

MINUTES OF THE MEETING of the Mount Barker District Council held in the Council Chambers of the Local Government Centre, Mount Barker on Monday 19 October 2015 at 7pm.

PRESENT Mayor (A. Ferguson), Councillors Bailey, Campbell, Grosser, Seager, Bettcher, Irvine, Keen, Morrison and Hamilton.

IN ATTENDANCE: Chief Executive Officer (A. Stuart), General Manager Infrastructure & Projects (B. Clancey), General Manager Council Services (G. Parker), General Manager Corporate Services (D. Peters), General Manager Planning and Development (G. Waller), Senior Planner Strategic Projects (L. Gray), Building & Recreation Manager (M. Bell) and the Minute Secretary (S. Miller.)

The meeting opened with an **Expression of Faith** and **Acknowledgement of Land**.

**1. APOLOGIES/LEAVE OF ABSENCE**

NIL

**2. QUESTIONS FROM THE GALLERY (15 MINUTES)**

**2.1** Ms Jo Clarke asked a question regarding future development of a property located at 2 North Terrace, Littlehampton. Mr Greg Waller, General Manager Planning & Development took the question on notice.

**2.2** Mr Nathan Rogers asked questions regarding Item 12.3 Mount Barker and Nairne Main Street Strategies community consultation. Mr Greg Waller, General Manager Planning & Development provided responses at the meeting.

**3. CONFIRMATION OF THE MINUTES**

Moved Councillor Irvine that the minutes of the meeting held on 6 October 2015 as circulated to members be confirmed as a true and accurate record of proceedings.

Seconded Councillor Morrison

CARRIED  
OM20151019.01

**4. CONFLICT OF INTEREST DECLARATION**

- 4.1** Councillor Morrison – Item 12.1 – Management of Shared Use Sport and Recreation Facilities Policy as he is a member of, and co-signee for, Prospect Hill Community Association and will remain in the chamber for consideration of this item.

**5. DEPUTATIONS**

NIL

**6. QUESTIONS WITH NOTICE**

NIL

**7. QUESTIONS WITHOUT NOTICE**

- 7.1** Councillor Hamilton asked a question regarding a property located at 2 North Terrace, Littlehampton.  
Mr Greg Waller General Manager Planning and Development provided a response at the meeting.
- 7.2** Councillor Campbell asked a question regarding Council's graffiti removal process.  
Mr Greg Parker General Manager Council Services provided a response at the meeting.
- 7.3** Councillor Bettcher asked a question regarding fire season and property maintenance.  
Mr Greg Parker General Manager Council Services provided a response at the meeting and took the question on notice.

**8. MOTIONS ON NOTICE**

NIL

**9. MOTIONS WITHOUT NOTICE**

NIL

**10. PETITIONS**

- 10.1**      **REPORT TITLE:**      **PETITION: MAINTENANCE OF ALSTON ROAD, BLAKISTON**  
                 **DATE OF MEETING:** **19 OCTOBER 2015**  
                 **FILE NUMBER:**      **DOC/15/104135**

Moved Councillor Keen that Council receives the petition.

Seconded Councillor Bailey

**CARRIED**  
**OM20151019.02**

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**11. RECOMMENDATIONS FROM ADVISORY COMMITTEES**

**11.1 AUDIT COMMITTEE – 8 October 2015**

**11.1.1 REPORT TITLE: STATUTORY FINANCIAL STATEMENTS  
FOR THE YEAR ENDING 30 JUNE 2015  
DATE OF MEETING: 19 OCTOBER 2015  
FILE NUMBER: FOL/15/1717**

Moved Councillor Bettcher that Council notes:

1. that the Financial Statements for the Year ending 30 June 2015 present fairly the state of affairs of the Council, and will be presented to Council for adoption at its meeting on Monday, 2 November 2015;
2. that the Certificate of Auditor Independence be reviewed and signed by the Audit Committee Presiding Member and Chief Executive Officer; and
3. the Auditor's Independence Declaration.

Seconded Councillor Hamilton

**CARRIED**  
*OM20151019.03*

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**11.1.2 REPORT TITLE: AUDIT COMMITTEE MEETING DATES 2016  
AND WORK PLAN  
DATE OF MEETING: 19 OCTOBER 2015  
FILE NUMBER: DOC/15/96789**

Moved Councillor Bailey that Council notes:

1. that the Audit Committee will meet at 8am on the following dates in 2016:  
18 February    21 April    16 June    18 August    6 October; a
2. that the following items be added to the work plan:
  - Internal Controls report each meeting
  - Internal Auditor – presentation of internal audit plan in February 2016
  - Human Resource statistics e.g. Full Time Equivalent (FTEs), turnover, workers compensation, sick leave - once per year (April).

