

CITY OF WEST TORRENS



Minutes
of the
Council & Committee Meetings

- Finance and Regulatory Prescribed Standing Committee
- Strategy and Community Prescribed Standing Committee

of the

CITY OF WEST TORRENS

held in the Council Chambers, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

TUESDAY, 15 MARCH 2016
at 7.00 PM

Terry Buss
Chief Executive Officer

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1. MEETING OPENED

The Presiding Member declared the meeting open at 7.03pm.

1.1 Evacuation Procedure

The evacuation procedures were read out to the gallery by the General Manager Corporate and Regulatory.

2. PRESENT

Council Members:

Mayor J Trainer (Presiding Member)

Councillors: R Haese, G Palmer, G Vlahos, C O'Rielly, J Woodward, K McKay, S Rypp, G Demetriou, A Mangos, S Tsiaparis, G Nitschke, T Polito.

Officers:

Mr T Buss (Chief Executive Officer)
Mr B Ross (GM Corporate and Regulatory)
Mr A Catinari (GM Urban Services)
Ms P Koritsa (GM Business and Community Services)
Ms E Pollard (Manager HR and Service Centre)

3. APOLOGIES

Apologies

Council Members:

Cr Hill
Cr Dua

Lateness

Council Members:

Cr Tsiaparis (7.39pm)

RECOMMENDATION

That the apologies be received.

COUNCIL DECISION

MOVED Cr Mangos SECONDED Cr Nitschke that the recommendation be adopted.

CARRIED

4. DISCLOSURE STATEMENTS

Nil

5. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of Council held on 1 March 2016 be confirmed as a true and correct record.

COUNCIL DECISION

MOVED Cr Polito SECONDED Cr Rypp that the recommendation be adopted.

CARRIED

6. MAYOR'S REPORT

RECOMMENDATION

That the Mayor's Report be noted.

COUNCIL DECISION

MOVED Cr Polito SECONDED Cr Demetriou that the recommendation be adopted.

CARRIED

7. ELECTED MEMBER REPORTS

Cr Haese advised of her attendance at several community events and meetings.

COUNCIL DECISION

MOVED Cr McKay SECONDED Cr Palmer that the reports from Members be noted.

CARRIED

8. PETITIONS

Nil

9. DEPUTATIONS

9.1 Visitor Parking Vouchers

Ms Melina Szabo wished to address Council in relation to visitor vouchers for parking in Burt Avenue and Mallen Street, Hilton, however, Ms Szabo was not present at this point in the meeting.

MOTION

MOVED Cr Demetriou SECONDED Cr McKay that this item be deferred to a later point in the meeting, should Ms Szabo arrive late.

CARRIED

Ms Szabo did not attend the meeting to address Council.

10. ADJOURN INTO STANDING COMMITTEES

RECOMMENDATION

That the meeting be adjourned, move into Standing Committees and reconvene at the conclusion of the Strategy and Community Prescribed Standing Committee.

COUNCIL DECISION

MOVED Cr Rypp SECONDED Cr McKay that the recommendation be adopted.

CARRIED

7.12pm the meeting adjourned into Committees.

7.39pm the meeting reconvened. All those present prior to the adjournment of the meeting were present in the Chamber when the meeting reconvened with the addition of Cr Tsiaparis.

11. ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS

11.1 FINANCE AND REGULATORY COMMITTEE

RECOMMENDATION

That the recommendations of the Finance and Regulatory Prescribed Standing Committee held on 15 March 2016 be adopted.

COUNCIL DECISION

MOVED Cr Vlahos SECONDED Cr Mangos that the recommendation be adopted.

CARRIED

11.2 STRATEGY AND COMMUNITY COMMITTEE

RECOMMENDATION

That the recommendations of the Strategy and Community Prescribed Standing Committee held on 15 March 2016 be adopted.

COUNCIL DECISION

MOVED Cr O'Rielley SECONDED Cr Nitschke that the recommendation be adopted.

CARRIED

12. ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS

12.1 CORPORATE PLANNING, POLICY AND PERFORMANCE PRESCRIBED COMMITTEE

RECOMMENDATION

That the Minutes of the Corporate Planning, Policy and Performance Prescribed Committee dated 8 March 2016 be noted and the recommendations adopted.

