

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, 7 FEBRUARY 2017**

**at 7.00pm**

**Terry Buss**  
**Chief Executive Officer**

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## 1 MEETING OPENED

The Presiding Member declared the meeting open at 7.08pm.

### 1.1 Evacuation Procedure

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

## 2 PRESENT

### Council Members:

Mayor J Trainer (Presiding Member)

Councillors: R Haese, G Palmer, G Vlahos, S Rypp, G Demetriou, M Hill, A Mangos, S Tsiaparis, G Nitschke, T Polito, J Woodward, C O'Rielly, M Farnden

### Officers:

Mr T Buss	(Chief Executive Officer)
Ms S Curran	(General Manager Business and Community Services - Acting)
Mr B Ross	(General Manager Corporate and Regulatory)
Mr A Catinari	(General Manager Urban Services)
Mr J Ielasi	(Manager City Assets)
Mr D Ottanelli	(Manager City Works)
Ms R Butterfield	(Manager Regulatory Services)
Ms J Lennon	(Manager City Development)
Ms V Davidson	(Team Leader Governance)

## 3 APOLOGIES

### Apologies

#### Council Members:

Cr McKay

#### Officers:

Ms P Koritsa (General Manager Business and Community Services)

### RECOMMENDATION(S)

That the apologies be received.

### RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr George Demetriou

That the recommendation be adopted.

**CARRIED**

#### 4 DISCLOSURE STATEMENT

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Council Item 17.5 Murray Darling Association Region 7 Committee - Nominations for Regional Chair and Committee Members	Perceived	Cr Mangos
Council Item 17.1 Fees and Charges 2017-18	Perceived	Cr Vlahos

#### 5 CONFIRMATION OF MINUTES

##### RECOMMENDATION

That the Minutes of the meeting of the Council held on 17 January 2017 be confirmed as a true and correct record.

##### RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Megan Hill

That the recommendation be adopted.

**CARRIED**

#### 6 MAYORS REPORT

##### RECOMMENDATION

That the Mayor's Report be noted.

##### RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Graham Nitschke

That the recommendation be adopted and the Mayor's report be amended to state Cr Haese was in attendance at the Airport Over 50's Australia Day BBQ on Thursday 26 January 2017 and not Cr Palmer as stated in the Mayor's report.

**CARRIED**

#### 7 ELECTED MEMBERS REPORTS

Cr Mangos advised of his attendance at the following:

- Australia Day Council of South Australia Luncheon at Adelaide Entertainment Centre on Friday 20 January 2017
- Australia Day Council of South Australia Awards at the Crowne Plaza Adelaide on Monday 23 January 2017
- Australia Day in the City Parade and Fireworks on Thursday 26 January 2017
- Camden Athletics Club Classics with Cr/s Rypp and Demetriou on Sunday 5 February. Cr Mangos acknowledged Cr Demetriou on his life membership of the Camden Athletics Club.

Cr Haese advised of her attendance with Cr Palmer at the Lockleys Neighbourhood Watch Meeting on Monday 6 February 2017.

Cr Rypp advised of his attendance at the City of West Torrens Australia Day Awards and Citizenship Ceremony at Thebarton Community Centre on Thursday 26 January 2017, and the Camden Athletics Club Classic on Sunday 5 February 2017.

Cr Nitschke advised of his attendance at the Holland Street Party to celebrate the Holland Street upgrade, on Friday 20 January 2017.

## RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Simon Tsiaparis

That the reports from the Members be noted.

**CARRIED**

## 8 PETITIONS

Nil

## 9 DEPUTATIONS

### 9.1 WestLINK - Maras Group

The Mayor invited Mr Chris Vounasis, Director of the Future Urban Group, to address Council on behalf of Maras Group in relation to the group's position on WestLINK.

Following the deputation Elected Members were invited to ask questions which were responded to by Mr Chris Vounasis.

The Presiding Member thanked Mr Chris Vounasis for his attendance.

## 10 ADJOURN TO STANDING COMMITTEES

### RECOMMENDATION

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

### RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Steven Rypp

That the recommendation be adopted.

**CARRIED**

**7.54pm** the meeting adjourned into Committees.

**8.35pm** 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****RECOMMENDATION**

That the recommendations of the Urban Services Committee held on 7 February 2017 be adopted.

**RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Arthur Mangos

That the recommendation be adopted.

