

CITY OF WEST TORRENS



MINUTES

of the

Council & Committee Meetings

- **Urban Services Prescribed Standing Committee**
- **Governance Prescribed Standing Committee**
- **Special 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, 3 OCTOBER 2017
at 7.00pm

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 Vlahos, K McKay, S Rypp, G Demetriou, A Mangos, S Tsiaparis, G Nitschke, J Woodward, C O'Rielly

Officers:

Mr T Buss	(Chief Executive Officer)
Ms P Koritsa	(General Manager Business and Community Services)
Mr B Ross	(General Manager Corporate and Regulatory)
Mr A Catinari	(General Manager Urban Services)
Ms S Curran	(Manager Strategy and Business)
Mr J Ielasi	(Manager City Assets)
Ms H Bateman	(Manager City Development - Acting)

3 APOLOGIES

Apologies

Council Members:

Cr Megan Hill
Cr Michael Farnden
Cr Tony Polito

Leave of Absence

Council Members:

Cr Garth Palmer

RECOMMENDATION

That the apologies be received.

RESOLUTION

Moved: Cr Rosalie Haese
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENT

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Correspondence Items 20.1 WestLINK Tram Network and 20.5 Capping of Government Fees and Charges	Perceived	Cr Steven Rypp
Urban Services Standing Committee Item 11.1 West Beach Road Integrated Streetscape Project	Perceived	Cr Steven Rypp
Council Item 17.6 LGA Council Members Forum 2017	Material	Cr John Woodward
Council Item 11.3 Adoption of Special Strategy and Community Committee Recommendations	Perceived	Cr John Woodward

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council held on 19 September 2017 be confirmed as a true and correct record.

RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Arthur Mangos

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT

RECOMMENDATION

That the Mayor's Report be noted.

RESOLUTION

Moved: Cr Steven Rypp

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

7 ELECTED MEMBERS REPORTS

Cr Mangos advised of his attendance at the Murray Darling Association Region 7 meeting on Wednesday 20 September 2017 and the LGA Board Meeting on Thursday 28 September 2017.

Cr Demetriou advised of his attendance at the Cummins House AGM and the Opening Day for the Novar Gardens Bowling Club's 2017/18 Season on Saturday 23 September 2017.

RESOLUTION

Moved: Cr Steven Rypp

Seconded: Cr Simon Tsiaparis

That the reports from Members be noted.

CARRIED

8 PETITIONS

Nil

9 DEPUTATIONS

Nil

10 ADJOURN TO STANDING COMMITTEES

RECOMMENDATION

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

RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Steven Rypp

That the recommendation be adopted.

CARRIED

7.07pm the meeting adjourned into Committees.

8.36pm 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 Meeting

Cr Steven Rypp declared a perceived conflict of interest in Urban Services Standing Committee Item 11.1 West Beach Road Integrated Streetscape Project, in that he is an employee of Christopher Pyne's MP Office and participated in the discussion and vote.

Recommendation

That the recommendations of the Urban Services Committee held on 3 October 2017 be adopted.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

Cr Steven Rypp voted in favour of the motion moved by Cr Tsiaparis and seconded by Cr McKay.

11.2 Governance Committee Meeting

RECOMMENDATION

That the recommendations of the Governance Committee held on 3 October 2017 be adopted.

RESOLUTION

Moved: Cr Rosalie Haese

Seconded: Cr Arthur Mangos

That the recommendation be adopted.

CARRIED

11.3 Special Strategy and Community Committee Meeting

Cr John Woodward declared a perceived conflict of interest in Special Strategy and Community Standing Committee Item 11.1 Underdale and Torrensville Urban Renewal Development Plan Amendment, in that his wife works for a company that works with the parent company of Symbion and participated in the discussion and vote.

RECOMMENDATION

That the recommendations of the Special Strategy and Community Committee held on 3 October 2017 be adopted.

RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Steven Rypp

That the recommendation be adopted.

CARRIED

Cr John Woodward voted in favour of the motion moved by Cr Mangos and seconded by Cr Rypp.

12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS**12.1 Community Facilities General Committee Meeting****RECOMMENDATION**

That the Minutes of the Community Facilities General Committee held on 26 September 2017 be noted and the recommendations adopted.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Rosalie Haese

That the recommendation be adopted.

