Due to the current restrictions on public gatherings as a result of COVID19 the public were not able to attend this meeting of Full Council at the Council Chambers. The public were invited to observe the non-confidential agenda items electronically via the online meeting provider, Zoom.
MINUTES OF A MEETING OF THE COUNCIL HELD IN THE VIRTUAL MEETING ROOM OF THE COUNCIL CHAMBERS, 131 BELAIR ROAD, TORRENS PARK ON TUESDAY, 26 MAY 2020 AT 7PM.

Notice to Secure Compliance with
South Australian Public Health Act 2011
Issued pursuant to Section 92 South Australian Public Health Act 2011

TO: City of Mitcham (‘the Council’)
ATTENTION: Matthew Pears

Please be advised, the following order made on 23 March 2020, pursuant to Section 92 of the South Australian Public Health Act 2011 REQUIRES Council, to take the following action to secure compliance with the obligations under Section 56 of the Act and to avert, eliminate or minimise a risk, or a perceived risk to public health:

1. Not permit or allow any member of the public to enter the public gallery in the Council chamber on the premises or remain in the premises for the Council meeting scheduled for 7:00pm on Tuesday, 26 May 2020.

2. Direct all non-essential employees and contractors of the Council not to attend the Council meeting scheduled for 7:00pm on Tuesday, 26 May 2020.

3. Take reasonable steps to ensure that all employees, elected members and contractors on the premises for the duration of the Council meeting scheduled for 7:00pm on Tuesday, 26 May 2020 comply with the latest Information for Employers and Social Distance Guidance issued by the Australian Government Department of Health available online at: https://www.health.gov.au/resources/collections/novel-coronavirus-2019-ncov-resources.

And Council is required to comply with requirements 1 – 3 for the duration of the Council meeting scheduled for 7:00pm on Tuesday, 26 May 2020.
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MINUTES OF A MEETING OF THE COUNCIL HELD IN THE VIRTUAL MEETING ROOM OF THE COUNCIL CHAMBERS, 131 BELAIR ROAD, TORRENS PARK ON TUESDAY, 26 MAY 2020 AT 7:02PM.

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

NATIONAL RECONCILIATION WEEK – 27 MAY TO 3 JUNE 2020

KAURNA ACKNOWLEDGEMENT

The Mayor, recognising that the land we meet upon is the traditional land of the Kaurna people, invited Allen Edwards to present the Welcome to Country.

Pledge by the Mayor:

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

7:04pm Cr Hockley entered the meeting.
7:05pm Cr Todd left the meeting.

WELCOME

The Mayor welcomed those present to the virtual meeting and advised the meeting was being recorded and will be made available on the website with the minutes.
PRESENT: Her Worship the Mayor (H Holmes-Ross) 
Crs J Bange, A Christopoulos, D Kruse, D Munro, and Y Todd.

7:04pm Cr K Hockley entered the meeting.
7:06pm Cr L Taeuber entered the meeting.
7:06pm Cr J Berry entered the meeting.
7:06pm Cr J Sanderson entered the meeting.
7:06pm Cr C McCarthy entered the meeting.
7:07pm Cr K Steele entered the meeting.
7:10pm Cr A Tilley entered the meeting.
7:56pm Cr J Sanderson left the meeting.

APOLOGIES: 

LEAVE OF ABSENCE:

ABSENT:

STAFF IN ATTENDANCE: Chief Executive Officer (M Pears), General Manager Corporate Services and Innovation (W Reynolds), General Manager Development Services & Community Safety (C Harrison), General Manager Organisational & Community Development (K O'Neill), Group Manager – Projects (U Hickey), Manager Open Space (M Willis), Manager Finance and Procurement (L Harris), Manager Property & Facilities (A Polkamp), Acting Manager Information Technology (N Molloy), Team Leader Governance (D Horton), Team Leader Planning and Business Support (T Pride), Business Partner – Transition and Policy Planning (C Byrne), Business Partner Finance (M Chisenga), Business Partner Information and Technology (B Hobbs), Senior Property & Facilities Advisor (J Valentine), Acting Senior Coordinator Community Development (U Fuat), Minute Secretary (J Barrett)

7:06pm Cr Taeuber, Cr Berry, Cr Sanderson and Cr McCarthy entered the meeting.
7:07pm Cr Todd returned to the meeting.
7:07pm Cr Steele entered the meeting.
7:08pm Cr Hockley left and returned to the meeting.
7:08pm Cr Bange left the meeting and returned at 7:10pm.
7:08pm Cr Sanderson, Cr McCarthy and Cr Taeuber left the meeting.
7:10pm Cr Tilley entered the meeting.
BUSINESS

1. ELECTED MEMBERS’ DECLARATIONS OF INTERESTS

7:10pm Cr Tilley declared that he would leave the meeting and not participate in the debate or decision in Item 9.2 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).

7:11pm Cr McCarthy returned to the meeting.

7:12pm Cr Todd declared that she would leave the meeting and not participate in the debate or decision in Item 9.2 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).

7:11pm Cr Tilley left the meeting and returned at 7:13pm.

2. CONFIRMATION OF MINUTES

2.1 FULL COUNCIL MEETING - 12 MAY 2020

MOVED Cr Bange

That the Minutes of the Full Council Meeting held on 12 May 2020 be confirmed.

