MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS, 1 CASHEL STREET, PASADENA ON TUESDAY, 24 OCTOBER 2000 AT 7.00 PM.

MEMBERSHIP:  
His Worship the Mayor (I Brooks) (Chair)  

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RON MALCOLM
CHIEF EXECUTIVE OFFICER
MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS, 1 CASHEL STREET, PASADENA ON TUESDAY, 24 OCTOBER 2000 AT 7.00 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:

PRESENT:

APOLOGIES:

LEAVE:

STAFF IN ATTENDANCE:

WELCOME:

BUSINESS:

1. CONFIRMATION OF MINUTES

1.1 FULL COUNCIL - 26 SEPTEMBER 2000

RECOMMENDED that the Minutes of the Meeting held 26 September 2000 be confirmed.

1.2 SPECIAL COUNCIL - 3 OCTOBER 2000

RECOMMENDED that the Minutes of the Special Council Meeting held 3 October 2000 be confirmed.
2. BUSINESS RAISED BY THE MAYOR

2.1 MAYOR'S REPORT

Ivan Brooks (Prepared 16.10.00)

Listed below are the activities in which I have been involved during the period Sunday 24 September 2000 to Tuesday 24 October 2000.

September
25 Meeting with representatives of Birksgate Residents Association
26 Blackwood Business Network AGM
27 Meeting with Alan Smith and Darrel Stilwell, Carrick Hill
27 Murray Darling Association Meeting
28 Weekly meeting with CEO
28 Full Council Meeting
28 Rotary Club of Blackwood 30th Anniversary Dinner (Jan Brooks attended in my place)

October
3 Official Opening of Kids Congress 2000
3 Launch of Alliance Française French Festival
3 Meeting re Blackwood Recreation Centre
3 Special Council Meeting
3 Planning and Development Committee Meeting
4 Flinders University Alumni Association 2000 Investigator Lecture
5 Review of Meeting Procedures with CEO
5 Weekly meeting with CEO
5 Tree Planting at Blackwood Park
5 Carrick Hill Board Meeting
6 Meeting with Dr Andrew Southcott, Federal Member for Boothby
6 Presentation on Urban Consolidation by Graham Bradley
6 Lunch with CEO and Mayor of City of Marion
6 Soccer SA Awards Gala Dinner
7 Officially opened 2000/2001 season of Reade Park Lawn Tennis Club
7 25th Anniversary Dinner of Vietnamese Christian Community
8 Bay to Birdwood Car Rally
9 Citizenship Ceremony
10 Blackwood Recreation Centre Meeting
10 Engineering and Environmental Services Committee Meeting
10 Corporate and Community Services Committee Meeting
11 Meeting of Blackwood Main Street Consultative Group
11 World Organisation of Service Clubs House Party
11 Springfield Residents Association AGM
12 Weekly meeting with CEO
12 Meeting with Mike Mitchell re dispute with neighbour
12 Blackwood Meals on Wheels AGM
13 Meeting with Hon Iain Evans and Peter Mussared, St Johns School
13 Meeting re amended plans for Mitcham Big W Supermarket extension and tree removal
16 Meeting with Dijana Jevremov re launch of Business Water Conservation Demonstration Sites Video
16 Meeting re Land SA – Telstra Site
16 Mitcham District Bushfire Prevention Committee Meeting
17 National Water Week Seminar re the State Water Plan
17 Meeting with Cr Marshall re Blackwood Main Road fire damaged property
17 Management Review Committee
17 Section 30 Review Workshop
18 Launch of Business Water Conservation Demonstration Sites Video with Minister Brindal
18 Meeting with Barbara Miles re traffic problems
18 Skate Facility Workshop
19 Breakfast at Flinders Medical Centre
19 Weekly meeting with CEO
19 Meeting at Dr Andrew Southcott’s office re nominations for Commonwealth Recognition Award for Senior Australians
20 Launch of Retail Crime Prevention Fact Sheet Manual
20 COTA Seniors Function
20 Adelaide Symphony Orchestra performance at Carrick Hill
22 St John’s Grammar School Annual Spring Fair
23 Meet the Mayor Seniors’ Week function
23 Centennial Park Quarterly Review with Unley Council
24 SA Police Future Directions Strategy Seminar
24 Open Seminar for Mitcham Traders
24 Full Council Meeting

RECOMMENDATION

That the report be received.