CARRIED

13 QUESTIONS WITH NOTICE

Nil

14 QUESTIONS WITHOUT NOTICE

Questions were asked and responses provided by the Administration.

15 MOTIONS WITH NOTICE

Nil

16 MOTIONS WITHOUT NOTICE**16.1 Cr Vlahos - Conflict of Interest Declaration**

Moved: Cr Rosalie Haese

Seconded: Cr John Woodward

That the perceived conflict of interest declaration by Cr Vlahos for the Special Strategy and Community Standing Committee Item 11.1 Underdale and Torrensville Urban Renewal Development Plan Amendment for Council Decision under Adoption of Standing Committee recommendations be minuted.

CARRIED

17 REPORTS OF THE CHIEF EXECUTIVE OFFICER

17.1 Request for a Privately Funded DPA at 80-84 Sir Donald Bradman Drive, Hilton

This report presented a request from Ekistics Planning and Design, on behalf of ALDI Stores Pty Ltd ("ALDI") for Council to initiate a privately funded DPA with respect to the land at 80-84 Sir Donald Bradman Drive Hilton.

RECOMMENDATION

It is recommended to Council that:

1. The 'ALDI Hilton DPA Statement of Justification (V2) Ref No. 00484-001', dated 23 August 2017 (**Attachment 1** of Agenda report), be received.
2. It provides 'in-principle' support to the proposal, submitted by Ekistics; for it to proceed to investigation phase of the Development Plan Amendment; to amend zoning at 80-84 Sir Donald Bradman Drive, Hilton, however, this in principle support be subject to a deed agreement being entered into with the proponent that contains the following provisions:
 - a. The project management approach for the DPA;
 - b. The funding arrangements for the DPA, which will require the private funder or proponent to fund, procure and manage as much of the DPA process as required and provide funds for Council to procure and engage its own consultants to undertake an independent peer review of the DPA.
 - c. The nature of the DPA, including full extent of area to be covered, the purpose of the DPA and what investigations will encompass;
 - d. Council maintaining ultimate control of the DPA (acknowledging the Minister has the right of final approval, or otherwise).
 - e. Key stages of the DPA being presented to Council for consideration prior to being submitted to the Minister for Planning for agreement,
 - f. Provisions for what happens if the DPA is either not authorised by the Minister for Planning or authorised with amendments that do not suit the interest of the private funder (essentially the private funder will still bear the cost of the DPA's preparation, regardless of the outcomes).
 - g. The private funder funding any additional investigations and legal expenses that are required by the Council; and
 - h. Other matters as such to ensure an open and transparent process providing no assurance that there will be a guaranteed outcome in the DPA process.
3. The draft Statement of Intent (**Attachment 2** of Agenda report) be received.

RESOLUTION

Moved: Cr George Demetriou

That the recommendation be adopted.

The motion lapsed for want of a seconder.

17.2 Community Engagement Charter 2017 Discussion Draft Submission

This report proposed feedback to the State Planning Commission on the *Community Engagement Charter 2017 Discussion Draft - Outputs from Stage 1* which is required pursuant to the *Planning, Development and Infrastructure Act 2016*.

RECOMMENDATION(S)

It is recommended to Council that:

1. The feedback contained within this report be provided as Council's submission to the State Planning Commission on the establishment of a Community Engagement Charter in accordance with the *Planning, Development and Infrastructure Act 2016*.
2. Council's submission to the State Planning Commission be submitted to the Local Government Association.

RESOLUTION

Moved: Cr Arthur Mangos
Seconded: Cr John Woodward

That the recommendation be adopted.

CARRIED

17.3 Fund My Neighbourhood - List of Projects

The purpose of this report was to seek Council agreement 'in principle' to the projects that have been nominated by residents and received by State Government as part of the 'Fund My Neighbourhood' State Government Funding Programme prior to public vote for projects.

RECOMMENDATION

It is recommended to Council that Council supports the projects as recommended in **Attachment 1** for inclusion in the 'public voting' as part of the 'Fund My Neighbourhood' programme in the terms sought by the Department of the Premier and Cabinet.

