Minutes of the Ordinary Meeting of Council of the City of Prospect held in the Prospect Civic Centre, 128 Prospect Road, Prospect on Tuesday 19 December 2017, at 6:05pm

PRESENT:

Mayor D O’Loughlin
Councillors K Barnett, A De Backer, T Evans, M Groote, A Harris, M Larwood (6.14pm), M Lee and M Standen

C Hart - Chief Executive Officer
C Hannaford - Director Business & Innovation
N Cunningham - Director Community & Planning
G Moon - Director Corporate Services
S Bradley - Director Infrastructure & Environment
C Birch - Manager Financial Services
J Tanti - Manager Governance & Administration
C Newby - CLIC Project Lead
J Page - Minute Secretary

ITEM 1: OPENING

Item 1.1 Acknowledgment of the Kaurna people as the traditional custodians of the land

Item 1.2 Council Pledge

We seek wisdom and understanding as we face the duties of our united task,
praying for the peace and prosperity of our City.

Item 1.3 Declaration by Members of a Conflict of Interest

Nil.

ITEM 2: ON LEAVE

Nil.

ITEM 3: APOLOGIES

Nil.

ITEM 4: CONFIRMATION OF MINUTES

Cr M Lee moved Cr K Barnett seconded

(1) The Minutes of the Ordinary Meeting of Council held on Tuesday 28 November 2017 and the Special Council Meeting held on Tuesday 5 December 2017 be taken as read and confirmed as a true record.

Carried Unanimously 226/17

ITEM 5: MAYORAL MONTHLY REPORT

Cr A Harris moved Cr M Lee seconded

(1) Council having considered Item 5 Mayoral Monthly Report for the period of 29 November 2017 to 19 December 2017, receive and note the report.

Carried Unanimously 227/17
ITEM 6: VERBAL REPORTS FROM COUNCIL REPRESENTATIVES
Nil.

ITEM 7: PETITIONS
Nil.

ITEM 8: DEPUTATIONS
Nil.

ITEM 9: MOTIONS ON NOTICE

Item 9.1 Cr Mark Standen - Environmental Impact of Speed Humps
Cr M Standen moved Cr M Groote seconded

Cr M Larwood entered the meeting at 6.14pm.

(1) A report be provided through a brief literature review on how much extra fuel vehicles use (as near as practical) whilst traversing speed humps.

(2) Use this information to determine as near as practical the total amount of extra CO2 (or CO2 Equivalent) the speed humps of City of Prospect are contributing to our atmosphere during a calendar year.

(3) Report to be presented to Council by March 2018.

Carried Unanimously 228/17

Item 9.2 Cr Mark Standen - Local Area Traffic Management Policy
Cr M Standen moved Cr K Barnett seconded

(1) A report be provided on the merit or otherwise of changing the intervention trigger as adopted in Council’s Local Area Traffic Management Policy (Section 5.4) to be expressed as a percentage above the posted speed limit, rather than as currently expressed by kilometres per hour.

(2) Report to be presented to Council by March 2018.

Carried Unanimously 229/17

Item 9.3 Cr Matt Larwood - Bike Friendly Community
Cr M Larwood moved Cr K Barnett seconded

(1) That a Council Workshop be held no later than March 2018 on innovative methods to demonstrate best practice in being a bike friendly community and welcoming destination for cyclists.

(2) That Staff investigate the opportunity for guest speakers from the local bicycle community, industry representatives and relevant government agencies to present best practice approaches as part of the discussion.

Carried Unanimously 230/17
ITEM 10: QUESTIONS WITH NOTICE
Nil.

ITEM 11: QUESTIONS WITHOUT NOTICE
Questions asked by Elected Members were responded to by Mayor D O'Loughlin and staff.

ITEM 12: REPORT OF COMMITTEES / REGIONAL SUBSIDIARIES / OTHER BODIES
Nil.

ITEM 13: Reports for Decision

Item 13.1 Resolution to Finalise Revocation of Land Status, 218 Main North Road

Cr M Groote moved Cr K Barnett seconded

(1) Council, having considered Item 13.1 Resolution to Finalise Revocation of Land Status, 218 Main North Road, resolve to revoke the community land status of the specific allotment known as 218 Main North Road, effective immediately.

(2) Council resolve to publish this Resolution in the City North Messenger in order to inform the community of the conclusion of process.

Carried Unanimously 231/17

Item 13.2 Development and Associated Public Realm Enforcement Policy (Urban Corridors)

Cr A Harris moved Cr K Barnett seconded

(1) Council, having considered Item 13.2 Development and Public Realm Compliance Policy, endorse the Development and Associated Public Realm Enforcement Policy (Urban Corridors) as a draft policy.

