

CITY OF WEST TORRENS



Minutes
of the
Council & Committee Meetings

- **Urban Services Prescribed Standing Committee**
- **Governance Prescribed Standing Committee**

of the

CITY OF WEST TORRENS

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

on

TUESDAY, 3 MAY 2016
at 7.00 PM

Angelo Catinari
Chief Executive Officer (Acting)

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1. MEETING OPENED

The Presiding Member declared the meeting open at 7.06pm.

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'Rielley, R Dua, J Woodward, K McKay, S Rypp, M Hill, 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)

3. APOLOGIES

Leave of Absence

Cr Demetriou (25 April - 4 June 2016)

RECOMMENDATION

That the apologies be received.

COUNCIL DECISION

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

CARRIED

4. DISCLOSURE STATEMENTS

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Council Item 12.1 Adoption of Civic Non-Prescribed General Committee Recommendations	Perceived	Cr Rypp
Council Item 12.1 Adoption of Civic Non-Prescribed General Committee Recommendations	Perceived	Mayor Trainer
Council Item 12.1 Adoption of Civic Non-Prescribed General Committee Recommendations	Perceived	Cr Mangos
Council Item 11.1 Adoption of Urban Services Standing Committee Recommendations	Material	Cr Vlahos

5. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of Council held on 19 April 2016 be confirmed as a true and correct record.

COUNCIL DECISION

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

CARRIED

7. ELECTED MEMBER REPORTS

Cr Mangos advised of his attendance at a City of West Torrens Citizenship Ceremony on Tuesday 3 May 2016 and the Netley Residents Association Annual General Meeting with Cr Tsiaparis on Monday 2 May 2016.

Cr Hill advised that she hosted an ANZAC Day Service with Cr Demetriou in Wongala Avenue, Glenelg North on Monday 25 April 2016.

Cr McKay advised of his attendance at the Waste Working Party tour of Aspitech, Visy and Suez with Crs Woodward and Demetriou, the CEO and General Manager Corporate and Regulatory on Wednesday 20 April 2016 and the ANZAC Day Service at Memorial Gardens on Monday 25 April 2016.

Cr Haese advised of her attendance at the Mendelson Committee meeting on Friday 22 April 2016.

Council acknowledged the passing of ex City of West Torrens Councillor Mr Ian Frances and Crs Haese and Mangos advised of their attendance at his funeral service on Friday 29 April 2016.

COUNCIL DECISION

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

CARRIED

8. PETITIONS

Nil

9. DEPUTATIONS

Nil

10. ADJOURN INTO STANDING COMMITTEES

RECOMMENDATION

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

COUNCIL DECISION

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

CARRIED

7.11pm the meeting adjourned into Committees.

8.18pm the meeting reconvened. All those present prior to the adjournment of the meeting were present in the Chamber when the meeting reconvened.

11. ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS

11.1 URBAN SERVICES COMMITTEE

8.18pm *Cr Vlahos declared a material conflict of interest in Urban Services Standing Committee Item 11.2 Dedication of Land - River Torrens Linear Park as he is an employee of the Department of Environment, Water and Natural Resources and left the meeting for the discussion and vote on this item.*

RECOMMENDATION

That the recommendations of the Urban Services Prescribed Standing Committee held on 3 May 2016 be adopted.

COUNCIL DECISION

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

CARRIED

8.19pm Cr Vlahos returned to the meeting.

11.2 GOVERNANCE COMMITTEE

RECOMMENDATION

That the recommendations of the Governance Prescribed Standing Committee held on 3 May 2016 be adopted.

COUNCIL DECISION

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

CARRIED

11.3 SPECIAL FINANCE AND REGULATORY COMMITTEE

RECOMMENDATION

That the recommendations of the Special Finance and Regulatory Prescribed Standing Committee held on 5 April and 19 April 2016 be adopted.