RESOLUTION

Moved: Cr Arthur Mangos
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

17.4 Hours of Operation 2017/18 - Christmas and New Year

This report advised of the hours of operation for the Civic Centre, Hamra Centre Library and Depot over the Christmas/New Year period for 2017/18.

RECOMMENDATION

It is recommended to Council that the hours of operation of the Civic Centre, Hamra Centre Library and Depot be noted.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

CARRIED

17.5 Information Services Security Audit - Confidential Order Review

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 10.1 Information Services Security Audit at the 17 October 2016 Meeting of Audit and Risk Committee.

RECOMMENDATION(S)

It is recommended to Council that:

1. In accordance with section 91(9)(a), having reviewed the confidentiality order made on 17 October 2016, pursuant to 91(7) and 91(7)(b) of the *Local Government Act 1999*, in respect of confidential Item 10.1 - Information Services Security Audit, Council orders the information contained in:
 - a) the confidential report Item 10.1 - Information Services Security Audit presented to the Audit and Risk Committee at its 17 October 2016 Meeting;
 - b) all relevant documentation associated with and attached to the confidential agenda *Item 10.1 - Information Services Security Audit* of 17 October 2016;

continues to be retained in confidence in accordance with Section 90(3)(e) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period, on the basis that the information received, discussed and considered in relation to this agenda item deals with matters affecting the security of Council on the basis that the information contained in the report and attachments contains information related to an audit of the level of vulnerability within Council's public internet perimeter and disclosure would severely expose and subsequently compromise the security of information contained in Council's information technology networks to the detriment of both Council and the public and, as such, is contrary to the public interest.

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.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED

17.6 LGA Council Members Forum 2017

9.16pm *Cr Woodward declared a material conflict of interest in this item as he wishes to attend the LGA Council Member Forum and left the meeting for the discussion and vote on the item.*

The Local Government Association's Council Members Forum will be held at the Stamford Plaza Adelaide, on Friday 27 and Saturday 28 October 2017.

RECOMMENDATION

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 Stamford Plaza Adelaide, on Friday 27 and Saturday 28 October 2017.
2. Expenses be reimbursed in accordance with Council policy.

RESOLUTION

Moved: Cr Steven Rypp

Seconded: Cr Graham Nitschke

1. Council approves the attendance of Cr Woodward at the LGA Council Members Forum being held at the Stamford Plaza Adelaide, on Friday 27 and Saturday 28 October 2017.
2. Expenses be reimbursed in accordance with Council policy.

CARRIED

9.17pm Cr John Woodward returned to the meeting.

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.

RESOLUTION

Moved: Cr Steven Rypp
Seconded: Cr John Woodward

That the recommendation be adopted.

CARRIED

18.2 LGA Metropolitan Local Government Group Meeting - Key Outcomes Summary

This report presented the Key Outcomes Summary from the 13 September 2017 meeting of the LGA Metropolitan Local Government Group.

RECOMMENDATION

It is recommended to Council that the report be received.

RESOLUTION

Moved: Cr Arthur Mangos
Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED

19 MEMBER'S BOOKSHELF

- Power Line Environment Committee - Annual Report 2016-2017

RECOMMENDATION

That the additions to Members' bookshelf be noted.

RESOLUTION

Moved: Cr John Woodward
Seconded: Cr Steven Rypp

That the recommendation be adopted.

CARRIED

20 CORRESPONDENCE

Cr Steven Rypp declared a perceived conflict of interest in correspondence Item 20.1 WestLINK Tram Network and Item 20.5 Capping of Government Fees and Charges as he is a Liberal Party candidate for the Seat of Lee in the 2018 State Election, but as the items were for information purposes only he participated in the discussion and vote.

20.1 WestLINK Tram Network

Correspondence was received from the Minister for Transport and Infrastructure, Hon Stephen Mullighan MP, acknowledging Council's letter dated 1 May 2017 in relation to the WestLINK tram network and the study into the electrification of public transport in Adelaide, including AdeLINK.

20.2 Allocation of South Australian Local Government Grants

Correspondence was received from the Minister for Regional Development and Minister for Local Government, Hon Geoff Brock MP, regarding the allocation of South Australian Local Government Grants, including summary of the total allocation to the West Torrens Council for the 2017-2018 year.