**CARRIED**

**11.2 Governance Committee Meeting****RECOMMENDATION**

That the recommendations of the Governance Committee held on 7 February 2017 be adopted.

**RESOLUTION**

Moved: Cr Garth Palmer

Seconded: Cr Steven Rypp

That the recommendation be adopted.

**CARRIED**

**12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS**

Nil

**13 QUESTIONS WITH NOTICE**

Nil

**14 QUESTIONS WITHOUT NOTICE****14.1 Development Application Daly Street, KURRALTA PARK**

Cr John Woodward asked the following questions:

1. Can Council confirm the earlier advice I was provided that Council was NOT able to reject the development application due to State Government laws around complying developments? E.g. There were no grounds to reject the application.
2. I understand the garage complies with Australian standards, if the access to the garage is problematic and not practical, would this development application still have been a complying development?
3. What is the opinion of Council as to what changes would be required to avoid this type of situation in the future.

## Answers

1. The Development Act 1993, Sec 35(1) states that "*if a proposed development is of a kind described as a complying development under the regulations or the relevant Development Plan, the development must be granted a development plan consent*".  
Schedule 4 of the Development Regulations 2008, describes complying development, this schedule is more commonly called the "residential code".  
When the application for 18A Daly Street, Kurralta Park was submitted to Council as a complying - res-code development, the proposal was checked against Schedule 4 of the Development Regulations 2008 and was found to have met the criteria of that Schedule, therefore we legally were required to grant development plan consent.
2. There were a number of factors to be considered with the garage and driveway, they needed to meet the following Schedule 4 minimums:

- Garage must be set back at least 5.5m from the street
- Driveway may not be within 6m of an intersection or pedestrian actuated crossing
- The driveway will not interfere with street furniture, infrastructure or trees (for this purpose Council requires a minimum set back of 1m from stobie poles and 2m from trees)

Schedule 4 does not detail what the minimum size for a garage is, or the manoeuvrability requirements for driveways, for this we turn to the Australian Standard for Off Street Parking, that specifies minimum garage dimensions as 5.8m x 3.0m and minimum turning circle/clearance requirements.

If the garage and access had not met these minimums, the Administration would have advised the applicant that their proposal was not complying, and would need to be assessed as a merit application, we would have then asked them to flip the design or provide evidence that SA Power Network had agreed to move the stobie pole.

3. When the "residential code" was originally released, a cross-over approval under Section 221 of the Local Government Act 1999 was required prior to submitting an application for complying development plan consent, this requirement has subsequently been removed, but reinstating the requirement would go a long way towards avoiding these situations in the future.

## MOTION

Moved Cr John Woodward

Seconded Cr Arthur Mangos

That the questions from Cr Woodward and the answers provided be recorded in the minutes.

**CARRIED**

## 14.2 Special Local Roads Grant Funding

Cr Rosalie Haese asked the following questions:

1. Can Council give a quick recount of the application procedure for road funding via the LGA specifically referring to West Beach Road, West Beach?
2. Is it essential that West Torrens Council prioritise their funding application before they are lodged with LGA and if so, whether Council will prioritise the 2017 application for funding?



3. I understand that a meeting between the Adelaide Shores Executive and local residents took place within the last few days and it was stated quite clearly that West Torrens Council was not supportive of funding for West Beach Road or the plan going ahead and that residents need to lobby the Elected Members because "it doesn't seem to be a priority by Councillors..." and an Elected Member in particular [not mentioning names] stated "are not supporting any further processes." Can anyone clarify that statement?

### Answers

1. Nominations for Special Local Roads Grant Funding Applications are called around this time each year for Councils to submit applications. The submission for West Beach Road grant was submitted for the 2016-17 grant funding period by the City of Charles Sturt in conjunction with the City of West Torrens. The submissions are required to address certain criteria set out in the application.
2. No, Council administration do not prioritise grant applications. This is understood by the assessing committee at the LGA, however within Councils forward works program we identify roads which might have the criteria to be considered. West Beach Road was submitted as it met several criteria's called for in the application. It is intended to submit in conjunction with the City of Charles Sturt an application for the 2017-18 rounds of grants.
3. The Administration cannot comment on the meeting because no one was in attendance. In relation to supporting the application, the Administration have acted on Councils resolution to continue to work with the City of Charles Sturt in seeking funding for this project via submission to the Special Local Roads Grant Funding program and Black Spot Funding program.

