on notice and a reply provided in writing within seven days.

9. REPORTS OF STANDING COMMITTEE MEETINGS

9.1 PLANNING AND DEVELOPMENT COMMITTEE - TUESDAY, 3 OCTOBER 2000

MOVED Cr Fisher, seconded Cr Lawson that the Minutes of the Planning and Development Committee Meeting held on 3 October 2000 be received and the relevant recommendations adopted.

CARRIED

9.2 ENGINEERING AND ENVIRONMENTAL SERVICES COMMITTEE - TUESDAY, 10 OCTOBER 2000

MOVED Cr Grimm, seconded Cr Gellie that the Minutes of the Engineering and Environmental Services Committee Meeting held on 10 October 2000 be received and the recommendations adopted, with the exception of Item 4.1 which is dealt with hereunder.

CARRIED
4.1 SECURITY SERVICES
(Ref. 241.1.17) Stephen Saffin (Prepared: 06.09.00)

MOVED Cr Grimm, seconded Cr Chennell:

(1) That the report be received.

(2) That if a supportive result is forthcoming from the next Community Survey on the issue of an extended community watch program, a presentation be arranged inviting representatives from Bayswater Council to address Council first hand on their Community Security Watch Program.

(3) That if representatives from Bayswater Council, Western Australia, are invited to make a presentation, at least one other Adelaide Metropolitan Council be invited to share the presentation and the costs.

(4) That a briefing be arranged inviting representatives from the SA Police Force and Jennifer West from the City of Mitcham/Unley Crime Prevention Committee to address Council on policing activities in Mitcham over the last 12 months.
   The briefing to include:
   • crimes committed
   • clearance rate
   • response time
   • strategies adopted
   • trends developing

CARRIED

9.3 CORPORATE AND COMMUNITY SERVICES COMMITTEE - TUESDAY, 10 OCTOBER 2000

MOVED Cr Sanderson, seconded Cr Chennell that the Minutes of the Corporate and Community Services Committee Meeting held on 10 October 2000 be received and the recommendations adopted.

CARRIED

9.4 MANAGEMENT REVIEW COMMITTEE MEETING - TUESDAY, 17 OCTOBER 2000

MOVED Cr Campbell, seconded Cr Sanderson that the Minutes of the Management Review Committee Meeting held on 17 October 2000 be received and the recommendations adopted.

CARRIED
10. REPORTS FROM CENTENNIAL PARK CEMETERY AUTHORITY

10.1 CENTENNIAL PARK CEMETERY AUTHORITY
(Ref: SU. 110.2.2) Helen Green (Prepared 18/10/00)

MOVED Cr Marshall, seconded Cr Gellie that the Minutes of the Board of Management, Centennial Park Cemetery Authority, held on 28 September 2000 be received.

CARRIED

11. APPOINTMENTS TO INTERNAL/EXTERNAL BODIES

11.1 NOMINATION FOR THE ENVIRONMENT PROTECTION AUTHORITY
(Ref: 195.1.3) Anne Jenner (Prepared 10.10.00)

MOVED Cr Gellie, seconded Cr Chennell that Council nominates Cr Warren to the Environment Protection Authority.

CARRIED

ADJOURNMENT OF ITEMS

MOVED Cr Fisher, seconded Cr Lawson that Council adjourns Item 11.2 and 11.4 for further information.

CARRIED

11.2 LOCAL GOVERNMENT FINANCE AUTHORITY BOARD – LGA REPRESENTATION
(Ref: 321.6.2) Anne Jenner (Prepared 10.10.00)

This item was adjourned for further information.

11.3 LOCAL GOVERNMENT ASSOCIATION – ELECTION FOR METROPOLITAN ADELAIDE DELEGATES TO STATE EXECUTIVE COMMITTEE FOR 2000/2003
(Ref: 321.1.17) Anne Jenner (Prepared 18/10/00)

The Director Corporate Services declared a conflict of interest in this item because his wife is a candidate and left the room by virtue of Section 120(4) of the Local Government Act 1999.