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

4. QUESTIONS ON NOTICE

5. QUESTIONS WITHOUT NOTICE

6. PETITIONS
7. **DEPUTATIONS**

7.1 **MS ROSEMARY SANTICH, 117 MAIN ROAD, GLENALTA**

Permission has been granted for Ms Santich to make a deputation to Council concerning her fire damaged home at 117 Main Road, Glenalta.

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

Permission has been granted for Mr Bradley to make a deputation to Council to publicise a meeting concerning urban consolidation.

8. **GALLERY QUESTION TIME**

Members of the Gallery may ask 2 questions and 1 supplementary question. *These questions must be in writing and supplied to the Minute Secretary. If a response is not given by the Mayor or Administration at the meeting, a written reply will be provided within 7 days.*

9. **REPORTS OF STANDING COMMITTEE MEETINGS**

9.1 **PLANNING AND DEVELOPMENT COMMITTEE - TUESDAY, 3 OCTOBER 2000**

RECOMMENDED that the Minutes of the Planning and Development Committee Meeting held on 3 October 2000 be received and the relevant recommendations adopted.

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

RECOMMENDED that the Minutes of the Engineering and Environmental Services Committee Meeting held on 10 October 2000 be received and the recommendations adopted.

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

RECOMMENDED that the Minutes of the Corporate and Community Services Committee Meeting held on 10 October 2000 be received and the recommendations adopted.
9.4 MANAGEMENT REVIEW COMMITTEE MEETING - TUESDAY, 17 OCTOBER 2000

RECOMMENDED that the Minutes of the Management Review Committee Meeting held on 17 October 2000 be received and the recommendations adopted.

10. REPORTS FROM CENTENNIAL PARK CEMETERY AUTHORITY

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

Attached (pp 1-5) are the Minutes of the meeting of the Board of Management, Centennial Park Cemetery Authority, held on 28 September 2000.

A full copy of the Agenda for the meeting to be held on 26 October 2000 is available from the Chief Executive Officer's Executive Assistant upon request.

RECOMMENDATION

That the Minutes of the Board of Management, Centennial Park Cemetery Authority, held on 28 September 2000 be received.

11. APPOINTMENTS TO INTERNAL/EXTERNAL BODIES

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

PROPOSAL

To consider making a nomination to the Environment Protection Authority.

BACKGROUND

The Local Government Association has been advised by the Environment Protection Agency of the Department for Environment and Heritage that the current term of office of the Local Government Association's nominee to the Environment Protection Authority expires in January 2001. Nominations from Councils are invited by the LGA. This position is currently filled by Ms Anita Aspinall, former Mayor of the Adelaide Hills Council.
DISCUSSION

Section 12(2)(e) of the Environment Protection Act 1993 specifies that membership of the Environment Protection Authority is to include a person with practical knowledge of, and experience in, Local Government, chosen from a panel of three such persons submitted to the Minister for the Environment and Heritage by the Local Government Association of South Australia.

The LGA is therefore seeking nominations from Councils so that it can submit a panel of three persons to the Minister, from which one is to be appointed, by the Governor, to the Environment Protection Authority. A member of the Authority is appointed for a term not exceeding two years, but is however eligible for re-appointment.

An appointed member of the Authority is entitled to remuneration, allowances and expenses as may be determined by the Governor. Currently an appointed member’s remuneration is set at $9,500 per annum, irrespective of the number of meetings, site visits or out of session activities. Whilst the Environment Protection Authority must meet at least monthly, the LGA is aware that the Authority met 22 times over the 1999-2000 period. Scheduled meetings are generally held on the 4th Thursday of each month, commencing at 4.00pm and are indicatively, of 4 hours’ duration. After hours commitments, site visits and out of session meetings can be expected.

A summary of the roles and functions of the Authority and desirable attributes for membership are attached (pp 6-7)

Nominations must be forwarded to the LGA by Councils using the relevant nomination form and should be received by the LGA no later than close of business on Thursday 9 November 2000. The LGA State Executive Committee will determine who the three nominees will be at its meeting on Thursday 16 November 2000.