### MOTION

Moved: Cr Rosalie Haese  
 Seconded: Cr Garth Palmer

That the questions from Cr Haese and the answers provided be recorded in the minutes.

**CARRIED**

### 15 MOTIONS WITH NOTICE

Nil

### 16 MOTIONS WITHOUT NOTICE

#### 16.1 DPTI - Access to Modelling Documentation for WestLINK

Moved: Cr John Woodward  
 Seconded: Cr Simon Tsiaparis

That Council write to DPTI seeking access to the modelling that was used to assess Henley Beach Road, Sir Donald Bradman Drive and Richmond Road as potential routes for the WestLINK tram extension.

**CARRIED**

## 16.2 Frank Norton Reserve Fencing

Moved: Cr George Vlahos

That the Administration come back to Council with the design and costing of a fence surrounding the play area at Frank Norton Reserve.

The Presiding Member ruled that the motion be deferred to the 21 February 2017 meeting of Council.

**8.54pm** Cr John Woodward left the meeting.

**8.56pm** Cr John Woodward returned to the meeting.

## 17 REPORTS OF THE CHIEF EXECUTIVE OFFICER

### 17.1 Fees and Charges 2017-18

**8.59pm** Cr Vlahos declared a perceived conflict of interest in this item as he works for the State Government Department responsible for the Dog and Cat Management Board and left the meeting for the discussion and vote on the item.

This report presented revised fees and charges for 2017/18 for consideration and adoption pursuant to the requirements of Section 188 of the *Local Government Act 1999*.

### RECOMMENDATION(S)

It is recommended to Council that the fees and charges as detailed in Attachment 1 of the report be adopted pursuant to Section 188 of the *Local Government Act 1999*.

### RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Rosalie Haese

That the fees and charges as detailed in Attachment 1 of the report be adopted pursuant to Section 188 of the Local Government Act 1999, subject to:

1. Proposed dog registration fees on page 7 of Attachment 1 - Fees and Charges 2017/18 being amended to provide a 50 per cent discount on all dogs registered on or after 1<sup>st</sup> January provided they are at the mandatory registration age of 3 months when registered.
2. Reference being deleted on page 4 of Attachment 1 - Fees and Charges 2017/18 to facility hire being "subject to endorsement of Corporate Planning, Policy and Performance Committee".
3. Dog registration fees for the 2016/17 financial year be amended to provide a 50 per cent discount on all dogs registered on or after 8 February 2017 provided they are at the mandatory registration age of 3 months when registered.
4. A refund of 50 per cent of the registration fee be made for all dogs registered between 1 January 2017 and 7 February 2017, subject to these dogs being at the mandatory registration age of 3 months when registered.

**9.02pm** Cr Tony Polito retired from the meeting.

**9.06pm** Cr Simon Tsiaparis left the meeting.

**9.10pm** Cr Simon Tsiaparis returned to the meeting.

**CARRIED**

**MOTION**

Moved: Cr Michael Farnden

Seconded: Cr John Woodward

That the following Street Parking Permit Fees and Charges 2017-18 as noted in the Attachment Under Separate Cover, be amended:

- Street Permit Vehicle Specific (1 year) be \$20 instead of \$35
- Street Permit Vehicle Specific (2 year) be \$35 instead of \$60
- Street Permit Transferable (1 year) \$30 instead of \$51
- Street Permit Transferable (2 year) \$50 instead of \$ 91

**AMENDMENT**

Moved Cr Megan Hill

Seconded Cr Graham Nitschke

That the fees relating to Parking Permits be deferred to the next CPPP meeting on 14 March 2017 for consideration.

The amendment was Put and Carried and on becoming the motion was **CARRIED**

**9.19pm** Cr Vlahos returned to the meeting.

**17.2 Request for a section 270 Review of Council Decision**

This report presented a request for an internal review of Council decision to not approve a \$3,000 sponsorship application from Mr David Gaucci on behalf on Devine Interventionz Productions for the musical theatre production, 'Violet' to be held during February and March 2017 as part of the Fringe Festival.

**RECOMMENDATION(S)**

It is recommended to Council that having reviewed its decision of 1 November 2016 to not approve a \$3,000 sponsorship application from David Gaucci on behalf of Davine Interventionz Productions for a musical theatre production, 'Violet' to be held during February and March 2017 as part of the Fringe Festival, Council;

1. reaffirms its decision of 1 November 2016 to not approve this sponsorship application;

or

2. approves the sponsorship of David Gaucci on behalf of Davine Interventionz Productions application to the sum of \$3,000.