Carried Unanimously 232/17

Item 13.3 Fund My Neighbourhood Grant Program - Round One Outcomes

Cr K Barnett moved Cr M Standen seconded

(1) The Chief Executive Officer to write to the Local Government Association of SA on behalf of Council and request that they liaise with the State Government on behalf of Councils across the State for a review of the Fund My Neighbourhood Grants program. The review should focus upon improving opportunities for the active involvement of Councils within the program and to ensure a fair and equitable distribution of available grant funds.

(2) The projects that received Council's in-principle support for Round One of the Fund My Neighbourhood Grants program which were unsuccessful, be considered in Council's Budget deliberations for 2018/2019.
(3) The projects that received Council's in-principle support for Round One of the Fund My Neighbourhood Grants program will again receive in-principle support for Round Two commencing in May 2018.

Item 13.4 PLEC Funding – Prospect Road and Hampstead Road

Cr A Harris moved Cr T Evans seconded

(1) Council having considered Item 13.4 PLEC Funding – Prospect Road and Hampstead Road, endorse:

a. The undergrounding of power lines on Prospect Road (between Regency Road and Angwin Avenue) utilising funding from the Roads to Recovery Grant in 2017/2018 and operating budget in 2018/2019; and

b. The undergrounding of power lines on Hampstead Road (between McInnes Avenue and North East Road) be deferred for further consideration in the 2020/2021 financial year.

Item 13.5 Results from Devonport Terrace Streetscape Survey

Cr K Barnett moved Cr M Larwood seconded

(1) Council having considered Item 13.5 Results from Devonport Terrace Streetscape Survey, note the report and suggested actions;

(2) Council receive a further report outlining progress of the project to improve the overall amenity of Devonport Terrace as the State Government’s project to electrify the Adelaide - Gawler railway line progresses; and

(3) Council staff to liaise with ‘Rail Care’ to identify grant funding opportunities.

Item 13.6 Prudential Review – Community Hub, Library and Innovation Centre (CLIC)

Cr M Larwood left the meeting at 7.29pm.

Cr M Groote moved Cr T Evans seconded

Cr M Larwood re-entered the meeting at 7.32pm.

(1) Council having considered Item 13.6 Prudential Review – Community Hub, Library and Innovation Centre (CLIC) on 19 December 2017 receive and acknowledge the key project risks identified by the independent person in preparation of this report.
Item 13.7 Community Hub, Library & Innovation Centre (CLIC) Concept Plans for Endorsement to progress to Design Development and Community Consultation

Cr M Groote moved Cr M Larwood seconded

(1) Council having considered Item 13.7 Community Hub, Library & Innovation Centre Concept Plans for Endorsement to progress to Design Development and Community Consultation on 19 December 2017, endorses the concept design (as described in the attachments to the report) to proceed to design development, noting the continued involvement of Elected Members, the Community Reference Group, key staff and other stakeholders.

(2) Council endorses a budget allocation of $16.4m for construction and fitout of the CLIC (as described in the attachments to the report and including increased ceiling heights), noting a preference for this figure to be continually refined through the development of the design and through the life of the project.

(3) Council endorses a budget allocation of $1.48m for Professional Fees, noting a preference for this figure to be continually refined through the life of the project.

Carried Unanimously 237/17

ITEM 14: PROTOCOL:

As per Council’s protocol, only those items reserved by members will be debated.

The following items were reserved:

Cr A Harris reserved Item 15.2

Recommendations adopted en bloc:

Cr M Lee moved Cr T Evans seconded

(1) The remaining items, namely 15.1 and 15.3 be adopted.

Carried Unanimously

ITEM 15: Reports for Information

Item 15.1 - Appointment of Acting Chief Executive Officer

Cr M Lee moved Cr T Evans seconded

(1) Council having considered Item 15.1 Appointment of Acting Chief Executive Officer receive and note the report.

Carried Unanimously 238/17

Item 15.3 Project Update - Community Hub, Library & Innovation Centre (CLIC)

Cr M Lee moved Cr T Evans seconded

(1) Council having considered Item 15.3 Project Update - Community Hub, Library & Innovation Centre receives and notes the progress update for the Community Hub, Library and Innovation Centre for the period 28 November 2017 until 19 December 2017.

Carried Unanimously 239/17
Item 15.2  Repairs to Broadview Tennis Clubrooms

Cr A De Backer moved Cr T Evans seconded

(1) Council having considered Item 15.2 Repairs to Broadview Tennis Clubrooms receive and note the report.

The Mayor sought leave of the meeting, with the consent of the mover and seconder of the Motion to vary the Motion to add “(2) Staff to investigate the condition of the asbestos in the adjacent building and update the register accordingly and if action is required then undertake remediation”.

Leave granted.

The motion as varied:

(1) Council having considered Item 15.2 Repairs to Broadview Tennis Clubrooms receive and note the report.

(2) Staff to investigate the condition of the asbestos in the adjacent building and update the register accordingly and if action is required then undertake remediation.

Carried Unanimously 240/17

ITEM 16: COUNCIL DIARY:

Mayor D O’Loughlin brought Members’ attention to forthcoming diary dates.

ITEM 17: GENERAL BUSINESS - URGENT MATTERS:

Nil.

ITEM 18: CONFIDENTIAL ITEMS:

Item 18.1  Australia Day Citizen of the Year Awards 2018

Cr T Evans moved Cr M Standen seconded

(1) Order pursuant to section 90(3)(a)

Under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of the Cate Hart, Chief Executive Officer; Ginny Moon; Director Corporate Services; Simon Bradley, Director Infrastructure and Environment; Chris Hannaford, Director Business and Innovation; Nathan Cunningham, Director Community and Planning; Jo-Ann Tanti, Manager Governance and Administration and Jasmyn Page, Minute Secretary, be excluded from attendance at the meeting of the Council in order to consider in confidence Agenda Item 18.1 titled “Australia Day Citizen of the Year Awards 2018”.

The Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting:
on the grounds provided by Section 90(3)(a) of the Act, information to be received, discussed or considered in relation to this Agenda Item would involve the unreasonable disclosure of information concerning the personal affairs of the nominees, in that details of their personal attributes and merits of the nominations may be discussed, and

- the disclosure of this information would, on balance, be contrary to the public interest. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details regarding the merits of the nominations may be prematurely released before the successful award recipients have been announced outside the official ceremony that recognises their contribution to the City at the Tourrific Prospect VIP Event on 15 January 2018.

Carried Unanimously 241/17

Confidential Resolutions

Cr A Harris moved Cr K Barnett Seconded

(2) This Item was dealt with “in confidence”.

(3) This Item was dealt with “in confidence”.

(4) This Item was dealt with “in confidence”.

(5) Order Pursuant to Section 91(7)

That in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that Item 18.1 for the Ordinary Council Meeting held on 19 December 2017 was received, discussed and considered in confidence pursuant to Section 90(3)(a) of the Local Government Act 1999, this meeting of Council, orders that the report titled “Australia Day Citizen of the Year Awards 2018”, attachments and the minutes of this meeting in relation to the matter be retained in confidence (other than for the purpose of implementing the Council decision) and not available for public inspection until all award nominees have been notified and the successful award recipients have been announced at the official ceremony on 15 January 2018.

Carried Unanimously 242/17
Item 18.2  Sale of 82 Johns Road and 218 Main North Road, Prospect

Cr M Groote moved Cr T Evans seconded

Subject to Confirmation

(1) **Order pursuant to section 90(3)(d)**

That under the provisions of Section 90(2) of the *Local Government Act 1999*, an order be made that the public with the exception of the Cate Hart, Chief Executive Officer; Simon Bradley, Director Infrastructure and Environment; Nathan Cunningham, Director Community and Planning; Ginny Moon, Director Corporate Services; Chris Hannaford, Director Business & Innovation; Chris Newby, CLIC Project Lead; Chris Birch, Manager Financial Services; Jo-Ann Tanti, Manager Governance; and Jasmyn Page, Executive Assistant be excluded from attendance at the meeting of the Ordinary Council Meeting in order to consider in confidence Agenda Item 18.2 titled “Sale of 82 Johns Road and 218 Main North Road, Prospect”.

The Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting:

- on the grounds provided by Section 90(3)(d) of the Act, Commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) Could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, (ii) would, on balance, be contrary to the public interest; and

- the Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be discussed has the potential to impact adversely on each of the tenderers as competitive commercial information will be disclosed.

**Carried Unanimously 243/ 17**

The Mayor sought leave to suspend meeting proceedings to discuss Item 18.2 on the Agenda until 9.00pm.

Leave granted.

Meeting proceedings were suspended at 8.18pm.

Meeting proceedings resumed at 9.00pm.

The Mayor sought leave to suspend meeting proceedings to discuss Item 18.2 on the Agenda until 9.30pm.

Leave granted.

Meeting proceedings were suspended at 9.00pm.

Meeting proceedings resumed at 9.27pm.
Confidential Resolutions

Cr A Harris moved Cr M Groote seconded

(2) This Item was dealt with “in confidence”

(3) This Item was dealt with “in confidence”

(4) This Item was dealt with “in confidence”

(5) This Item was dealt with “in confidence”

(6) **Order Pursuant to section 91(7)**

That in accordance with Section 91(7) and Section 91(9) of the *Local Government Act 1999* and on the grounds that Item 18.2 for the Ordinary Council Meeting held on 19 December 2017 was received, discussed and considered in confidence pursuant to Section 90(3)(d) of the *Local Government Act 1999*, this meeting of the Council, orders that the Report, Minutes and Attachments to the report titled “Sale of 82 Johns Road and 218 Main North Road, Prospect” remain confidential and not available for public inspection for a period of 2 years and that this order be reviewed every 12 months.

Carried Unanimously 244/17
Item 19: Closure

The meeting closed at 9.28pm.

Subject to Confirmation

Mayor D O’Loughlin
23 January 2018