RECOMMENDATION

That Council considers making a nomination to the Environment Protection Authority.

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

PROPOSAL

To consider making a nomination for the Local Government Association representative on the Board of Trustees of the Local Government Finance Authority.
BACKGROUND

The current term of office of the two LGA representatives on the Board of Trustees of the Local Government Finance Authority are about to expire. Nominations for these positions are now invited by the LGA.

DISCUSSION

Local Government determines 5 of the 9 persons who are members of the Board of Trustees of the Local Government Finance Authority pursuant to the LGFA Act. The LGA’s Executive Director is a standing member and the LGA directly appoints two other members (currently Mr John Keough – Board Chairman and former Mayor of Thebarton, and Cr Peter Harris – Burnside). Councils directly elect two trustees. Nominations for re-election to these two positions were recently called for by the Local Government Finance Authority and Cr John Sanderson was nominated for one of these positions at the Council meeting held on 22 August 2000). The current two year term of all positions except the LGA Executive Director expires on 31 December 2000.

The LGA is now inviting nominations for its two positions.

It is the practice of the State Executive Committee to openly call for nominations in normal circumstances to fill positions of LGA representation on bodies following expiration of the term of appointment of the current representative. This does not however preclude the existing representative from renominating and the State Executive Committee considers all nominations and determines its preferences via an open merit based process.

Nominations may only be received from Councils (as LGA members) but nominees can include persons who are not currently a local government elected member or officer. The closing date for nominations is close of business in Thursday 9 November 2000. Nominees are required to complete a pro forma nomination outlining their relevant experience and expertise.

Attached (pp 8-9) are details about the role and functions of the body and desirable attributes for membership.

Nominations received will be considered at the State Executive Committee meeting to be held on Thursday 16 November 2000, the outcome of which will be advised to the AGM of the LGFA on 21 November 2000.

RECOMMENDATION

That Council considers making a nomination for the LGA representative on the Board of Trustees of the Local Government Finance Authority.
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)

PROPOSAL

That Council cast a vote for the positions of Metropolitan Adelaide Zone Delegates to the State Executive Committee.

BACKGROUND

The Returning Officer has received a total of 13 nominations for the eight positions of delegate and four positions of proxy delegate to the LGA State Executive Committee. In accordance with Rule 18 of the LGA Constitution, a ballot will need to be conducted and Councils are requested to cast their votes, in accordance with the following instructions.

1. The voting must be on the ballot paper provided by the Returning Officer which has the candidates listed in the order as drawn by lot by Mr David Duncan, Chief Executive, Council Purchasing Co-operative Ltd, and witnessed by the Returning Officer and the Deputy Returning Officer. A copy of the ballot paper listing the candidates in the order drawn is attached (attachment - p 10)

2. Council must determine which candidates it wishes to elect.

3. Council’s delegate to the LGA General Meeting, Mayor Ivan Brooks, (as resolved at the Council meeting held on 22nd August 2000) shall mark the ballot paper, or in his absence Councillor Bob Marshall as Council’s proxy delegate to the LGA General Meeting (also as resolved at Council’s meeting of 22nd August 2000). This must be done by placing the number 1 in the square opposite the name of the candidate of Council’s choice and continuing using consecutive numbers until a vote has been indicated for at least 12 candidates. If Council so desires, it may continue and place the number 13 for the remaining candidate. The ballot paper should not be marked in any other way.

4. Council’s delegate should then insert the ballot paper into the envelope provided by the LGA and endorsed ‘Ballot Paper’, then seal this envelope and insert it in a second envelope provided by the LGA addressed to the ‘Returning Officer’ then seal this envelope and arrange for it to be posted or delivered to the Returning Officer at the LGA by 5.00 pm on Tuesday 14 November 2000.

Candidate profiles in the same order as the candidates appear on the ballot paper are attached (attachment - pp 11-23)
Council has received letters from other Councils requesting support for their nominees, as below *(copies attached – 24-36)*

- Letter dated 3/10/00 received from D.R. Aylen, Chief Executive Officer, City of Holdfast Bay in support of Mayor Brian Nadilo’s nomination.