**RESOLUTION**

Moved: Cr Steven Rypp

Seconded: Cr Graham Nitschke

That having reviewed its decision of 1 November 2016 to not approve a \$3,000 sponsorship application from David Gaucci on behalf of Davine Interventionz Productions for a musical theatre production, 'Violet' to be held during February and March 2017 as part of the Fringe Festival, Council reaffirms its decision of 1 November 2016 to not approve this sponsorship application.

**CARRIED**

### **17.3 Delegations required under the Local Nuisance and Litter Control Act 2016**

This report detailed the delegations required for the timely and efficient application of the litter control provisions contained within the *Local Nuisance and Litter Control Act 2016* and seeks Council's approval to delegate some of its decision making powers and duties under this Act to the Chief Executive Officer.

#### **RECOMMENDATION(S)**

It is recommended to Council that:

1. In exercise of the power contained in s44(1) of the *Local Government Act 1999*, the powers and functions under the *Local Nuisance and Litter Control Act 2016*, as specified in the proposed 'Instrument of Delegation' provided as Attachment 1 of this report, are hereby delegated this 7<sup>th</sup> day of February 2017 to the person occupying the office of Chief Executive Officer subject to the conditions and limitations specified herein or within the 'Instrument of Delegation'.
2. For the purposes of the delegations made by Council to the person occupying the role of Chief Executive Officer on this the 7th day of February 2017, all delegations to the person occupying the position of Chief Executive Officer extend to any person acting in the office of Chief Executive Officer.

#### **RESOLUTION**

Moved: Cr Arthur Mangos

Seconded: Cr Megan Hill

That the recommendation be adopted.

**CARRIED**

### **17.4 State and Local Government Infrastructure Grant Application**

This report sought Council endorsement to the project to nominate for funding under the 2016 State Local Government Infrastructure Partnership.

#### **RECOMMENDATION**

It is recommended to Council that it endorse the Weigall Oval redevelopment as its priority project for funding under the State Local Government Infrastructure Partnership as detailed in the report.

#### **RESOLUTION**

Moved: Cr Arthur Mangos

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

### **17.5 Murray Darling Association Region 7 Committee - Nominations for Regional Chair and Committee Members**

*Cr Mangos declared a perceived conflict of interest in this item as he wishes to be nominated on the Murray Darling Association Region 7 Executive Committee and participated in the discussion and vote.*

The Murray Darling Association Inc. is sought nominations for the positions of chair and committee members of its Region 7 Executive Committee.

#### **RECOMMENDATION(S)**

It is recommended to Council that:

1. Cr ..... be nominated for the position of Regional Chair on the Murray Darling Association Region 7 Executive Committee; and
2. Cr/s ..... be nominated as a committee member on the Murray Darling Association Region 7 Executive Committee;

or

This report be received.

#### **RESOLUTION**

Moved: Cr Garth Palmer  
Seconded: Cr George Demetriou

That Cr Mangos be nominated as a committee member on the Murray Darling Association Region 7 Executive Committee;

**CARRIED**

#### **MOTION**

Moved: Cr Rosalie Haese  
Seconded: Cr Simon Tsiaparis

That Cr Palmer be nominated as the Proxy Committee Member to Cr Mangos on the Murray Darling Association Region 7 Executive Committee.

**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.

#### **RESOLUTION**

Moved: Cr Steven Rypp

Seconded: Cr Garth Palmer

That the recommendation be adopted.

**CARRIED**

### **18.2 LGA Metropolitan Local Government Group Meeting - Key Outcomes Summary**

This report presented the Key Outcome Summary from the 18 January 2017 meeting of the Local Government Association Metropolitan Local Government Group.

#### **RECOMMENDATION(S)**

It is recommended to Council that the report be received.

#### **RESOLUTION**

Moved: Cr Arthur Mangos

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

## **19 MEMBER'S BOOKSHELF**

#### **RECOMMENDATION(S)**

That the additions to Members' bookshelf be noted.

#### **RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

**CARRIED**

## 20 CORRESPONDENCE

### 20.1 The Salvation Army Red Shield Appeal

Correspondence was received from the Community Fundraising Manager of the Salvation Army South Australian Division, Duan Kereru, thanking Council for its support of the 2015/16 Red Shield Appeal and advising that this year's Appeal will be conducted during the month of May, with the main Doorknock being the weekend of the 27 and 28 May 2017.