20.3 Management Plan for Recreational Fishing in South Australia

Correspondence was received from the Acting Executive Director of the Fisheries and Aquaculture of the Primary Industries and Region SA, Mr Sean Sloan, informing Council that the *Management Plan for Recreational Fishing in South Australia* was approved by the Minister for Agriculture, Food and Fisheries on 13 August 2017 and has taken effect from 1 September 2017.

20.4 2017 Malaya & Borneo Veterans' Day - Letter of Thanks

Correspondence was received from the National Malaya & Borneo Veterans' Association Australia Inc. thanking Council for our continued support of the 2017 Malaya & Borneo Veterans' Day commemoration service.

20.5 Capping of Government Fees and Charges

Correspondence was received from the Chief Executive Officer of the Local Government Association of South Australia, Mr Matt Pinnegar, acknowledging Council's letter dated 19 September 2017 in relation to capping of Government Fees and Charges.

RECOMMENDATION

That the correspondence be received.

RESOLUTION

Moved: Cr Cindy O'Rielley

Seconded: Cr Graham Nitschke

That the correspondence be received with the exception of Item 20.1 WestLINK Tram Network.

CARRIED

Cr Steven Rypp voted in favour of the motion moved by Cr O'Rielley and seconded by Cr Nitschke.

20.1 WestLINK Tram Network

Correspondence was received from the Minister for Transport and Infrastructure, Hon Stephen Mullighan MP, acknowledging Council's letter dated 1 May 2017 in relation to the WestLINK tram network and the study into the electrification of public transport in Adelaide, including AdeLINK.

Cr Woodward spoke about his views on the urban uplift potential of Richmond Road regarding the WestLINK tram network study.

RESOLUTION

Moved: Cr George Vlahos
Seconded: Cr Graham Nitschke

That the correspondence be received.

CARRIED

Cr Steven Rypp voted in favour of the motion moved by Cr Vlahos and seconded by Cr Nitschke.

21 CONFIDENTIAL

21.1 Chief Executive Officer's Performance Review - 2017

Reason for Confidentiality

The Council is satisfied that, pursuant to Section 90(3) (a) 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 may breach a duty of confidence owed to an employee and result in the unreasonable disclosure of information concerning the personal affairs of the employee.

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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, members of the Executive and Management Teams in attendance at the meeting, and meeting secretariat staff, 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 Chief Executive Officer's Performance Review - 2017, attachments and any associated documentation submitted by the General Manager Corporate and Regulatory, specifically on the basis of the provisions of Section 90(3) (a) because the matter relates to the negotiations and details of the contractual employment arrangements of an employee and disclosure may breach a duty of confidence owed to the employee and result in the unreasonable disclosure of information concerning the personal affairs of the employee.
2. At the completion of the confidential session the meeting be re-opened to the public.

RESOLUTION

Moved: Cr Steven Rypp
Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED

9.24pm the meeting moved into Confidence and session commenced.

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 Item 21.1 Chief Executive Officer's Performance Review - 2017, the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(3)(a), 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 matter relates to the negotiations and details of the contractual employment arrangements of an employee and disclosure may breach a duty of confidence owed to the employee and result in the unreasonable disclosure of information concerning the personal affairs of the employee.
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.

9.31pm the Confidential session closed and the meeting reopened to the public.

22 MEETING CLOSE

The Presiding Member declared the meeting closed at 9.32pm.

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.08pm.

2 PRESENT

Council Members:

Cr J Woodward (Presiding Member)

Mayor J Trainer

Councillors: R Haese, G Vlahos, K McKay, S Rypp, G Demetriou, A Mangos, S Tsiaparis, G Nitschke, C O'Rielly

Officers:

Mr T Buss	(Chief Executive Officer)
Ms P Koritsa	(General Manager Business and Community Services)
Mr B Ross	(General Manager Corporate and Regulatory)
Mr A Catinari	(General Manager Urban Services)
Ms S Curran	(Manager Strategy and Business)
Mr J Ielasi	(Manager City Assets)
Ms H Bateman	(Manager City Development - Acting)

3 APOLOGIES

Apologies

Committee Members:

Cr Megan Hill

Cr Michael Farnden

Cr Tony Polito

Leave of Absence

Committee Members:

Cr Garth Palmer

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Rosalie Haese

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Urban Services Committee Item 11.1 West Beach Road Integrated Streetscape Project	Perceived	Cr Steven Rypp

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Urban Services Committee held on 5 September 2017 be confirmed as a true and correct record.