- Letter dated 12/10/00 received from John Hanlon, Acting City Manager, City of West Torrens in support of Councillor David Matthews’ nomination.

- Letter dated 9/10/00 from Harry Wierda, City Manager, City of Port Adelaide Enfield in support of Mayor Johanna McLuskey’s nomination.

- Letter dated 6/10/00 from Kristina Barnett, Mayor, City of Prospect in support of Councillor Frank Stock’s nomination.

- Letter dated 4/10/00 from Michael Llewellyn-Smith, City Manager, City of Prospect in support of Councillor Frank Stock’s nomination.

- Letter dated 6/10/00 from Frank Stock, Councillor, City of Prospect in support of his own nomination.

- Letter dated 27/9/00 from Harold Anderson, Mayor, City of Charles Sturt in support of Councillor Candice Bowey’s nomination.

- Letter dated 5/10/00 from Tony Zappia, Mayor, City of Salisbury in support of his own nomination.

- Letter dated 9/10/00 from Ron Wallace, Chief Executive Officer, Corporation of the Town of Walkerville in support of Mayor John Rich’s nomination.

The Chief Executive Officer has sent letters to the other metropolitan Councils in support of Mayor Brooks’ nomination.

**RECOMMENDATION**

1. That Council casts a vote for Mayor Brooks as its first preference and then cast a vote for the other candidates in order of 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.
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)

PROPOSAL

That Council casts a vote for the positions of representative members of the
Board of Trustees of the Local Government Finance Authority.

BACKGROUND

The Local Government Finance Authority recently called for nominations to fill
the two representative board member positions (provided by Section 7(1)(a)
of the Local Government Finance Authority Act 1983) currently held by
Councillor John Sanderson of this Council and Councillor Bert Taylor of the
City of Adelaide. At its meeting of 22 August 2000 Council resolved to re-
nominate Councillor John Sanderson and this was advised to the LGFA. Six
nominations have been received by the LGFA for the two positions and the
election will now be conducted by postal ballot. Councils are now asked to
cast a vote for their preferred candidates. Candidate profiles for the six
nominations, in the order they appear on the ballot paper, are attached
(attachment - pp 37-42). In order to comply with the Rules of the Authority,
the casting of the vote by Council must be conducted as follows.

1. The voting must be on the ballot paper provided by the LGFA which
has all the candidates listed in alphabetical order, together with the
closing date for the election, a copy of which is attached (p 43)

2. Council must by resolution determine which candidates (being not
more than two) they wish to elect.

3. Council’s representative to the AGM of the Local Government Finance
Authority of South Australia, Mayor Ivan Brooks (as resolved at the
meeting of Council held on 22nd August 2000), or in his absence the
Councillor chairing the Council meeting) shall at the Council
meeting in his own handwriting mark the ballot paper with an “x”
next to the two candidates whom the Council wishes elected.
The ballot paper should not be marked in any other way.

4. The ballot paper should then be inserted into the envelope provided
by the LGFA addressed to the Returning Officer, which is marked
“Confidential Ballot Paper”. This envelope should then be placed in
the larger envelope provided by the LGFA addressed to the Returning
Officer and Council’s name is to be recorded only on this particular
envelope. The signature of the appointed AGM delegate (Mayor
Brooks) should be added, or in his absence the signature of the
Chairman of the Council meeting. This envelope should be returned
to the Chief Executive Officer, Local Government Finance Authority of
South Australia, 16 Hutt Street, Adelaide in the self addressed large
envelope provided for that purpose.
5. All votes must be received by the Returning Officer by 5.00pm on Friday 10 November 2000.

6. Only the ballot paper provided by the LGFA with the signature of G.A. Bunyon on the reverse is to be used, and if an error is made, that ballot paper should be returned and another will be supplied.

Council has received a letter from John Hanlon, Acting City Manager of the City of West Torrens requesting support for their nominee, Councillor Harry Boyce, a copy of which is attached (attachment - 44)

The Mayor sent a letter dated 22 September 2000 to Mayors of other metropolitan Councils requesting their support for Councillor John Sanderson’s nomination.