COUNCIL DECISION

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

CARRIED

12. ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS

12.1 CIVIC NON-PRESCRIBED GENERAL COMMITTEE

Mayor Trainer declared a perceived conflict of interest in Civic Committee Item 7.1 Grants, Distributions and Sponsorships March 2016, in that he is a the Patron of the West Adelaide Football Club and an honorary member of the Japan Australia Friendship Association and participated in the discussion and vote.

Cr Rypp declared a perceived conflict of interest in Civic Committee Item 7.1 Grants, Distributions and Sponsorships March 2016, in that he is a member of the Reedbeds Community Centre and participated in the discussion and vote.

Cr Rypp declared a perceived conflict of interest in Civic Committee Item 7.2 Community Grants Round Two 2015-16, in that he is a member of the West Beach Surf Lifesaving Club and participated in the discussion and vote.

Cr Mangos declared a perceived conflict of interest in Civic Committee Item 7.2 Community Grants Round Two 2015-16, in that he is a member of the West Beach Surf Lifesaving Club and participated in the discussion and vote.

RECOMMENDATION

That the Minutes of the Civic Non-prescribed General Committee dated 26 April 2016, be noted and the recommendations adopted.

COUNCIL DECISION

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

CARRIED

13. QUESTIONS WITH NOTICE

Nil

14. QUESTIONS WITHOUT NOTICE

Questions were asked and responses provided by the Administration.

14.1 Development in Burnley Street, Fulham

Cr Haese asked the following question which was taken on notice:

On what grounds did Council approve the badminton court and five car garage at 15 Burnley Street, Fulham?

15. MOTIONS WITH NOTICE

Nil

16. MOTIONS WITHOUT NOTICE

16.1 Marion Road Resurfacing

MOVED Cr Mangos SECONDED Cr Dua that the Administration asks the Department of Planning, Transport and Infrastructure when the eastern side of Marion Road will be resurfaced, between Mooringe Avenue and Sir Donald Bradman Drive.

CARRIED

17. REPORTS OF THE CHIEF EXECUTIVE OFFICER

17.1 LGA Council Members Forum

The Local Government Association's Council Members Forum will be held at the Crowne Plaza, Adelaide on 17 and 18 June 2016.

RECOMMENDATION(S)

It is recommended to Council that:

1. Subject to their confirmation, Council approves the attendance of Cr/s..... at the LGA Council Members Forum being held at the Crowne Plaza, Adelaide on 17 and 18 June 2016.
2. Expenses be reimbursed in accordance with Council policy.

COUNCIL DECISION

MOVED Cr Mangos SECONDED Cr Polito that the report be received.

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(S)

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

COUNCIL DECISION

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

CARRIED

19. MEMBERS' BOOKSHELF

RECOMMENDATION

That the additions to Members' bookshelf be noted.

COUNCIL DECISION

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

CARRIED

20. CORRESPONDENCE

20.1 AdeLINK Tram Network Planning

Correspondence was received from the Minister for Transport and Infrastructure, the Hon Stephen Mullighan MP, regarding the State Government's announcement of funding for the proposed AdeLINK tram network across inner and middle Adelaide.

20.2 Arthritis South Australia - Letter of Thanks

Correspondence was received from the Marketing and Communication Manager of Arthritis SA, Celia Painter, thanking City of West Torrens for the loan of several items of equipment used to stage the 2016 Walk for Arthritis and Cracker Christmas.

20.3 Draft South Australian Multiple Land Use Framework Update

Correspondence was received from the Deputy Chief Executive Resources and Energy at the Department of State Development, Dr Paul Heithersay, providing an update on the (draft) South Australian Multiple Land Use Framework.

20.4 St Dominic's Priory College Student Letters

Correspondence was received from Year 7 St Dominic's Priory College students; Annalise Mercorella, Grace Van Arend and Serena Lappas, requesting for improvements to infrastructure and services in the West Torrens area.