CR GELLIE LEFT THE MEETING AT 8.03 PM AND RETURNED AT 8.05 PM DURING DISCUSSION OF THIS ITEM.

MOVED Cr Fisher, seconded Cr Campbell:

(1) That Council casts a vote for Mayor Brooks as its first preference.
(2) That Mayor Brooks, as Council's nominated delegate to the LGA General Meeting (or in his absence Councillor Marshall as Council's nominated proxy delegate) mark the ballot paper according to Council's preferences and send it to the Returning Officer of the LGA in accordance with the instructions as set out above.

(3) That a ballot be conducted to determine Council's second to twelfth preferences.

FORMAL MOTION

MOVED Cr Marshall, seconded Cr Warren that this item be adjourned while the votes are counted.

CARRIED

11.4 LOCAL GOVERNMENT FINANCE AUTHORITY – ELECTIONS FOR THE POSITIONS OF REPRESENTATIVE MEMBERS OF THE BOARD OF TRUSTEES

(Ref: 321.1.17) Anne Jenner (Prepared 18/10/00)

This item was adjourned for further information.

12. BUSINESS RAISED BY THE CHIEF EXECUTIVE OFFICER

12.1 CHIEF EXECUTIVE OFFICER'S REPORT

(Ref: 240.1.12) Ron Malcolm (Prepared 18/10/00)

MOVED Cr Sanderson, seconded Cr Adcock that the report be received.

CARRIED

11. APPOINTMENTS TO INTERNAL/EXTERNAL BODIES (CONT'D)

11.3 LOCAL GOVERNMENT ASSOCIATION – ELECTION FOR METROPOLITAN ADELAIDE DELEGATES TO STATE EXECUTIVE COMMITTEE FOR 2000/2003

(Ref: 321.1.17) Anne Jenner (Prepared 18/10/00)

MOVED Cr Fisher, seconded Cr Campbell:

(1) That Council casts a vote for Mayor Brooks as its first preference.

(2) That Mayor Brooks, as Council's nominated delegate to the LGA General Meeting (or in his absence Councillor Marshall as Council’s nominated proxy delegate) mark the ballot paper according to Council’s preferences and send it to the Returning Officer of the LGA in accordance with the instructions as set out above.
(3) That the ballot paper show Council's preferences as follows:

1. BROOKS Ivan
2. McLUSKEY Johanna
3. BOWEY Candice
4. ZAPPIA Tony
5. FLETCHER Trevor
6. RICH John
7. AMBER Max
8. NADILO Brian
9. HARBISON Michael
10. MATTHEWS David
11. STOCK Frank
12. NASSIG Marino
13. PALK Leni

CARRIED

The Director Corporate Services returned to the meeting following discussion of this item.

11.2 LOCAL GOVERNMENT FINANCE AUTHORITY BOARD – LGA REPRESENTATION
(Ref: 321.6.2) Anne Jenner (Prepared 10.10.00)

MOVED Cr Fisher, seconded Cr Sanderson that Council nominates Cr Peter Harris and Mr John Keough for the two LGA representatives on the Board of Trustees of the Local Government Finance Authority.

CARRIED

11.4 LOCAL GOVERNMENT FINANCE AUTHORITY – ELECTIONS FOR THE POSITIONS OF REPRESENTATIVE MEMBERS OF THE BOARD OF TRUSTEES
(Ref: 321.1.17) Anne Jenner (Prepared 18/10/00)

CR CAMPBELL LEFT THE MEETING AT 8.35 PM AND RETURNED AT 8.36 PM DURING DISCUSSION OF THIS ITEM.

MOVED Cr Fisher, seconded Cr Sanderson that this item be adjourned until the votes are counted.

CARRIED
12. BUSINESS RAISED BY THE CHIEF EXECUTIVE OFFICER (CONT'D)

12.2 LOW IMPACT TELECOMMUNICATION FACILITIES  
(Ref: 335.1.16) Jason Willcocks (Prepared: 11/7/00)

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

CARRIED

12.3 MEMBERS ALLOWANCES  
(Ref: 150.4.13) Richard Bowey (Prepared: 5.10.00)

MOVED Cr Fisher, seconded Cr Sanderson:

(1) That Council resolves that the vehicle, laptop, dedicated telephone line, fax and contribution to the Mayor’s telephone bill which are allocated to the Mayor are necessary or expedient to the performance of his official functions and duties.