RECOMMENDATION

(1) That Council cast a vote for Councillor John Sanderson as its first preference and then cast a vote for the other candidate of preference.

(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.

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)

Listed below are the Chief Executive Officer’s appointments attended during the period Monday 25 September to Friday 20 October 2000.

September
25 Weekly Senior Management Team Meeting
25 Meeting with representatives of Birksgate Residents Association
26 Briefing to Staff
26 Review of Senior Management Team Action Plan
26 Meeting with Dean, Faculty of Law, Flinders University
28 Weekly Meeting with Mayor
28 Belair National Park Management Plan Reference Group Meeting
28 Full Council Meeting
29 Review of Senior Management Team Action Plan
29 Property Management Task Force Meeting
October
3 Weekly Senior Management Team Meeting
3 Karinya Project Group Meeting
3 Briefing to new Ranger Service Officers
3 Special Council Meeting
3 Planning and Development Committee Meeting
4 Interviews for Director Community and Information Services position
5 Review of Meeting Procedures
5 Weekly Meeting with Mayor
5 Technical Services Three Year Plan Presentation
6 Presentation re Urban Consolidation by Graham Bradley
6 Lunch with CEO and Mayor of City of Marion
6 Urrbrae Wetland Management Committee Meeting
7 Vietnamese Christian Community 25th Anniversary Dinner
9 Weekly Senior Management Team Meeting
9 Meeting re Dept of Environment Waste Policy Discussion Paper
10 Remuneration Review negotiations with senior staff
10 Meeting of Karinya Working Group
10 Engineering and Environmental Services Management Team Meeting
10 Engineering and Environmental Services Committee Meeting
10 Corporate and Community Services Committee Meeting
11 Presentations by candidates for Director Community and Information Services position
12 Weekly Meeting with Mayor
13 Tour of Urrbrae Wetland with Martin Hamilton-Smith
13 Interview for Director Community and Information Services position
13 Meeting with Small Business Emergency Services Unit
16 Meeting re Mitcham Railway Precinct
16 Meeting re Land SA – Telstra Site
17 Meeting re Blackwood Business Network
17 Weekly Senior Management Team Meeting
17 Management Review Committee Meeting
17 Planning System – Elected Member Information Session
18 Launch of Business Water Conservation Video
18 Interviews Director Corporate and Information Services position
18 Meeting with Patawalonga Catchment Water Management Board
19 Meeting with CEO, City of Unley re Centennial Park
19 Weekly Meeting with Mayor
19 Meeting re Staff Sustainability Training Sessions
19 Presentation at Colonel Light Gardens Church
20 Meeting with Councillor Hart
20 Launch of Retail Crime Prevention Fact Sheet Manual

RECOMMENDATION

That the report be received.
12.2 LOW IMPACT TELECOMMUNICATION FACILITIES
(Ref: 335.1.16) Jason Willcocks (Prepared: 11/7/00)

PROPOSAL

To inform Council on any low impact mobile phone base station installations within the City of Mitcham.

BACKGROUND

In accordance with Council's resolution on 27 June 2000, Administration will provide advice on any low impact mobile phone base station installations within the City of Mitcham.

This advice is for general information purposes only; each proposed installation is classified as a low impact facility under the Telecommunications Act and is therefore exempt from any powers available to Council under the Development Act.

DISCUSSION

No notifications have been received during the past month.

RECOMMENDATION

That the report be received for information only.

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

PROPOSAL

To move two motions to remove any doubt about Council’s intentions in respect of:-
- the reimbursement of certain discretionary expenses
- providing certain facilities and support to the principal member of Council

BACKGROUND

When, at its first meeting of 23 May 2000, the new Council moved its resolutions to fix the members' allowances for the forthcoming year, Council:-
- adopted a policy document which made clear what was to be provided to elected members by way of reimbursement of expenses and by way of facilities and services to the Mayor
- resolved what the members allowances would be
Section 78(2)(a) of the Local Government Act provides that any facilities or services provided to elected members to assist the members perform their official functions and duties must be accompanied by a resolution stating that fact.

Cr Fisher has highlighted to Administration the fact that while Council made the two resolutions above, it did not specifically move the third resolution.