SECONDED Cr Tilley

CARRIED

7:14pm Cr Taeuber returned to the meeting during discussion of this item.

3. ADJOURNED MOTIONS

Nil

4. DEPUTATIONS

4.1 JANE ROWAT - KARKOO NURSERY

The Mayor read out a deputation on behalf of Ms Jane Rowat of Karkoo Nursery in relation to Item 11.4 – Blackwood Community Hub concerning the future of the Blackwood nursery site.

7:15pm Cr Sanderson returned to the meeting during discussion of this item.
7:15pm Cr Hockley left the meeting and returned at 7:16pm during discussion of this item.
5. **ADJOURNED BUSINESS**

Nil

6. **PRESENTATIONS**

Nil

7. **GALLERY QUESTION TIME**

**QUESTIONS FROM THE COUNCIL MEETING – 26 MAY 2020**

7.1 **MR PETER JOHNSON - COUNCIL PLAN FOR RATE REDUCTION**

**QUESTION**

Mr Peter Johnson submitted the following written question on Tuesday 26 May which was read aloud by the Chief Executive Officer to the meeting:

Is it misleading to run the headline “COUNCIL PLANS FOR RATE REDUCTION” .64% (or $237k) without also disclosing that this reduction is only achievable as a result of the operating deficit or $1.434m. (or $1.077m adjusted for JV losses)?

**ANSWER**

No. The statement correctly reflects that Council’s total rate revenue excluding growth is proposed to be 0.64% lower than the previous year.

7.2 **MR PETER JOHNSON - STATE GOVERNMENT FUNDING**

**QUESTION**

Mr Peter Johnson submitted the following written question on Tuesday 26 May which was read aloud by the Chief Executive Officer to the meeting:

When did Council administration become aware that the $5m State Government funding built into the Draft ABP/LTFP for the Blackwood Hub project had not been approved, and if it was before the 12 May 2020 Council meeting, why wasn't this taken into account in the Draft AB/LTFP models? Either way, does this require an adjustment to the Draft ABP/LTFP reflecting the fact that only $5m funding is currently available, not the $10m built into the plans?

**ANSWER**

Council is budgeting for a contribution of $10m towards the estimated $20m project cost, $5m of which has been confirmed at this stage from the federal government.
8. **PETITIONS**

Nil

9. **DECISION REPORTS**

9.1 **SCHEDULE OF FEES AND CHARGES FOR 2020/21**

Report Author/Manager: Mwena Chisenga & Luke Harris
General Manager: Wade Reynolds
(Meeting Date: 26 May 2020)
(Location: Council Wide)
(Consultant Used: $Nil)

MOVED Cr Todd

That the Schedule of Fees and Charges for 2020/21 as provided at Attachment A of this report be adopted.

SECONDED Cr Steele

CARRIED

7:27pm Cr Tilley left the meeting during discussion of this item.

7:29pm Cr Tilley returned to the meeting.

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

Report Author/Manager: Sean Elliott / Tim Pride
General Manager: Craig Harrison
(Meeting Date: 26 May 2020)
(Location: Boorman Ward)
(Consultant Used: $Nil)

7:30pm Councillor Todd and Councillor Tilley reaffirmed that they would leave the meeting and not participate in the debate or decision in Item 9.2 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.

MOVED Cr McCarthy

That Council agrees to a 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).

SECONDED Cr Hockley

CARRIED
7:30pm Cr Sanderson left the meeting and returned at 7:31pm during discussion of this item.
7:38pm Cr Berry left and returned to the meeting during discussion of this item.

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

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

Against the motion: Cr Christopoulos, Cr Sanderson, Cr Taeuber

THE CHAIR DECLARED THE MOTION CARRIED

7:41pm Cr Todd and Cr Tilley returned to the meeting.

9.3 ELECTED MEMBER APPOINTMENT TO THE AUDIT COMMITTEE
Report Author/Manager: Nita Freer-Cooling
General Manager: Kate O'Neill
(Meeting Date: 26 May 2020)
(Location: Council Wide)
(Consultant Used: $Nil)

MOVED Cr Christopoulos

That Council, pursuant to the Audit Committee Terms of Reference, appoints the following Elected Member to the Committee, noting the term of office will expire in February 2021:

- Ordinary Member: Councillor Sanderson

SECONDED Cr Todd CARRIED

7:41pm Cr Sanderson left the meeting and returned at 7:44pm during discussion of this item.
7:41pm Cr Tilley left the meeting and returned at 7:45pm during discussion of this item.

ADJOURNMENT OF MEETING

THE MEETING ADJOURNED AT 7:46 pm.

7:46pm Cr Sanderson left the meeting.

RESUMPTION OF MEETING

THE MEETING RECONVENED AT 7:56 pm.
7:56pm Cr Christopoulos left and returned to the meeting.
7:59pm Cr Christopoulos left and returned to the meeting.

MOVED Cr Tilley

That the meeting be adjourned to Tuesday 2 June commencing at 7pm.

SECONDED Cr Christopoulos  CARRIED

8:13pm Cr Berry returned to the meeting during discussion of this item.
8:16pm Cr Steele returned to the meeting during discussion of this item.

CLOSE:

The meeting closed at 8:27pm.