(2) That a note be added to the appropriate clause in the Policy Manual to state that this item be re-revisited as a separate motion annually.

CARRIED

11. APPOINTMENTS TO INTERNAL/EXTERNAL BODIES (CONT'D)

11.4 LOCAL GOVERNMENT FINANCE AUTHORITY – ELECTIONS FOR THE POSITIONS OF REPRESENTATIVE MEMBERS OF THE BOARD OF TRUSTEES  
(Ref: 321.1.17) Anne Jenner (Prepared 18/10/00)

CR CHENNELL LEFT THE MEETING AT 8.44 PM DURING DISCUSSION OF THIS ITEM.

MOVED Cr Fisher, seconded Cr Campbell:

(1) That Council casts a vote for Councillor John Sanderson and Mr P Fairlie-Jones.

(2) That Mayor Brooks, as Council’s representative to the AGM of the Local Government Finance Authority of South Australia (or in his absence the Councillor chairing the Council meeting) mark the ballot paper according to Council’s preferences, complying with the instructions of the LGFA as set out above and arrange for it to be sent to the Returning Officer of the LGFA in the envelope provided, before the time and date specified.

CARRIED
12. BUSINESS RAISED BY THE CHIEF EXECUTIVE OFFICER (CONT'D)

12.4 DELEGATIONS
(Ref: 150.2.2) Richard Bowey (Prepared: 29/9/00)

CR CHENNELL RETURNED TO THE MEETING AT 8.50 PM DURING DISCUSSION OF THIS ITEM.

MOVED Cr Fisher, seconded Cr Lawson:

(1) That Council hereby revokes all previous delegations and delegates to the Corporate and Community Services Committee the authority to issue grants to parties applying for funds under the Community Development Grants Scheme to the limit of the funds allocated to that project in the Budget for the respective year and the authority for that Committee to sub-delegate those powers.


(3) That in exercise of the powers contained in Section 20 of the Development Act 1993, the Council delegates this twenty fourth day of October 2000 to the Planning and Development Committee the powers, functions and duties under the Development Act 1993 and the Development Regulations 1993, set out in Part 1 of Section 1 of the Council's Delegations Manual together with the power to further delegate the said powers, functions and duties.

(4) That in exercise of the powers contained in Section 20 of the Development Act 1993, the Council delegates this twenty fourth day of October 2000 to the person occupying the position of Chief Executive Officer of the Council, the powers, functions and duties under the Development Act, 1993 and the Development Regulations 1993, set out at Part 1 of Section 1 of the Council's Delegations Manual together with the power to further delegate the said powers, functions and duties.

(5) That in exercise of the powers contained in Section 49 of the Country Fires Act 1989, the Council delegates this twenty fourth day of October 2000 to the person occupying the position of Fire Prevention Officer of the Council, the powers, functions and duties under the Country Fires Act 1989 set out at Section 2 of Part 1 of the Council's Delegations Manual.
(6) That in exercise of the powers contained in Section 6 of the Public and Environmental Health Act 1987, the Council delegates this twenty fourth day of October 2000 to the person occupying the position of Chief Executive Officer of the Council, the powers, functions and duties under the Public and Environmental Health Act 1987 and the Public and Environmental Health (Waste Control) Regulations 1995 set out at Part 2 of Section 1 of the Council's Delegations Manual, together with the power to further delegate the said powers, functions and duties.

(7) That in exercise of the powers contained in Section 9 of the Supported Residential Facilities Act 1992, the Council delegates this twenty fourth day of October 2000 to the person occupying the position of Chief Executive Officer of the Council, the powers, functions and duties under the Supported Residential Facilities Act 1992, set out at Part 2 of Section 1 of the Council's Delegations Manual, together with the power to further delegate the said powers, functions and duties.