DISCUSSION

Our legal advice about the resolutions of Council suggests that:-

“whilst it would have been more clear and certain for the Council to expressly resolve in respect of the reimbursement of expenses and the provision of other facilities and support .... it appears that the Council resolution ... is a solution which establishes Council's position.”

It goes on to say

“The adoption of a position which provides that .. the Mayor ... be provided with a vehicle, a laptop, dedicated telephone line, fax and contribution to the Mayor’s telephone bill .... were expressly adopted by Council.”

It does suggest, however, that any doubt can be removed by a simple resolution which formally recognises Council’s intentions.

The recommendation below does no more or less than this.

RECOMMENDATION

That Council resolve 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 for the performance of his official functions and duties.

12.4 DELEGATIONS

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

PROPOSAL

To review the delegations of Council.

BACKGROUND

Section 44(6) of the Local Government Act provides that Council shall review its delegations at least once every financial year. Given the introduction of the Local Government Act in January this year, this year’s review has been much more complex than in previous years.
The Delegations Manual is in three parts:-

- Delegations from Council
- Delegations from Council Committees
- Delegations from the Chief Executive Officer

Council needs only concern itself with the first part. The second part will be considered by the relevant Corporate and Community Services Committee while the CEO will manage the latter.

The Delegations from Council is in turn divided into three parts:-

- Delegations to Council Committees
- Legislative Delegations to the Chief Executive Officer
- Policy Delegations to the Chief Executive

A draft copy of Part 1 of the Delegations Manual is forwarded under separate cover.

DISCUSSION

While the paper work is substantial, the proposed changes are minimal.

There are two delegations to Council committees. They are a delegation to the Corporate and Community Services Committee to allow the Community Grants and Donations Sub-Committee to allocate grants to community groups and a delegation to the Planning and Development Committee to sub-delegate if it so wishes. Neither of these changes are significantly different from the current arrangements.

In respect of the legislative changes to the CEO, most of these are the result of the introduction of the new Local Government Act. While the words are new and the changes many, the change from previous arrangements is minimal. One change which is worth drawing to members attention is the delegated authority to spend monies outside of the budget in an emergency, on the provision that at the first opportunity this expenditure is reported to either Council or the relevant Standing Committee.

In respect of the last set of delegations, the only changes reflect the recent revision of the policy manual.

Administration suggests that if there is anything of which members are not sure, they contact the author before the Committee meeting.

RECOMMENDATION

(1) That pursuant to the resolution passed by Council at its meeting of twenty fourth of October 2000 the 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 does hereby revoke all delegations and 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.

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

PROPOSAL

To finalise a revised Statement of Intent relating to the rezoning of the former
Telecom land, lots 100 and 101, Cashel Street Pasadena from institution to
residential purposes.

BACKGROUND

At its meeting of 1 August 2000, the Planning and Development Committee
received a report describing the anticipated need for undertaking rezoning of
lots 100 and 101 for residential purposes. Members are referred to item 6.2
of the agenda for a summary of the background to the proposed rezoning;
the draft Statement of Intent was prepared in recognition that most of the
enquiries from prospective purchasers had been on the basis of rezoning and
development for residential purposes. Members will recall that the Draft
Statement of Intent functions as the basis for agreement with the Minister to
the development of policies appropriate for the rezoning and subsequent
development of the land.

The Committee resolved to defer further consideration of the Statement of
Intent until advice had been received of the sale of the land from the vendor's
agent. That advice has since been received, the successful purchaser is
Land SA. It is thus appropriate to finalise the draft Statement of Intent for
forwarding to the Minister without delay.
DISCUSSION

Preliminary information from the purchaser Land SA indicates that the company seeks to develop the land for residential purposes, including adaptation of the existing former Telstra training building for aged accommodation services. Administration considers that the purchaser's aim is consistent with the purpose of the Statement of Intent as originally presented to the August Planning and Development Committee meeting. The draft Statement of Intent is attached. (Attachment pp 45-51).

Once the Minister has received and accepted the Statement of Intent, Council will be in a position to proceed without delay with its preparation of a draft Plan Amendment Report.