20.5 Local Government Association Ordinary General Meeting - Key Outcomes Summary

Correspondence was received from Local Government Association regarding the key outcomes summary from the 2016 Council Best Practice Showcase and LGA Ordinary General Meeting held 13 - 15 April.

20.6 DPTI - Operational Moving Traffic Project Team Update

Correspondence was received from the Operational Moving Traffic project team at the Department of Planning, Transport and Infrastructure, regarding implementation of a right turn ban from Richmond Road onto Anzac Highway.

20.7 Adelaide and Mount Lofty Ranges Natural Resources Management Board Minutes

Correspondence was received from the Adelaide and Mount Lofty Ranges Natural Resources Management Board regarding the minutes of the board meeting held on Thursday 25 February 2016.

RECOMMENDATION

That the correspondence be received.

COUNCIL DECISION

MOVED Cr Dua SECONDED Cr Tsiaparis that the correspondence be received with the exception of items 20.1 AdeLINK Tram Network Planning and 20.6 DPTI - Operational Moving Traffic Project Team Update.

CARRIED

20.1 AdeLINK Tram Network Planning

Correspondence was received from the Minister for Transport and Infrastructure, the Hon Stephen Mullighan MP, regarding the State Government's announcement of funding for the proposed AdeLINK tram network across inner and middle Adelaide.

COUNCIL DECISION

MOVED Cr Mangos SECONDED Cr O'Rielley that the correspondence be received.

CARRIED

20.6 DPTI - Operational Moving Traffic Project Team Update

Correspondence was received from the Operational Moving Traffic project team at the Department of Planning, Transport and Infrastructure, regarding implementation of a right turn ban from Richmond Road onto Anzac Highway.

COUNCIL DECISION

MOVED Cr Woodward SECONDED Cr Mangos that the correspondence be received.

CARRIED

21. CONFIDENTIAL

21.1 Divestment Proposal - Brickworks Riverfront Land

Reason for Confidentiality

The Council is satisfied that, pursuant to Section 90(3)(b)(i) and 90(3)(b)(ii) of the *Local Government Act 1999*, 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, or proposing to conduct business, or to prejudice the commercial position of the council and if the contents of this confidential report became publicly known at this point in time it may lead to council not being able to achieve the best possible price and/or development outcome for the Brickworks Riverfront land.

RECOMMENDATION

It is recommended to Council that:

1. Pursuant to Section 90(2) of the *Local Government Act 1999*, 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 public disclosure of Council's commercial position in relation to the Brickworks Riverfront land may severely prejudice Council's ability to achieve the best possible price and/or development outcome for the Brickworks Riverfront land and confer a commercial advantage on a person(s) with whom Council is considering conducting business. Consequently, Council considers the disclosure of this information would, on balance, be contrary to the public interest and therefore 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 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 (21.1 - Divestment Proposal - Brickworks Riverfront Land), attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Sections 90(3)(b)(i) and 90(3)(b)(ii) of the *Local Government Act 1999*.
2. At the completion of the confidential session the meeting be re-opened to the public.

COUNCIL DECISION

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

CARRIED

8.42pm the meeting moved into Confidence.

Council also resolved that:

1. Pursuant to Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report relating to the Brickworks Riverfront Land, the Minutes arising from the report 21.1 (Divestment Proposal - Brickworks Riverfront Land), attachments, any associated documentation or recording having been considered by the Council in confidence under Section 90(3)(b)(i) and 90(3)(b)(ii) of the *Local Government Act, 1999*, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting or until Council formally executes contracts for the sale of land and settlement subsequently occurs, whichever is earlier, on the basis that the information received, discussed and considered in relation to this agenda item is information, the disclosure of which could reasonably be expected to severely prejudice Council's ability to achieve the best possible price and/or development outcome for the Brickworks Riverfront Land and/or confer a commercial advantage on a person(s) with whom Council is considering conducting business and would, on balance, be contrary to the public interest.
2. 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.