(8) That in exercise of the powers contained in Section 44 of the Local Government Act 1999, the Council delegates this twenty fourth day of October 2000 to the person occupying the position of Chief Executive Officer of the Council the powers, functions and duties under the Local Government Act 1934, the Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986, the Dog and Cat Management Act 1995, the Environment Protection Act 1993, the Expiation of Offences Act 1996, the Food Act 1985, the Housing Improvement Act 1940 and the Land and Business (Sale and Conveyancing) Act, 1994 set out at Part 2 of Section 1 of the Council's Delegations Manual, together with the power to further delegate the said powers, functions and duties.

CARRIED

12.5 PROPOSED PLAN AMENDMENT REPORT – FORMER TELSTRA LAND CASHEL STREET, PASADENA
(Ref: 335.3.4 Prepared by Jason Willcocks on 17/10/2000)

MOVED Cr Fisher, seconded Cr Warren:

(1) That Council endorses the draft Statement of Intent in relation to preparation of a Plan Amendment Report for rezoning of lots 100 and 101 Cashel Street Pasadena from institutional to residential purposes.

(2) Subject to any minor editing, Council forward the Statement of Intent to the Minister for acceptance under Section 25(1) of the Development Act, together with a request for direct and concurrent consultation.

CARRIED
12.6 BLACKWOOD FOREST  
(Ref: 160.3.1) Jason Willcocks (Prepared: 17/10/2000) 

MOVED Cr Marshall, seconded Cr Lawson:

(1) That the report be received.

(2) That Council awaits written confirmation from the Department of Environment and Heritage that the costs of remediation of the site in accordance with the environmental auditor’s advice and completion of the audit itself will be met by the Minister and/or the Department of Environment and Heritage

(3) That subject to written confirmation as described in Item 2 of this recommendation, Council endorses the completion of the audit report to finalisation.

CARRIED

CHANGE TO ORDER OF BUSINESS

MOVED Cr Fisher, seconded Cr Lawson that Item 14.1 be dealt with at this point.  

CARRIED

14. NOTICES OF MOTION

14.1 CR MARSHALL - RESCISSION MOTION - BLACKWOOD CENTRE CONSULTATIVE GROUP  
(Ref: 160.40.2)

CR GELLIE LEFT THE MEETING AT 9.33 PM AND RETURNED AT 9.40 PM DURING DISCUSSION OF THIS ITEM.

MOVED Cr Marshall, seconded Cr Fisher that the following motion be rescinded in total:

(1) That Council endorses the establishment of the proposed Blackwood Centre Consultative Group.

(2) That the Terms of Reference of the Group be in accordance with those outlined in the accompanying report to Council.

(3) That Council appoints a minimum of three Elected Members to provide Council’s representation on the proposed Consultative Group.

(4) That Council endorses a call for a registration of interest from the wider Hills community for the remaining three positions on the Consultative Group.
That Council appoints Mayor Brooks, Cr Marshall, Cr Campbell, Cr Grimm and Cr Chennell to provide Council's representation on the proposed Consultative Group.

CARRIED

(1) MOVED Cr Grimm, seconded Cr Marshall that Council endorses and provides its support for a revamped Blackwood Consultative Group.

CARRIED

(2) MOVED Cr Fisher, seconded Cr Marshall that Council appoints a total of two Elected Member representatives, being one representative from each of the two Hills Wards, to provide Council's representation on the Consultative Group.

AMENDMENT

MOVED Cr Chennell, seconded Cr Campbell that four Elected Members from the Hills Wards and the Mayor provide Council's representation on the Consultative Group.

LOST

The original motion, viz:

That Council appoints a total of two Elected Member representatives, being one representative from each of the two Hills Wards, to provide Council's representation on the Consultative Group.

WAS PUT AND

CARRIED

(3) MOVED Cr Fisher, seconded Cr Grimm that Council encourages the three traders who have currently been representing the Blackwood business community to become part of the revamped Consultative Group.

CARRIED

(4) MOVED Cr Fisher, seconded Cr Marshall that Council encourages the Blackwood/Belair Community Association to nominate two members of their organisation to become part of the revamped Consultative Group.

CARRIED

(5) MOVED Cr Marshall, seconded Cr Fisher that Council nominates two members of the wider Hills community from recently received expressions of interest to become part of the revamped Consultative Group.
AMENDMENT

MOVED Cr Chennell, seconded Cr Campbell that Council nominates three members of the wider Hills community from recently received expressions of interest to become part of the revamped Consultative Group.

CARRIED

THE AMENDMENT BECAME THE MOTION AND WAS PUT AND CARRIED

(6) MOVED Cr Fisher, seconded Cr Lawson that Council selects Cr Marshall and Cr Grimm to become part of the revamped Consultative Group.

CARRIED

(7) MOVED Cr Fisher, seconded Cr Marshall that no proxies for any of the positions be allowed.

CARRIED

(8) MOVED Cr Marshall, seconded Cr Lawson that the Senior Policy Planner, Mr Jason Willcocks should attend and assist in the scheduling of meetings as necessary, in consultation with the revamped Consultative Group, as part of Council's technical support and advice.

CARRIED

(9) MOVED Cr Fisher, seconded Cr Marshall that the clearly defined role of the revamped Consultative Group should be to consider and provide advice to Council, by way of recommendations relating strictly to currently budgeted project issues only.

CARRIED

(10) MOVED Cr Fisher, seconded Cr Marshall that once the car parking issues have been resolved, Council should decide its future role (if any) on the Consultative Group.

CARRIED
12. BUSINESS RAISED BY THE CHIEF EXECUTIVE OFFICER (CONT'D)

12.7 BLACKWOOD CENTRE CONSULTATIVE GROUP
(Ref: 115.2.23) Jason Willcocks (Prepared: 16/10/00)

MOVED Cr Lawson, seconded Cr Grimm:

(1) That the report be received.

(2) That Council endorses the appointment of Mr Geoffrey Bartlett, Mr Mark Smitherman and Mr Stan Fuller to the remaining three community representative positions on the Blackwood Centre Consultative Group.

CARRIED

13. ADJOURNED MOTIONS

Nil

14. NOTICES OF MOTION

14.1 CR MARSHALL - RESCISSION MOTION - BLACKWOOD CENTRE CONSULTATIVE GROUP

This item was dealt with prior to Item 12.7.

15. MOTIONS WITHOUT NOTICE

15.1 CR HART - MOUNT BARKER ROAD

MOVED Cr Hart, seconded Cr Lawson that concerns expressed in a letter from a resident whose property abuts the Pastor Kavel Lookout re:

(1) the state of the road

(2) consideration being given to vehicular restriction in the adjacent parking area

be suitably addressed and the resident's concerns and any proposed action be acknowledged by letter.

CARRIED

16. REPORTS OUTSTANDING AND RESOLUTIONS NOT YET EFFECTED
(Ref: 150.3.5) (Prepared: 188/10/00)

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

CARRIED
17. **ANY OTHER BUSINESS**

CR GRIMM LEFT THE MEETING AT 10.46 PM AND RETURNED AT 10.48 PM DURING GENERAL DISCUSSION.

17.1 **NIGHT SURVEY OF STREET LIGHTS**

MOVED Cr Fisher, seconded Cr Chennell that a night survey of the current effectiveness of all street lights in the City of Mitcham be carried out as the predominant street trees come into leaf over the next three months, and that appropriate tree pruning be carried out.

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

**For the motion:** Cr Hart, Cr Fisher, Cr Sanderson, Cr Lawson, Cr Gellie, Cr Chennell, Cr Marshall, Cr Campbell.

**Against the motion:** Cr Rowe, Cr Adcock, Cr Warren, Cr Grimm.

THE CHAIR DECLARED THE MOTION CARRIED

18. **CONFIDENTIAL**

Nil

CLOSE:

There being no further business, the meeting closed at 10.57 pm.