COMMITTEE RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

6 COMMUNICATION 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 URBAN SERVICES DIVISION REPORTS

11.1 West Beach Road Integrated Streetscape Project

Cr Steven Rypp declared a perceived conflict of interest in this item as he is an employee of Christopher Pyne's MP Office and participated in the discussion and vote.

The City of West Torrens and the City of Charles Sturt jointly submitted an application to the Local Government Transport Advisory Panel in March 2017 to be considered for strategic road funding under the Special Local Roads Program for the 2017/18 financial year. \$2,000,000 in funding was sought to enable the upgrade of West Beach Road between Military Road and Tapleys Hill Road with further funding to be applied for in the second year of the two year project.

Council received notification from the City of Charles Sturt that they have received notice from the Minister (**Attachment 1**) that the funding application for 2017/18 financial year has been successful and an allocation of \$1,890,000 has been provided subject to Council agreeing to make a financial contribution. As such, there is a minimum requirement for the two Councils to match the funding to enable the delivery of the project. Neither Council currently has budget approved for this project in the 2017/18 financial year, therefore a budget allocation will be required for City of West Torrens' share of the works. Council currently has design budget allocation within the 2017/18 financial year to cover design costs.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. Council note that the application submitted to the Local Government Transport Advisory Panel in March 2017 for Special Local Road Program funding has been approved for \$1,890,000 for 2017/18.
2. The City of Charles Sturt accept the full amount of the funding on behalf of City of Charles Sturt and City of West Torrens.
3. Council note the requirement for the Cities of Charles Sturt and West Torrens to have allocated budgets to secure the funding and enable delivery of the project.
4. A budget allocation of \$2,877,000 derived from loan funding be made available in order for the grant contribution to take effect and enable a construction contract to be entered into to commence the project.

COMMITTEE RESOLUTION

Moved: Cr Rosalie Haese

Seconded: Cr Arthur Mangos

That that recommendation be adopted.

AMENDMENT

Moved: Cr George Demetriou

Seconded: Cr George Vlahos

That Urban Services Committee Item 11.1 West Beach Road Integrated Streetscape Project be deferred to allow for further discussion.

The amendment was Put and **LOST**

With the consent of Cr Haese as mover and Cr Mangos as seconder the original motion was varied as follows:

1. While concerned about some details of the announcement, Council note that the application submitted to the Local Government Transport Advisory Panel in March 2017 for Special Local Road Program funding has been approved for \$1,890,000 for 2017/18.
2. The City of Charles Sturt accept the full amount of the funding on behalf of City of Charles Sturt and City of West Torrens.
3. Council note the requirement for the Cities of Charles Sturt and West Torrens to have allocated budgets to secure the funding and enable delivery of the project.
4. A budget allocation of \$2,877,000 derived from loan funding be made available in order for the grant contribution to take effect and enable a construction contract to be entered into to commence the project.

The motion was Put and **CARRIED**

11.2 Preservation of the Windsor Theatre Movie Posters

This report presented a proposal to preserve old movie posters at the Windsor Theatre at Lockleys.

RECOMMENDATION(S)

It is recommended that the Committee recommends to Council that:

1. It supports the preservation of the Windsor Theatre movie posters
2. It authorises Administration to select the most appropriate method of preserving the posters
3. It authorises Administration to contact the West Torrens Historical Society, the State Library and the National Film and Sound Archives to determine their interest in the posters.

COMMITTEE RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Steven Rypp

That the recommendation be adopted.

CARRIED

11.3 Proposed Footpath Installation - Neptune Crescent, West Beach

This report sought Council's endorsement to proceed with scheduled footpath installation on the western and southern side of Neptune Crescent, West Beach, as approved in the 2016/17 budget.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. Council's Administration proceeds with the scheduled footpath construction works on the western and southern side of Neptune Crescent, West Beach, as approved within the 2016/17 budget.
2. The Administration advises the residents of Neptune Crescent of Council's decision.