9.53pm the confidential session closed and the meeting reopened to the public.

22. MEETING CLOSE

The Presiding Member declared the meeting closed at 9.54pm.

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1. MEETING OPENED

The Presiding Member declared the meeting open at 7.13pm.

2. PRESENT

Committee Members:

Cr T Polito (Presiding Member)

Mayor J Trainer

Councillors: R Haese, G Palmer, G Vlahos, C O'Rielly, R Dua, J Woodward, K McKay, S Rypp, M Hill, A Mangos, S Tsiaparis, G Nitschke.

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)

3. APOLOGIES

Leave of Absence

Cr Demetriou (25 April - 4 June 2016)

RECOMMENDATION

That the apologies be received.

COMMITTEE DECISION

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

CARRIED

4. DISCLOSURE STATEMENTS

Nil

5. CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Urban Services Prescribed Standing Committee held on 5 April 2016 be confirmed as a true and correct record.

COMMITTEE DECISION

MOVED Cr Rypp 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

9.1 Light Rail Expansion

MOVED Mayor Trainer SECONDED Cr McKay that Council agrees to:

1. Provide in principle support to the expansion of light rail;
2. Participate in the development of a comprehensive study into the State Government's AdeLINK light rail network; and
3. Participate in further discussions with the Federal Government, State Government and neighbouring Councils within the proposed AdeLINK light rail network regarding funding and delivery options.

Mayor Trainer, with the permission of Cr McKay, sought and was granted leave of the meeting to vary his motion.

COUNCIL DECISION

MOVED Mayor Trainer SECONDED Cr McKay that Council agrees to:

1. Provide in principle support to the expansion of light rail;
2. Participate in the development of a comprehensive study into the State Government's AdeLINK light rail network, provided that a comprehensive governance process is developed outlining local government's involvement and role in the scoping study; and
3. Participate in further discussions with the Federal Government, State Government and neighbouring Councils within the proposed AdeLINK light rail network regarding funding and delivery options.

CARRIED

10. MOTIONS WITHOUT NOTICE

Nil

11. URBAN SERVICES DIVISION REPORTS

11.1 Adelaide Cobras - Forgiveness of Debt

A request was received from the president of the Adelaide Cobras Soccer Club for forgiveness of a \$5,000 debt on lights installed at Weigall Oval and was presented to Council for consideration.

RECOMMENDATION(S)

The Committee recommends to Council that:

This report be received.

OR

The final repayment to Council of \$5,000 by the Adelaide Cobras Soccer Club for the installation of lights at Weigall Oval be waived

COMMITTEE DECISION

MOVED Cr Mangos SECONDED Cr Palmer that the Committee recommends to Council that the final repayment to Council of \$5,000 by the Adelaide Cobras Soccer Club for the installation of lights at Weigall Oval be waived.

CARRIED

7.40pm Cr Vlahos left the meeting.

11.2 Dedication of Land - River Torrens Linear Park

The purpose of this report was to attain Council's endorsement for the proposed dedication to Council of Allotment 12 Filed Plan 124506 and Allotment 16 Filed Plan 124510 under Crown Record Volume 5800 Folio 433 for the River Torrens Linear Park, Metropolitan Open Space System and Recreation purposes by the Minister for Sustainability, Environment and Conservation.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. The report be received.
2. The Mayor and the Chief Executive Officer be authorised to sign and/or seal any documentation to give effect to the dedication to Council of Allotment 12 Filed Plan 124506 and Allotment 16 Filed Plan 124510 under Crown Record Volume 5800 Folio 433 for the River Torrens Linear Park, Metropolitan Open Space System and Recreation purposes.

COMMITTEE DECISION

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

CARRIED

7.41pm Cr Vlahos returned to the meeting

11.3 Requested Alteration of Parking Controls in Talbot Street Hilton

Council was provided with a report on the resident parking survey conducted in Talbot Street, Hilton in response to a letter received by Council on 22 November 2015 signed by the residents of Talbot Street.