It is suggested that Council take advantage of the allowance under the Development Act for direct consultation and concurrent agency consultation, subject to the Ministers agreement, so as to reduce the time frame for preparation of the draft PAR. This request would have the effect of requiring the Minister's approval to be obtained only at two points in the process, namely the Statement of Intent and authorisation stages, and for agency consultation to be undertaken at the time of public exhibition.

RECOMMENDATION

(1) That Council endorse 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.

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

PROPOSAL

To provide Council with a report on progress on the environmental audit of the Blackwood Forest site.

BACKGROUND

As members will be aware, an environmental audit of the Blackwood Forest site was commissioned to allow Council to be in a position where it could make an informed decision to proceed with the purchase and rezoning of the site for open space and residential development. Council's negotiations with the State Government have to date been undertaken outside of any formalised contractual obligations or constraints.
They are planned to ensure Council can be satisfied that it has been duly diligent through the environmental audit process in ensuring that the land would be suitable for its intended purposes.

At the November 1999 meeting, Council received a report advising that some of the soil test levels for DDT within portions of the site exceeded acceptable levels in terms of ecological risk. As a result the environmental auditor Adrian Hall of BC Tonkin and Associates was at that stage not prepared to sign off without undertaking an Ecological Risk Assessment (ERA). Council accordingly resolved to accept the auditor’s proposal to undertake the ERA for a cost estimate of $28,000. As a precaution, Council also obtained an undertaking from the Department of Environment, Heritage and Aboriginal Affairs that, in the event that the Environmental Auditor’s advice does not support the envisaged open space and residential development, the Minister would underwrite the cost for the audit and ERA combined to the amount of $33,600 as estimated by the auditor.

The environmental audit including the ecological risk assessment has progressed to the final phase; however, largely because of the uncharted nature of the ERA - the first ever conducted in South Australia - the auditor has warned that audit costs incurred to date now exceed the original $33,600 fee estimate. Completion of the process is now on hold to allow Council and Departmental representatives to consider the auditor’s recommended strategy as outlined in a draft progress report. A summary of the progress report is attached (pp 52-77).

DISCUSSION

In essence, the report reveals that there is an acceptable level of ecological risk to at least four bird species of the 11 species inhabiting the site and identified as likely receptors. In order to reduce this risk to an acceptable level, the site auditor is recommending that some areas of the broadacre of portions of the site need to be remediated either by removal or burial. A recommended strategy for remediation is provided in the report per advice from Koukourou and Partners.

These findings will be the subject of further discussions with the Department for Environment and Heritage, with a view to forging a new arrangement for management of remediation and completion of the audit, including responsibility for estimated costs. An approximate order of costs for remediation are detailed on the letter from Koukourou and Partners within the progress report. It is the Administration’s view that these remaining costs should remain the responsibility of the Minister and his Department. Should Council receive confirmation of this approach, it would then be open for the Department to authorise the funds for the required remediation work and completion of the audit as proposed.

RECOMMENDATION

(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.

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

PROPOSAL

To provide a brief status report on the Blackwood Centre Consultative Group and appoint two community representatives.

BACKGROUND

In July 2000, Council endorsed the establishment of the Blackwood Centre Consultative Group to introduce a collaborative approach to advice to Council on newly funded initiatives in Blackwood Centre, in particular relating to parking works and related matters. Council also endorsed terms of reference and a membership structure for the group, and a call for registration of interest from the wider hills community for two positions on the group.

The call for the registration of interest for the community positions has now closed, with a resulting high level of response. Thirteen persons overall expressed interest in joining the group, most of whom have provided a brief statement about themselves and their interest in the Blackwood Centre Project work. Elected members are invited to contact the Senior Policy Planner for a summary of respondents’ submissions.