COMMITTEE RESOLUTION

Moved: Cr Rosalie Haese

Seconded: Cr Arthur Mangos

That:

1. The report relating to the proposed installation of a footpath in Neptune Crescent, West Beach be received.
2. The Committee notes that there are ongoing objections from local residents to install a footpath in Neptune Crescent either as originally proposed (western and southern side) or that alternatively proposed (eastern and southern side) and accordingly, Council not proceed with the installation of a footpath in Neptune Crescent and that the funding allocated for the project be reallocated to Council's 2017/18 Footpath Remediation Program.
3. The Administration advises the residents of Neptune Crescent of Council's decision.

The motion was Put and **CARRIED**

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

In Favour: Crs Steven Rypp, George Demetriou, Rosalie Haese, Arthur Mangos, Kym McKay, Graham Nitschke, Cindy O'Rielley and Simon Tsiaparis

Against: Mayor John Trainer, Crs George Vlahos and John Woodward

The Presiding Member declared the motion **CARRIED**

11.4 Urban Services Activities Report

The purpose of this report was to provide Elected Members' with information on activities within the Urban Services Division.

RECOMMENDATION

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

COMMITTEE RESOLUTION

Moved: Cr Steven Rypp
Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

CARRIED

12 MEETING CLOSE

The Presiding Member declared the meeting closed at 7.46pm.

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.47pm.

2 PRESENT

Council Members:

Cr R Haese (Presiding Member)

Mayor J Trainer

Councillors: G Vlahos, K McKay, S Rypp, G Demetriou, A Mangos, S Tsiaparis, G Nitschke, C O'Rielly, J Woodward

Officers:

Mr T Buss	(Chief Executive Officer)
Ms P Koritsa	(General Manager Business and Community Services)
Mr B Ross	(General Manager Corporate and Regulatory)
Mr A Catinari	(General Manager Urban Services)
Ms S Curran	(Manager Strategy and Business)
Mr J Ielasi	(Manager City Assets)
Ms H Bateman	(Manager City Development - Acting)

3 APOLOGIES

Apologies

Committee Members:

Cr Megan Hill

Cr Michael Farnden

Cr Tony Polito

Leave of Absence

Committee Members:

Cr Garth Palmer

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Steven Rypp

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENTS

Nil

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Governance Committee held on 5 September 2017 be confirmed as a true and correct record.

COMMITTEE RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Arthur Mangos

That the recommendation be adopted.

CARRIED

6 COMMUNICATION 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 2017 LGA Annual General Meeting - Notices of Motion

This report sought approval of a Notice of Motion for the 2017 Local Government Association Annual General Meeting to be held on Thursday 16 November 2017 at Adelaide Oval, War Memorial Drive.

RECOMMENDATION

The Committee recommends to Council that the Annual General Meeting requests that the Local Government Association seeks the amendment of section 74 of the *Local Government Act 1999* to enable a member of a council who has declared a material conflict of interest in a matter to be discussed at a meeting of the council, to be able to elect to remain in the meeting, participate in the debate and vote on the matter if the member is able to demonstrate that it is in the public interest for the member to do so particularly when nominating for community committee membership or conferences and seminars specifically related to local government business i.e. Local Government Association Annual General Meeting, Australian Local Government Association National Congress etc.'

COMMITTEE RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Arthur Mangos

That the recommendation be adopted.

CARRIED

11.2 South Australian Planning Reform Implementation Progress Report - September 2017

This report presented the September 2017 update on the status of the implementation of the South Australian Planning Reform, including the transition from the *Development Act 1993* to the *Planning, Development and Infrastructure Act 2016* (Act), and the implementation of associated legislation and statutory planning documents.

RECOMMENDATION

The Committee recommends to Council that the South Australian Planning Reform Implementation Progress Report - September 2017 be received.

COMMITTEE RESOLUTION

Moved: Cr Steven Rypp

Seconded: Cr Arthur Mangos

That the recommendation be adopted.

CARRIED

11.3 Legislative Progress Report - September 2017

This report provided an update on the status of proposed legislative changes affecting local government either 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 'Legislative Progress Report - September 2017' be received.

COMMITTEE RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Cindy O'Rielly

That the recommendation be adopted.

CARRIED

12 MEETING CLOSE

The Presiding Member declared the meeting closed at 8.12pm.