COUNCIL DECISION

MOVED Cr Woodward SECONDED Cr Vlahos that the recommendation be adopted.

CARRIED

13. QUESTIONS WITH NOTICE

Nil

14. QUESTIONS WITHOUT NOTICE

Nil

15. MOTIONS WITH NOTICE

Nil

16. MOTIONS WITHOUT NOTICE

16.1 Senior Citizens Services

MOVED Cr Woodward SECONDED Cr Rypp that:

1. Investment interest from the proceeds of the sale of St Martins for 2015/16 be allocated for services for senior citizens in the 2015/16 budget.
2. The Administration provide a recommendation on how the interest could best be used for senior citizen services in West Torrens.

CARRIED

17. REPORTS OF THE CHIEF EXECUTIVE OFFICER

17.1 Call for Motions 2016 - National General Assembly of Local Government

This report advised that the Australian Local Government Association was seeking notices of motions for its 2016 National General Assembly of Local Government to be held at the National Convention Centre in Canberra from 19-22 June 2016.

RECOMMENDATION(S)

It is recommended to Council that:

1. The recommended process for the lodgement of notices of motion, contained within this report, be adopted.
2. Council delegates authority to the Chief Executive Officer to finalise the wording of any notices of motion and submit them to the Australian Local Government Association.

COUNCIL DECISION

MOVED Cr Demetriou SECONDED Cr Haese that the recommendation be adopted.

CARRIED

17.2 Australia Day Council of South Australia Inc. Notice of Annual General Meeting

The Australia Day Council of South Australia (SA) sought nominations for the Australia Day Council Board of Management.

RECOMMENDATION(S)

It is recommended to Council that subject to their confirmation, Cr..... be nominated to the Australia Day Council of SA Board of Management.

or

The report be received

COUNCIL DECISION

MOVED Cr Demetriou SECONDED Cr Polito that subject to his confirmation, Mayor Trainer be nominated to the Australia Day Council of SA Board of Management.

AMENDMENT

MOVED Cr Haese SECONDED Cr Tsiaparis that subject to his confirmation, Cr Mangos be nominated to the Australia Day Council of SA Board of Management.

The amendment was Put and **LOST** on the casting vote of the Presiding Member.

The original motion as MOVED Cr Demetriou SECONDED Cr Polito was Put and **CARRIED** on the casting vote of the Presiding Member.

17.3 Confidential Order Review - Brickworks Riverfront Land - Divestment Proposal

In accordance with the provisions of Section 91(9)(a) of the *Local Government Act 1999*, this report presented the annual review of the confidential order applied to *Item 21.1 "Brickworks Riverfront Land - Divestment Proposal"* at the 21 April 2015 Meeting of Council.

RECOMMENDATION(S)

It is recommended to Council that:

1. Pursuant to section 91(9)(a), having reviewed the confidentiality order made on 21 April 2015, pursuant to 91(7) and 91(7)(b) of the *Local Government Act 1999*, in respect of confidential *Item 21.1 - Brickworks Riverfront Land - Divestment Proposal*, Council orders the information contained in:
 - a) the confidential report *Item 21.1 - "Brickworks Riverfront Land - Divestment Proposal"* presented to Council at its 21 April 2015 Meeting;
 - b) the confidential Minutes of *Item 21.1 - "Brickworks Riverfront Land - Divestment Proposal"* of 21 April 2015; and
 - c) all relevant documentation associated with and attached to the confidential agenda *Item 21.1 - "Brickworks Riverfront Land - Divestment Proposal"* of 21 April 2015

continues to be retained in confidence in accordance with sections 91(7)(a), 91(7)(b) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period or until Council finalises its position on the future use of the retained land, whichever is sooner, given that the disclosure of the information would not be in the public interest as to do so would reasonably be expected to:

- confer a commercial advantage on those persons with whom the Council is proposing to conduct business;
 - prejudice the commercial position of the Council;
 - lead to Council not obtaining the best possible sale price or development outcome for the remnant land retained by Council.
2. Pursuant to s91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to review the confidentiality order on a monthly basis and to revoke but not extend it.