DISCUSSION

The high level of interest has made the task of recommending nominees to the group a difficult one, and the views of the current membership of the Consultative group were canvassed at a preliminary meeting of the group in October. As a result the nominees recommended to Council are Mr Geoff Bartlett and Mr Mark Smitherman. Mr Bartlett has resided in Blackwood for over thirty years, and may be described as a practical and tireless activist for enhancement of the Blackwood Centre, his interests include streetscape beautification and parking and access improvements. Mr Smitherman, a recent science graduate, has a keen interest in the Blackwood Centre generally, but in particular is able to bring both an environmental appreciation and a relatively younger perspective to the group's make up.
As indicated above, it has been necessary to hold two preliminary meetings of the Consultative Group to assist Council in prioritising its activities and providing information to the Blackwood community. From these preliminary meetings, the group is conscious of, and endorses, its role as an advisory group with no powers as such, and appears keen to focus on the principal issues leading to improvements to the centre. All members of the group are freely given the opportunity to contribute, although the size of the membership, larger than originally conceived, is perhaps proving somewhat unwieldy. Any change in the adopted structure and size of the group is a matter that would need to be considered by Council rather than the group itself.

RECOMMENDATION

(1) That the report be received.

(2) That Council endorses the appointment of Mr Geoffrey Bartlett and Mr Mark Smitherman as the remaining two community representative positions on the Blackwood Centre Consultative Group.

13. ADJOURNED MOTIONS

Nil

14. NOTICES OF MOTION

14.1 CR MARSHALL - RESCISSION MOTION - BLACKWOOD CENTRE CONSULTATIVE GROUP

I hereby give notice that I intend to move the following rescission motion in reference to Item 3.2 of the Corporate and Community Services Committee Meeting of 11 July 2000 relating to the Blackwood Centre Consultative Group:

That the following motion be rescinded in total:

BLACKWOOD CENTRE CONSULTATIVE GROUP
(Ref: 160.40.2)

(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.

I also give notice that I intend to move the following motion, should the rescission motion be carried:

(1) That Council endorses the establishment of a revamped Blackwood Consultative Group.

(2) That Council appoints a total of two Elected Members, being one representative from each of the two Hills Wards, to provide Council’s representation on the Consultative Group.

(3) That Council invites the three traders who have currently been representing the Blackwood business community to become part of the revamped Consultative Group.

(4) That Council invites the Blackwood/Belair Community Association to nominate two members of their organisation to become part of the revamped Consultative Group.

(5) That Council selects two members of the wider Hills community from recently received expressions of interest to become part of the revamped Consultative Group.

(6) That Council selects two Elected members to become part of the revamped Consultative Group.

(7) That no proxies for any of the positions be allowed.

(8) That the Senior Policy Planner, Mr Jason Willcocks should attend and schedule meetings as necessary, in consultation with the revamped Consultative Group, as part of Council’s technical support and advice.

(9) That the clearly defined role of the revamped Consultative Group should be to provide advice to Council, by way of resolutions relating strictly to currently attainable and budgeted car parking issues only.

(10) That once these car parking issues have been resolved, Council should decide the future role (if any) of the Consultative Group.

REASON

I have had concerns from the start that there were too many members on this Consultative Group and that due to this, the Group would become dysfunctional. Currently, if three more community representatives are selected, there will be a membership of fifteen (including Mr Wilcocks).
Mr Willcocks' original recommendation was for two Elected Members. At the beginning of this Council terms, Mr Ron Malcolm suggested a maximum number of nine on a committee as part of his plan to streamline the decision making process.

At the first meeting of the Consultative Group on 13 September 2000, there were nine people present. I believe much more was achieved at that meeting than at the meeting of 11 September, where twelve attended.

Having spoken to the three traders concerned and the Blackwood/Belair Community Association, the above mentioned concerns are shared by these people. The traders are also concerned that we are not focussed enough and that we risk going back over 'old ground'. They all support my proposed changes.

It is my belief that a 'tighter' group will be able to get on with their task in hand much quicker. We need to show the traders some results for rates as soon as possible in order to keep their confidence.

15. MOTIONS WITHOUT NOTICE

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

PROPOSAL

To inform members of reports and actions which have been requested and their current status.

BACKGROUND

At meetings of the Council, reports are often requested concerning certain items which must be submitted to subsequent meetings. Actions are also requested and their current status is recorded in the attached table.

Attached pp (78-81) is a table detailing the reports outstanding and resolutions not yet effected and a brief summary of their status.

RECOMMENDATION

That the report be received.

17. ANY OTHER BUSINESS
18. CONFIDENTIAL

CLOSE: