Minutes of the Ordinary Meeting of Council of the City of Prospect held in the Prospect Civic Centre, 128 Prospect Road, Prospect on Tuesday 27 March 2018, at 7:00pm

PRESENT:

Mayor D O’Loughlin
Councillors K Barnett, A De Backer, T Evans, M Groote, A Harris, M Larwood, 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
J Tanti - Manager Governance & Administration
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 T Evans seconded

(1) The Minutes of the Ordinary Meeting of Council held on Tuesday 27 February 2018 and the Special Meeting of Council held on Tuesday 13 March 2018 be taken as read and confirmed as a true record.

Carried Unanimously 52/18

ITEM 5: MAYORAL MONTHLY REPORT

Cr A De Backer moved Cr T Evans seconded

(1) Council having considered Item 5 Mayoral Monthly Report for the period of 28 February 2018 to 27 March 2018, receive and note the report as amended.

Carried Unanimously 53/18
ITEM 6: ELECTED MEMBER REPORTS AND BRIEFINGS

Cr A De Backer attended the Planning Institute of Australia State Planning Conference held in March 2018 and provided a briefing to Elected Members.

ITEM 7: PETITIONS

Nil.

ITEM 8: DEPUTATIONS

Nil.

ITEM 9: MOTIONS ON NOTICE:

Item 9.1 Cr Mark Standen- Traffic Management on Regency Road

Cr M Standen moved Cr T Evans seconded

(1) Council delegate the Chief Executive Officer and Director Infrastructure and Environment to determine what measures the Department of Planning, Transport and Infrastructure have in place to manage the expected increase in heavy vehicle traffic volumes along Regency Road once the new Northern Connector is open and operational, and to report to Council on the outcomes of this investigation.

Carried Unanimously 54/18

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

The Mayor sought leave of the meeting to bring forward Item 15.2 on the Agenda.

Leave granted.

The Mayor sought leave of the meeting to suspend meeting proceedings to discuss Item 15.2 on the agenda until 7.45pm.

Leave granted.

Meeting proceedings were suspended at 7.23pm.

Cr M Larwood left the meeting at 7.27pm.

Cr M Larwood re-entered the meeting at 7.31pm.

Meeting proceedings resumed at 7.43pm.
Item 12.1 Eastern Waste Management Authority Board Meeting Minutes

Cr A Harris moved Cr M Groote seconded

(1) That Council receives and note the Minutes of the Eastern Waste Management Authority Board Meeting held on Thursday 22 February 2018, as presented in Attachments 1-5.

Carried Unanimously 55/18

Item 15.2 Update on the disposal of recyclable material

Cr T Evans moved Cr K Barnett seconded

(1) Council having considered Item 15.2 Update on the disposal of recyclable material receive and note the report.

Carried Unanimously 56/18

Item 12.2 Audit Committee Meeting Recommendations 21/03/2018

Cr T Evans moved Cr K Barnett seconded

(1) That Council receives and notes the Minutes of the Audit Committee Meeting held on Wednesday 21 March 2018, as presented in Attachments 1-4.

(2) That Council having acknowledged the Audit Committee recommendations for Item 9.2 Budget Framework Policy Update.

(3) Adopt the Budget Framework Policy, as presented in Attachments 5-11.

Carried Unanimously 57/18

ITEM 13: Reports for Decision

Item 13.1 Periodic Legislative Delegations Review – March 2018

Cr K Barnett moved Cr A De Backer seconded

1. Revocations

1.1 Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:

- Expiation of Offences Act 1996 to take effect from 30 April 2018.

2. Delegations made under Local Government Act 1999

2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Attachments 1-7 (annexed to the Report dated 27 March 2018 and titled Item 13.1 Periodic Legislative Delegations Review – March 2018) identified as indicated below are hereby delegated this 27th day of March 2018 to the person occupying the office of Chief Executive Officer of the Council to take effect from 30 April 2018 subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instruments of Delegation:

- Expiation of Offences Act 1996 (Attachments 1-5)
•  *Fines Enforcement and Debt Recovery Act 2017* (Attachments 6-7)

3. Such powers and functions may be further delegated by Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

**Item 13.2  Local Area Traffic Management Policy**

Cr A De Backer moved Cr K Barnett seconded

(1) That Council having considered Item 13.2 Local Area Traffic Management Policy receive and note the report.

(2) Note that a Draft Traffic Management Policy will be presented to an Elected Member Workshop prior to August 2018.

(3) Note that the Draft Traffic Management Policy include the following principles:

   a. The preference (or otherwise) to apply a 40km/h speed limit across the City of Prospect.

   b. New thinking on local area traffic management, including critical review of the precinct by precinct approach, and consideration of the range of traffic calming solutions for local streets.

**Amendment**

Cr M Groote moved seconded Cr T Evans

To remove part (3) of the recommendation.

The amendment was put and carried.

The amended motion, namely:

(1) That Council having considered Item 13.2 Local Area Traffic Management Policy receive and note the report.

(2) Note that a Draft Traffic Management Policy will be presented to an Elected Member Workshop prior to August 2018.

**Carried Unanimously 59/18**

**Item 13.3  Kaurna Indigenous Land Use Agreement**

Cr A Harris moved Cr K Barnett seconded

(1) Council having considered Item 13.3 Kaurna Indigenous Land Use Agreement, notes the conclusion of the Local Government Government’s negotiations on an Indigenous Land Use Agreement with the Kaurna people; and

(2) Council notes that any relevant funds to be returned by the Local Government Association to be considered as a favourable budget adjustment in the Third Budget Review.
Amendment

Cr M Groote moved, Cr M Standen seconded

That part (2) of the motion be amended to read

(2) ........to be considered in the Third Budget Review for the purpose of advancing the Reconciliation Action Plan.

The amendment was put and carried unanimously.

The amended motion, namely:

(1) Council having considered Item 13.3 Kaurna Indigenous Land Use Agreement, notes the conclusion of the Local Government Government’s negotiations on an Indigenous Land Use Agreement with the Kaurna people; and

(2) Council notes that any relevant funds to be returned by the Local Government Association to be considered in the Third Budget Review for the purpose of advancing the Reconciliation Action Plan.

Carried Unanimously 60/18

Item 13.4 Community Engagement and Consultation Policy

Cr A De Backer moved Cr K Barnett seconded

(1) Council having considered Item 13.4 Community Engagement and Consultation Policy endorse the Community Engagement and Consultation Policy (as presented in Attachments 1-7) for community consultation.

Lost Unanimously

Item 13.5 Environmental Impact of Speed Humps

Cr M Groote moved Cr K Barnett seconded

(1) That Council having considered Item 13.5 Environmental Impact of Speed Humps receive and note the report.

(2) That Council write to the following organisations encouraging them to undertake research to quantify the emissions associated with traversing speed humps, offering City of Prospect as a test case:

- Department of Planning Transport and Infrastructure’s Safety and Service Division (DPTI)
- University of South Australia’s Schools of Natural and Built Environments (UniSA)
- University of Adelaide’s Centre for Automotive Safety Research (CASR)

Mayor D O’Loughlin sought leave of the meeting, with the consent of the mover and seconder of the Motion to include:

(3) Additional in-house research be undertaken with existing resources to define as near as practical the amount of Co² expended per car, per device, per trip, and a supplementary report be presented to the May 2018 Council Meeting.

Leave granted.

Confirmed Council Resolution 74/18
The Motion as varied:

(1) That Council having considered Item 13.5 Environmental Impact of Speed Humps receive and note the report.

(2) That Council write to the following organisations encouraging them to undertake research to quantify the emissions associated with traversing speed humps, offering City of Prospect as a test case:
   - Department of Planning Transport and Infrastructure’s Safety and Service Division (DPTI)
   - University of South Australia’s Schools of Natural and Built Environments (UniSA)
   - University of Adelaide’s Centre for Automotive Safety Research (CASR)

(3) Additional in-house research be undertaken with existing resources to define as near as practical the amount of Co\textsuperscript{2} expended per car, per device, per trip, and a supplementary report be presented to the May 2018 Council Meeting.

Mayor D O’Loughlin sought leave of the meeting, with the consent of the mover and seconder of the Motion to amend part (3) of the motion to add the additional words of “including related assumptions”.

Leave granted.

The motion as varied:

(1) That Council having considered Item 13.5 Environmental Impact of Speed Humps receive and note the report.

(2) That Council write to the following organisations encouraging them to undertake research to quantify the emissions associated with traversing speed humps, offering City of Prospect as a test case:
   - Department of Planning Transport and Infrastructure’s Safety and Service Division (DPTI)
   - University of South Australia’s Schools of Natural and Built Environments (UniSA)
   - University of Adelaide’s Centre for Automotive Safety Research (CASR)

(3) Additional in-house research be undertaken with existing resources to define as near as practical the amount of Co\textsuperscript{2} expended per car, per device, per trip, including related assumptions and a supplementary report be presented to the May 2018 Council Meeting.

Carried 61/18

Item 13.6 Hampstead Road PLEC Funding

Cr A Harris moved Cr M Standen seconded

(1) Council having considered Item 13.6 – Hampstead Road PLEC Funding, endorse:
   a. That City of Prospect pays its first payment of $114,543 to SA Power Networks by 30 June 2018 for the undergrounding of power lines on Hampstead Road (between McInnes Avenue and North East Road).
   b. That City of Prospect pay the remaining portion of $458,176 to SA Power Networks by 2020/21 for the undergrounding of power lines on Hampstead Road (between McInnes Avenue and North East Road) in association with its Long Term Financial Plan.
Formal Motion

Cr T Evans moved Cr M Lee seconded

That Item 13.6 be adjourned until the Ordinary Council Meeting scheduled for 24th April 2018.

Carried 62/18

Item 13.7 Housing Diversity and Desirable Neighbourhoods Development Plan Amendment

Cr A De Backer moved Cr K Barnett seconded

(1) Council, having considered Item 13.7 Housing Diversity and Desirable Neighbourhoods Development Plan Amendment, determine not to proceed with the Housing Diversity and Desirable Neighbourhoods Development Plan Amendment, in line with the request from the State Department of Planning, Transport & Infrastructure.

(2) Council endorses the preparation of a Housing Diversity and Desirable Neighbourhoods study.

(3) Council endorse the use of up to $10,000 from the amount previously set aside for the development of the Housing Diversity and Desirable Neighbourhoods Development Plan Amendment in 2017/2018 Financial Year through a Budget Review 3 variation to support the development of the Housing Diversity and Desirable Neighbourhoods Study.

Carried Unanimously 63/18

Item 13.8 Access to Council’s Off Street Car Parking Development Fund Policy Review

Cr M Groote moved Cr T Evans seconded


(2) Council undertake a review of the City of Prospect Off Street Car Parking Development Fund subject to a budget allocation of $10,000 being made available either through Budget Review 3 of the current Financial Year or through a new allocation for the 2018/2019 Financial Year Budget. The review will focus on ensuring appropriate values are adopted for contribution rates across the City.

(3) Upon completion of the Off Street Car Parking Development Fund Review, Council reviews the content of the Access to Council’s Off Street Car Parking Development Fund Policy to ensure alignment with any updated Car Parking Fund contribution rates.

Amendment

Cr A De Backer moved Cr K Barnett seconded

That the following be included:

(4) As an interim measure, Council endorses an increased amount of $20,000 per car parking space until the review is concluded and presented to Council.

The amendment was put and carried unanimously.
The amended motion, namely:


2. Council undertake a review of the City of Prospect Off Street Car Parking Development Fund subject to a budget allocation of $10,000 being made available either through Budget Review 3 of the current Financial Year or through a new allocation for the 2018/2019 Financial Year Budget. The review will focus on ensuring appropriate values are adopted for contribution rates across the City.


4. As an interim measure, Council endorses an increased amount of $20,000 per car parking space until the review is concluded and presented to Council.

Carried Unanimously 64/18

Item 13.9 Dog Registration Fees 2018-2019 and Dogs and Cats Online

The Mayor sought leave of the meeting to move to Item 13.10 on the agenda.

Leave granted.

Item 13.10 Appointment of Independent Member – Audit Committee

Cr T Evans moved Cr K Barnett seconded

1. The Council having considered Item 13.10 Appointment of Independent Member – Audit Committee receive the report and appoint Peter Fairlie-Jones as independent member of the audit committee for a three year term expiring 31 March 2021.

Carried Unanimously 65/18

Item 13.11 Local Government Association Ordinary General Meeting 2018 - Voting Preferences

The Mayor sought leave of the meeting to suspend meeting proceedings to discuss Item 13.11 on the agenda until 9.45pm.

Meeting proceedings were suspended at 9.35pm.

Meeting proceedings resumed at 9.45pm.

The Mayor sought leave of the meeting to suspend meeting proceedings to discuss Item 13.11 on the agenda until 9.50pm.

Meeting proceedings were suspended at 9.45pm.

Meeting proceedings resumed at 9.49pm.
Cr K Barnett moved Cr M Lee seconded

(1) That Council having considered Item 13.11 Local Government Association Ordinary General Meeting 2018 – Voting Preferences endorse the voting preferences as outlined in Attachments 1-3 (as amended) and supports Council delegate, Mayor David O’Loughlin, subject to debate at the meeting, altering such preference’s accordingly.

Carried Unanimously 66/18

Item 13.12 Australian Local Government Association 2018 National General Assembly

Cr K Barnett moved Cr M Lee seconded

(1) That Council having considered Item 13.12 Australian Local Government Association 2018 National General Assembly receive and note the report.

(2) That Deputy Mayor Mark Groote is registered to attend the Australian Local Government Association 2018 National General Assembly of Local Government Canberra 17-20 June 2018.

(3) That Deputy Mayor Mark Groote is delegated to consider and then vote on behalf of the City of Prospect in respect to the motions being presented in the Australian Local Government Association 2018 National Assembly Business Papers.

Carried Unanimously 67/18

Item 13.13 Mobile Food Vendor Location Rules

Cr T Evans moved Cr M Larwood seconded

(1) Council having considered Item 13.13 Mobile Food Vendor Location Rules, receive and note the report and endorse the Mobile Food Vendor Location Rules (as presented in Attachments 1-7).

(2) The fee for Mobile Food Vendors for the remainder of the 2017/2018 financial year is set at $65 per month and for the 2018/2019 financial year be set at $650 per annum and $65 per month to be reviewed annually as part of fees and charges.

Mayor D O’Loughlin sought leave of the meeting, with the consent of the mover and seconder of the Motion to amend part (1) of the motion to include the following:

5.2 A site should not be selected:

- if the mobile food vending business would take up all, or a significant amount of, the parking available to other businesses
- where footpaths are narrow so that the mobile food vending business and its customers may cause an obstruction to other persons using the footpaths
- if the mobile food vending business would obscure a pedestrian or driver’s view of a road in an unsafe manner.

Leave granted.

The motion as varied:

(1) Council having considered Item 13.13 Mobile Food Vendor Location Rules, receive and note the report and endorse the Mobile Food Vendor Location Rules (as presented in Attachments 1-7) with the following to be inserted to read as follows:

5.2 A site should not be selected:
• if the mobile food vending business would take up all, or a significant amount of, the parking available to other businesses
• where footpaths are narrow so that the mobile food vending business and its customers may cause an obstruction to other persons using the footpaths
• if the mobile food vending business would obscure a pedestrian or driver’s view of a road in an unsafe manner.

(2) The fee for Mobile Food Vendors for the remainder of the 2017/2018 financial year is set at $65 per month and for the 2018/2019 financial year be set at $650 per annum and $65 per month to be reviewed annually as part of fees and charges.

Carried Unanimously 68/18

Item 13.14 Order to Borrow - Local Government Finance Authority - Alexandra Street

Cr T Evans moved Cr M Lee seconded


(2) Council pursuant to Section 135 Local Government Act 1999 authorise the Chief Executive Officer to borrow up to $804,000 from the Local Government Finance Authority against the security of Council’s general rating revenue, in the form of a fixed credit foncier debenture, for a term of ten (10) years.

(3) Council pursuant to Section 38(2) Local Government Act 1999 resolve to affix the common seal for Council execution of the Debenture Agreement.