Seconded Councillor Keen

**CARRIED**  
*OM20151019.04*

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**11.1.3      REPORT TITLE:      WASTEWATER AND WATER ASSETS**  
**DATE OF MEETING: 19 OCTOBER 2015**  
**FILE NUMBER:      DOC/15/98496**

Moved Councillor Bettcher that Council notes:

- the fair valuation of Wastewater and Water Assets; and
- that revised depreciation rates be applied as per attachment 1.

Seconded Councillor Morrison

**CARRIED**  
*OM20151019.05*

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**11.2      STRATEGIC PLANNING AND DEVELOPMENT POLICY**  
**COMMITTEE – 12 October 2015**

**11.2.1      REPORT TITLE:      EXSITING CENTRES POLICY REVIEW**  
**MINISTERIAL DEVELOPMENT PLAN**  
**AMENDMENT**  
**DATE OF MEETING: 19 OCTOBER 2015**  
**FILE NUMBER:      DOC/15/99662**

Moved Councillor Campbell that Council:

1. supports the majority of the proposed changes to the Mount Barker Development Plan as a result of the Ministerial Development Plan Amendment;
2. express in its written submission to the Minister its concern regarding the proposed *Centre* and *Township Zones* “complying development” triggers for local heritage places and the lack of reference to *Historic Conservation Areas* in the policy; and
3. delegate the preparation and finalisation of Council’s written submission to this Ministerial Development Plan Amendment to the General Manager, Planning and Development.

Seconded Councillor Hamilton

**CARRIED**  
*OM20151019.06*

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**12.      REPORTS**

**12.1      REPORT TITLE:      MANAGEMENT OF SHARED USE SPORT &**  
**RECREATION FACILITIES POLICY**  
**DATE OF MEETING: 19 OCTOBER 2015**  
**FILE NUMBER:      FOL/15/3758\_DOC/2015/98925**

Moved Councillor Campbell that Council defer consideration of this item until the next council meeting to allow further consultation.

Seconded Councillor Hamilton

**CARRIED**  
*OM20151019.07*

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- 12.2**            **REPORT TITLE:**        **POST CONSULTATION – REVIEW OF  
CODE OF PRACTICE (FOR ACCESS TO  
COUNCIL AND COMMITTEE MEETINGS  
AND DOCUMENTS)**  
**DATE OF MEETING:** **19 OCTOBER 2015**  
**FILE NUMBER:**        **DOC/15/99504**

Moved Councillor Hamilton that Council adopt the Code of Practice (for Access to Council and Committee Meetings and Documents) as per attachment 1.

Seconded Councillor Seager

**CARRIED**  
*OM20151019.08*

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- 12.3**            **REPORT TITLE:**        **MOUNT BARKER AND NAIRNE MAIN  
STREET STRATEGIES**  
**DATE OF MEETING:** **19 OCTOBER 2015**  
**FILE NUMBER:**        **FOL/15/1749 – DOC/15/101389**

Moved Councillor Keen that Council:

1. endorse the Nairne Main Street Strategy Report for Nairne Main Street, dated September, 2015;
2. endorse the Gawler Street Strategy Report for Mount Barker Main Street, dated September, 2015;
3. authorise broad community notification of the Main Street Strategies and the likely staged development and projected timeframes contained within the Implementation Plan for each project; and
4. note that the projects contained within the Strategies will be developed in accordance with the Implementation Plan contained within each Strategy, by the Manager of Planning, Policy and Strategy, as resources allow. Individual elements of the projects will be considered by Council as part of its annual budgeting processes.

Seconded Councillor Campbell

**CARRIED**  
*OM20151019.09*

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- 12.4**            **REPORT TITLE:**        **WARD DONATIONS**  
**DATE OF MEETING:** **19 OCTOBER 2015**  
**FILE NUMBER:**        **DOC/15/56271**

Moved Councillor Irvine that Council will make the following donations, given that each Member nominating the donation has given careful consideration to whether there is a conflict of interest:

<b>Elected Member</b>	<b>Amount</b>	<b>Group/Individual</b>
Mayor Ferguson	\$50	Ms Maddie Sarre participation in youth delegation to the United Nations Climate Negotiations in Paris this December
Councillor Seager	\$100	Ms Maddie Sarre participation in youth delegation to the United Nations Climate Negotiations in Paris this December
Councillor Seager	\$100	Kanmantoo Hall Inc Wall of Remembrance
Councillor Bailey	\$100	Ms Maddie Sarre participation in youth delegation to the United Nations Climate Negotiations in Paris this December
Councillor Keen	\$100	Ms Maddie Sarre participation in youth delegation to the United Nations Climate Negotiations in Paris this December
Mayor Ferguson	\$50	Cancer Council Research Fundraiser for 'McKay to Hobart Rally' participation
Councillor Keen	\$50	Cancer Council Research Fundraiser for 'McKay to Hobart Rally' participation
Councillor Campbell	\$100	Ms Maddie Sarre participation in youth delegation to the United Nations Climate Negotiations in Paris this December
Councillor Campbell	\$50	Cancer Council Research Fundraiser for 'McKay to Hobart Rally' participation
Councillor Morrison	\$50	Ms Maddie Sarre participation in youth delegation to the United Nations Climate Negotiations in Paris this December
Councillor Morrison	\$50	Cancer Council Research Fundraiser for 'McKay to Hobart Rally' participation
Councillor Hamilton	\$100	Harrogate Hall Committee

Seconded Councillor Morrison

**CARRIED**  
*OM20151019.10*

### **13. INFORMATION REPORTS**

Moved Councillor Keen that the following information report be noted.

- 13.1 REPORT TITLE: RESPONSE FROM ICAC IN RELATION TO COUNCIL'S COMPLAINT REGARDING THE STATE GOVERNMENT PROCESS FOR REZONING OF LAND IN MOUNT BARKER**
- DATE OF MEETING: 19 OCTOBER 2015**
- FILE NUMBER: DOC/15/98258**

Seconded Councillor Grosser

**CARRIED**  
*OM20151019.11*

**14. MAYOR'S REPORT**

- RSL meeting
- Presented prizes for Salvage & Save School Holiday Program
- Mayor's Prayer Breakfast debrief meeting
- Youth meeting
- Australia China Friendship Society meeting
- Adelaide Hills Farmers' Market AGM
- Murray Bridge Gold Cup
- LGA State Executive Meeting
- SA Regional Awards Hills & Coast
- Mt Barker Croquet Club Centenary celebrations
- Mr Matt Baird's funeral
- Kiwanis Club Luncheon
- Mt Barker High School Flinders University Education Award

**15. MEMBERS' REPORT**

Councillor Bettcher

- Audit Committee meeting
- Strategic Planning Development Policy Committee meeting
- Hahndorf Community Association
- Hahndorf Academy Board meeting

Councillor Morrison

- Meadows Country Fair

**16. QUESTIONS ARISING FROM COUNCIL MEETING**

NIL

**17. CONFIDENTIAL REPORTS**

**17.1      REPORT TITLE:      CONFIDENTIAL ITEM – MOUNT BARKER  
   TOWN CENTRE LAND STRATEGY**  
**DATE OF MEETING: 19 OCTOBER 2015**  
**FILE NUMBER:      DOC/15/101856**

Moved Councillor Keen that Council:

**Section 90 (3) (b) Order**

Pursuant to Section 90(3)(b)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except the Chief Executive Officer, four General Managers and the Executive Assistant to the Mayor and Chief Executive Officer be excluded from attendance at the meeting for the Agenda Item 17.1 Mount Barker Town Centre Land Strategy.

The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business and would prejudice the commercial position of the Council in that the information to be considered includes financial information, the disclosure of which could prejudice the Council's commercial position during negotiations.

In addition the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. 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 Council's commercial position may severely prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

Seconded Councillor Morrison

CARRIED  
OM20151019.12

Moved Councillor Keen that:

**Section 91(7) Order**

**Pursuant to Section 90 (3) (b) & (d)**

That having considered the Agenda Item 17.1 Mount Barker Town Centre Land Strategy in confidence under section 90(2) and (3)(b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the council report, related documents and all minutes be retained in confidence until a contract for the sale and purchase of land has been executed and all of the pre conditions to settlement have been satisfied or on 7 September 2016, whichever is the sooner.

Seconded Councillor Irvine

CARRIED  
OM20151019.16

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MEETING DECLARED CLOSED AT 8.35PM

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MAYOR

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DATE