COUNCIL DECISION

MOVED Cr Polito SECONDED Cr Nitschke that the recommendation be adopted.

7.52pm Cr Demetriou retired from the meeting

CARRIED

18. LOCAL GOVERNMENT BUSINESS

18.1 Local Government Circulars

This report provided a detailed listing of current items under review by the Local Government Association.

RECOMMENDATION

It is recommended to Council that the Local Government Circulars report be received.

COUNCIL DECISION

MOVED Cr Tsiaparis SECONDED Cr Rypp that the recommendation be adopted.

CARRIED

19. MEMBERS' BOOKSHELF

Nil

20. CORRESPONDENCE

20.1 Planning, Development and Infrastructure Bill Update

Correspondence was received from the President of the Local Government Association, Mayor Dave Burgess, providing an update on the *Planning, Development and Infrastructure Bill*, particularly in relation to Development Assessment Panel membership.

20.2 Hard Waste Collection Trial Feedback

Correspondence was received from Underdale resident, Dr John Collins, providing feedback on the at-call hard waste collection trial.

20.3 Introduction of the National Disability Insurance Scheme in South Australia

Correspondence was received from the Chief Executive of the Department for Communities and Social Inclusion, Ms Joslene Mazel, regarding the introduction of the National Disability Insurance Scheme in South Australia and the potential impact this has on the Supported Residential Facility residents and proprietors within our council area.

20.4 Australian Mayoral Aviation Council Executive Committee Minutes 20 February 2016

Correspondence was received from Australian Mayoral Aviation Council regarding the minutes from the meeting of the Executive Committee held 20 February 2016.

RECOMMENDATION

That the correspondence be received.

COUNCIL DECISION

MOVED Cr Woodward SECONDED Cr Polito that the recommendation be adopted.

CARRIED

7.53pm Cr Palmer retired from the meeting.

21. CONFIDENTIAL

21.1 Rates Agreement - Adelaide Airport

Reason for Confidentiality

The Council is satisfied that, pursuant to Section 90(3)(g) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item are:

(g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty because the draft Rates Agreement, the subject of this report, and any subsequent agreed Rates Agreement binds the parties to confidentiality provisions the disclosure of which in the public realm will constitute a breach of obligations and duty of confidence pursuant to the Rates Agreement.

RECOMMENDATION

It is recommended to Council that:

1. Pursuant to Section 90(2) of the *Local Government Act 1999*, Council orders, that the public, with the exception of the Chief Executive Officer, General Manager Corporate and Regulatory, General Manager Urban Services, General Manager Business and Community Services, Manager Financial Services and Executive Assistants, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report (Item 21.1 Rates Agreement - Adelaide Airport), attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Sections 90(3)(g) because the draft rates Agreement, the subject of this report, and any subsequent agreed rates Agreement binds the parties to confidentiality provisions the disclosure of which in the public realm will constitute a breach of obligations and duty of confidence pursuant to the Rates Agreement.
2. At the completion of the confidential session the meeting be re-opened to the public.

COUNCIL DECISION

MOVED Cr Woodward SECONDED Cr Polito that the recommendation be adopted.

CARRIED

7.53pm the meeting moved into Confidence.

Council also resolved that:

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report relating to the Adelaide Airport Rates Agreement and all relevant documentation including the Agreement, but not the Minutes arising from the report (Item 21.1 Rates Agreement - Adelaide Airport), having been considered by the Council in confidence under Section 90(3)(g), be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, on the basis that the information received, discussed and considered in relation to this agenda item are
 - (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty because the draft rates Agreement, the subject of this report, and any subsequent agreed rates Agreement binds the parties to confidentiality provisions the disclosure of which in the public realm will constitute a breach of obligations and duty of confidence pursuant to the Rates Agreement.
2. Further that Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

Note: The Confidential Minutes are kept separately from this document.

7.59pm the confidential session closed and the meeting reopened to the public.

22. MEETING CLOSE

The Presiding Member declared the meeting closed at 8.00pm.

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1. MEETING OPENED

The Presiding Member declared the meeting open at 7.13pm.

2. PRESENT

Committee Members:

Cr G Vlahos (Presiding Member)

Mayor J Trainer

Councillors: R Haese, G Palmer, C O'Rielly, J Woodward, K McKay, S Rypp, G Demetriou, A Mangos, S Tsiaparis, G Nitschke, T Polito.