Carried Unanimously 69/18

Item 13.15 Order to Borrow - Local Government Finance Authority - CLIC

Cr T Evans moved Cr M Lee seconded

(1) Council having considered Item 13.15 Order to Borrow - Local Government Finance Authority - CLIC of 27 March 2018, receive and note the report.

(2) Council pursuant to Section 135 Local Government Act 1999 authorise the Chief Executive Officer to borrow up to $2,200,000 from the Local Government Finance Authority against the security of Council’s general rating revenue, in the form of a fixed credit foncier debenture, for a term of fifteen (15) years.

(3) Council pursuant to Section 38(2) Local Government Act 1999 resolve to affix the common seal for Council execution of the Debenture Agreement.

Carried Unanimously 70/18

Item 13.16 Plans and Program for Endorsement - Community Hub Library & Innovation Centre

The Mayor sought leave of the meeting to suspend meeting proceedings to discuss Item 13.16 on the Agenda until 10.25pm.

Leave granted.

Meeting proceedings were suspended at 10.10pm.

Meeting proceedings resumed at 10.25pm.
As the time was approaching 10.30pm the Mayor sought leave of the meeting to extend the meeting until 11.00pm.

Leave granted.

The Mayor sought leave of the meeting to suspend meeting proceedings to discuss Item 13.16 on the agenda until 10.45pm.

Leave granted.

Meeting proceedings were suspended at 10.25pm.

Meeting proceedings resumed at 10.42pm.

Cr M Groote moved Cr A Harris seconded

(1) Council having considered Item 13.16 Plans and Program for Endorsement – Community Hub, Library and Innovation Centre receive and note the report.

(2) Council endorses the 75% Design Development Plans as described in Attachments 1-175, and in particular endorses the following elements of the design:
   a. Plate steel façade option with protective paint finish
   b. Double-width concealed stair option and void configuration
   c. Bump-in and artists entry retained to rear of Town Hall via Vine Plaza
   d. The Town Hall Demolition Works (new large wall openings and box gutter) and Town Hall New Works (including the cold shell for Café and Bar area) excluding the removal of rear verandah over basement access stair
   e. Ecologically Sustainable Development Initiatives including:
      • Perimeter daylight harvesting
      • Economy cycle to air-conditioning system
      • Passive thermal performance optimisation
      • Energy and water metering / monitoring system
      • 50kW Roof-mounted solar PV system
   f. Site plan showing car parking and landscaping and lower ground floor plan, subject to an update of the motor bike and bicycle parking area/s

(3) In endorsing the 75% Design Development Plans as described in Attachments 1-175, Council notes the following components remain outstanding for further design development and review at workshop before being returned to Council for endorsement:
   a. Art store / Gallery / Slot Gallery spaces configuration and street presentation
   b. Local history and study area configuration
   c. Meeting room / maker space configuration
   d. Floor finishes
   e. Internal finishes and lighting
   f. Screening / shading solution to the western balcony area
   g. Food and drink store with prep benches
   h. Cleaners store with sink
   i. Internal security screen/ curtain at the mid-point of the upper ground floor level comprising auto blinds with a custom print (identified as Option 2 within the 75% design development package)
(4) Council notes the option to accelerate the program would introduce additional risk to the project, and hereby endorses the project program (as described in Attachments 176-178) which provides for a project completion of August 2019 with monthly reporting to Council to continue which outlines the progress of the project.

ITEM 14: PROTOCOL:

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

The following items were reserved:

Nil.

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 Strategic Plan to 2020 - Operational Action Plan

Cr M Lee moved Cr T Evans seconded

(1) Council, having considered Item 15.1 Strategic Plan to 2020 - Operational Action Plan, receive and note the Strategic Plan to 2020 - Operational Action Plan (as presented in Attachments 15-68).

Carried Unanimously 72/18

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 February 2018 until 28 March 2018.

Carried Unanimously 73/18

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:

Nil.

ITEM 19: Closure

The meeting closed at 10.45pm.

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Mayor D O’Loughlin
24 April 2018

Confirmed
Council Resolution 74/18