RECOMMENDATION(S)

The Committee recommends to the Council that:

1. The report be received.
2. The residents of Talbot Street Hilton be consulted on the option of retaining the current time limit (being one hour at all times) on the eastern side of the street and derestricting the time limited area on the western side of the street.

COMMITTEE DECISION

MOVED Cr O'Rielly SECONDED Cr Vlahos that:

1. The report be received.
2. The residents of Talbot Street be consulted on the preferred options of:
 - a) retaining the current time limit (being one hour at all times) on the eastern side of the street and derestricting the time limited area on the western side of the street, or
 - b) resident parking permit only on the eastern side of the street and 3 hour parking Mon-Fri 9am-5pm on the western side of the street (free parking permit not available).
3. Council review current policing controls to ensure measures are at their highest when events are held.

FORMAL MOTION

MOVED Cr McKay SECONDED Cr Rypp that the Motion be Put.

CARRIED

The Motion was Put and **CARRIED**

11.4 Membership to the Australian Coastal Councils Association

The Metropolitan Seaside Councils Committee requested that councils consider options for taking up membership of the Australian Coastal Councils Association.

RECOMMENDATION(S)

The Committee recommends to Council that the Chief Executive Officer be authorised to take out annual membership with the Australian Coastal Councils Association in some form following further discussion with other MSCC councils and in consultation with the City of West Torrens' MSCC delegates.

COMMITTEE DECISION

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

CARRIED

11.5 Urban Services Activities Report

This report provided Elected Members with information on activities within the Urban Services Division.

RECOMMENDATION

The Committee recommends to Council that the Activities Report be received.

COMMITTEE DECISION

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

CARRIED

12. MEETING CLOSE

The Presiding Member declared the meeting closed at 7.54pm.

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1. MEETING OPENED

The Presiding Member declared the meeting open at 7.55pm.

2. PRESENT

Committee Members:

Cr G Palmer (Presiding Member)

Mayor J Trainer

Councillors: R Haese, G Vlahos, C O'Rielly, R Dua, J Woodward, K McKay,
S Rypp, M Hill, 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)

3. APOLOGIES

Leave of Absence

Cr Demetriou (25 April - 4 June 2016)

RECOMMENDATION

That the apologies be received.

COMMITTEE DECISION

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

CARRIED

4. DISCLOSURE STATEMENTS

Nil

5. CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Governance Prescribed Standing Committee held on 5 April 2016 be confirmed as a true and correct record.

COMMITTEE DECISION

MOVED Cr Polito SECONDED Cr Tsiaparis 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. GOVERNANCE REPORTS

11.1 Request To Fly Rainbow Flag

The 'Feast Festival' requested that Council once again flies the 'Rainbow Flag' from 21 October 2016 to 6 November 2016.

RECOMMENDATION

The Committee recommends to Council that it flies the 'Rainbow Flag' from 21 October 2016 to 6 November 2016.

COMMITTEE DECISION

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

CARRIED

The decision was set aside by the Presiding Member when Cr McKay called for a Division.

FOR:

Mayor Trainer and Crs Hill, Rypp, Mangos, Tsiaparis, Nitschke, Haese, Dua, Woodward, O'Rielly, Palmer

AGAINST:

Crs McKay, Polito, Vlahos

The Presiding Member declared the motion **CARRIED**

11.2 Kurna Native Title Update

This report presented an update on the Kurna Native Title claim.

RECOMMENDATION(S)

The Committee recommends to Council that this report be received.

COMMITTEE DECISION

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

CARRIED

11.3 Legislative Progress Report - April 2016

This report provided an update on the status of proposed legislative changes affecting local government, dealt with in Parliament, by the Local Government Association or contained in the Government Gazette during the preceding month.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE DECISION

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

CARRIED

12. MEETING CLOSE

The Presiding Member declared the meeting closed at 8.17pm.