Officers:

Mr T Buss (Chief Executive Officer)

Mr B Ross (GM Corporate and Regulatory)

Mr A Catinari (GM Urban Services)

Ms P Koritsa (GM Business and Community Services)

Ms R Butterfield (Manager Regulatory Services)

3. APOLOGIES

Apologies

Council Members:

Cr Hill

Cr Dua

Lateness

Council Members:

Cr Tsiaparis (7.16pm)

RECOMMENDATION

That the apologies be received.

COMMITTEE DECISION

MOVED Cr Demetriou SECONDED Cr Rypp that the recommendation be adopted.

CARRIED

4. DISCLOSURE STATEMENTS

Nil

5. CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Finance and Regulatory Prescribed Standing Committee held on 16 February 2016 be confirmed as a true and correct record.

COMMITTEE DECISION

MOVED Cr McKay SECONDED Cr Mangos that the recommendation be adopted.

CARRIED

6. COMMUNICATIONS BY THE CHAIRPERSON

Nil

7. QUESTIONS WITH NOTICE

Nil

8. QUESTIONS WITHOUT NOTICE

Nil

9. MOTIONS WITH NOTICE

Nil

10. MOTIONS WITHOUT NOTICE

Nil

11. FINANCE AND REGULATORY REPORTS

11.1 Use of St Martins' Sale Proceeds

This report proposed uses for proceeds from the sale of the St Martins Aged Care Facility at Marleston.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. Proceeds from the sale of St Martins be used to repay in full all loans with the Local Government Finance Authority that are outstanding on 31 March 2016.
2. All funds remaining from the sale of St Martins after loans are repaid be invested in a fund that best maximises returns and in turn provides Council with future expenditure options from the returns generated.
3. A further report be presented to Council on the structure of the investment fund proposed in recommendation 2.

COMMITTEE DECISION

MOVED Cr Woodward SECONDED Cr Mangos that the recommendation be adopted.

7.16pm Cr Tsiaparis entered the meeting

CARRIED

11.2 Creditor Payments

This report tabled a schedule of creditor payments for February 2016.

RECOMMENDATION

The Committee recommends to Council that the schedule of creditor payments for February 2016 be received.

COMMITTEE DECISION

MOVED Cr Mangos SECONDED Cr Rypp that the recommendation be adopted.

CARRIED

11.3 Property Leases

This report provided information on overdue property lease payments that are greater than \$2,000.

RECOMMENDATION(S)

The Committee recommends to Council that the report be received.

COMMITTEE DECISION

MOVED Cr Rypp SECONDED Cr Woodward that the recommendation be adopted.

CARRIED

11.4 Council Budget Report - EIGHT months to 29 February 2016

This report provided information to Council on budget results for the eight months ended 29 February 2016.

RECOMMENDATION(S)

The Committee recommends to Council that the report be received.

COMMITTEE DECISION

MOVED Cr Polito SECONDED Cr Nitschke that the recommendation be adopted.

CARRIED

12. MEETING CLOSE

The Presiding Member declared the meeting closed at 7.26pm.

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1. MEETING OPENED

The Presiding Member declared the meeting open at 7.27pm.

2. PRESENT

Committee Members:

Cr C O'Rielley (Presiding Member)

Mayor J Trainer

Councillors: R Haese, G Palmer, G Vlahos, J Woodward, K McKay, S Rypp, G Demetriou, A Mangos, S Tsiaparis, G Nitschke, T Polito.

Officers:

Mr T Buss (Chief Executive Officer)

Ms P Koritsa (GM Business and Community Services)

Mr B Ross (GM Corporate and Regulatory)

Mr A Catinari (GM Urban Services)

Mr D Broderick (Manager Community Services)

Mr B Cunningham (Team Leader Sustainability and Planning)

3. APOLOGIES

Apologies

Council Members:

Cr Hill

Cr Dua

RECOMMENDATION

That the apologies be received.

COMMITTEE DECISION

MOVED Cr McKay SECONDED Cr Vlahos that the recommendation be adopted.

CARRIED

4. DISCLOSURE STATEMENTS

Nil

5. CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Strategy and Community Prescribed Standing Committee held on 16 February 2016 be confirmed as a true and correct record.

COMMITTEE DECISION

MOVED Cr Polito SECONDED Cr Rypp that the recommendation be adopted.

CARRIED

6. COMMUNICATIONS BY THE CHAIRPERSON

Nil

7. QUESTIONS WITH NOTICE

Nil

8. QUESTIONS WITHOUT NOTICE

Nil

9. MOTIONS WITH NOTICE

Nil

10. MOTIONS WITHOUT NOTICE

Nil

11. STRATEGY AND COMMUNITY REPORTS

11.1 Adelaide Park Lands Management Strategy Feedback

This report provided a summary of the draft Adelaide Park Lands Management Strategy and presents a proposed response for Council's consideration and feedback.

RECOMMENDATION(S)

The Committee recommends to Council that feedback be provided to the Adelaide Park Lands Management Authority on the draft Adelaide Park Lands Management Strategy, based on the matters discussed in this report and subject to any changes determined by Council.

COMMITTEE DECISION

MOVED Cr Nitschke SECONDED Cr Polito that the recommendation be adopted.

CARRIED

11.2 Annual Carbon Footprint Snapshot

This report presented the City of West Torrens Carbon Footprint for 2014/15 and progress in meeting Council's greenhouse gas emissions abatement target.

RECOMMENDATION(S)

The Committee recommends to Council that the 2014/15 Annual Carbon Footprint Snapshot be received.

COMMITTEE DECISION

MOVED Cr Nitschke SECONDED Cr Tsiaparis that the recommendation be adopted.

CARRIED

11.3 Annual Water Consumption and Quality Snapshot

This report detailed Council's water consumption and water quality for 2014/15 and its progress in meeting targets set out in its Water Management Action Plan 2014-19.

RECOMMENDATION(S)

The Committee recommends to Council that the Water Consumption and Quality Snapshot be received.

COMMITTEE DECISION

MOVED Cr McKay SECONDED Cr Nitschke that the recommendation be adopted.

CARRIED

11.4 Code of Practice - Access to Meetings and Documents Review

The *Code of Practice - Access to Meetings and Documents* was subject to an unscheduled review due to the imminent commencement of the *Local Government (Accountability and Governance) Amendment Act 2015* and presented to Council for its consideration.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. The revised *Code of Practice - Access to Meetings and Documents* be approved for public consultation.
2. The Chief Executive Officer be authorised to make amendments of a formatting and/or minor technical nature to ensure the currency of the *Code of Practice - Access to Meetings and Documents*.

COMMITTEE DECISION

MOVED Cr Demetriou SECONDED Cr Haese that the recommendation be adopted.

CARRIED

11.5 Asset Naming Policy Review

The *Council Policy - Asset Naming* was subject to an unscheduled review due to the imminent commencement of the *Local Government (Accountability and Governance) Amendment Act 2015* and presented to Council for its consideration.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. The revised *Council Policy - Asset Naming* be approved for public consultation.
2. The Chief Executive Officer be authorised to make amendments of a formatting and/or minor technical nature to ensure the currency of the *Council Policy - Asset Naming*.

COMMITTEE DECISION

MOVED Cr Nitschke SECONDED Cr Mangos that the recommendation be adopted.

CARRIED

11.6 City Strategy Activity Report - February 2016

This report provided information on recent activities undertaken by the City Strategy Department during the month of February 2016.

RECOMMENDATION

The Committee recommends to Council that the City Strategy activity report for the month of February 2016 be received.

COMMITTEE DECISION

MOVED Cr Rypp SECONDED Cr Tsiaparis that the recommendation be adopted.

CARRIED

11.7 Community Services Monthly Activity Report - February 2016

This report provided information on activities within the Community Services Department for the month of February 2016.

RECOMMENDATION

The Committee recommends to Council that the Community Services Activities Report for the month of January 2016 be noted.

COMMITTEE DECISION

MOVED Cr Demetriou SECONDED Cr Rypp that the recommendation be adopted.

CARRIED

12. MEETING CLOSE

The Presiding Member declared the meeting closed at 7.38pm.