### 20.2 AdaptWest Climate Change Adaption Plan - Letter of Acknowledgment

Correspondence was received from the Minister for Climate Change, acknowledging Council's letter dated 16 December 2016 regarding the AdaptWest Climate Change Adaption Plan.

### 20.3 OPAL Evaluation Project Final Report and update on Community Wellbeing Alliance

Correspondence was received from the LGA President of the Local Government Association of South Australia, Mayor Lorraine Rosenberg, advising that the OPAL Evaluation Project Final report has been publicly released and providing an update on the Community Wellbeing Alliance.

### 20.4 Board of the West Beach Trust Appointments

Correspondence was received from the Deputy Premier of South Australia and Minister for Planning, the Hon John Rau MP, advising that Cr George Demetriou has been appointed as a member of the West Beach Trust for a term of four years commencing on 13 February 2017.

## RECOMMENDATION

That the correspondence be received.

## RESOLUTION

Moved: Cr George Vlahos

Seconded: Cr John Woodward

That the recommendation be adopted.

**CARRIED**

## 21 CONFIDENTIAL

### 21.1 Acquisition of Premises - Morphett Road, North Plympton

#### Reason for Confidentiality

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

- (b)(i) 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.
- (b)(ii) information the disclosure of which - would, on balance, be contrary to the public interest.

**9.32pm**, Cr Arthur Mangos left the meeting.

**RECOMMENDATION(S)**

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 Acquisition of Premises - Morphett Road, North Plympton, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3) (b)(i) and (b)(ii) because 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 outcome relating to the acquisition of the site on Morphett Road, North Plympton and would, on balance, be contrary to the public interest.
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 recommendations be adopted.

**CARRIED**

**9.33pm** 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 Acquisition of Premises - Morphett Road, North Plympton the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(3) (b)(i) and (b)(ii), be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, or settlement has occurred on the contract, whichever is the 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 outcome relating to the acquisition of the site on Morphett Road, North Plympton 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.**

**9.54pm** the confidential session closed and the meeting reopened to the public.



The Presiding Member brought to the attention of the Elected Members a memo detailing amendments to the revised page one of Attachment 1 in the Agenda for Item 17.3 Delegations required under the Local Nuisance and Litter Control Act 2016.

**MOTION**

Moved: Cr George Demetriou  
Seconded: Cr Arthur Mangos

That the amendments to the revised page one of Attachment 1 of Agenda Item 17.3 Delegations required under the Local Nuisance and Litter Control Act 2016 be adopted.

**CARRIED**

The Presiding Member drew to the attention of the Elected Members correspondence from the Minister for Water and the River Murray, Hon Ian Hunter MLC, providing an update on State Government efforts to lobby for Commonwealth Government funding for the Brown Hill and Keswick Creek Stormwater Management Plan (SMP).

**MOTION**

Moved: Cr Arthur Mangos  
Seconded: Cr Rosalie Haese

That the correspondence be formally accepted as part of the Correspondence section.

**CARRIED**

**22 MEETING CLOSE**

The Presiding Member declared the meeting closed at 9.55pm.

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## 1 MEETING OPENED

The Presiding Member declared the meeting open at 7.55pm.

## 2 PRESENT

### Council Members:

Cr J Woodward (Presiding Member)

Mayor J Trainer

Councillors: R Haese, G Palmer, G Vlahos, S Rypp, G Demetriou, M Hill, A Mangos, S Tsiaparis, G Nitschke, C O'Rielly, T Polito, M Farnden

### Officers:

Mr T Buss	(Chief Executive Officer)
Ms S Curran	(General Manager Business and Community Services - Acting)
Mr B Ross	(General Manager Corporate and Regulatory)
Mr A Catinari	(General Manager Urban Services)
Mr J Ielasi	(Manager City Assets)
Mr D Ottanelli	(Manager City Works)
Ms R Butterfield	(Manager Regulatory Services)
Ms J Lennon	(Manager City Development)
Ms V Davidson	(Team Leader Governance)

## 3 APOLOGIES

### Apologies

#### Council Members:

Cr McKay

#### Officers:

Ms P Koritsa (General Manager Business and Community Services)

## RECOMMENDATION(S)

That the apologies be received.

## RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

## 4 DISCLOSURE STATEMENTS

Nil

**5 CONFIRMATION OF MINUTES**

**RECOMMENDATION**

That the Minutes of the meeting of the Urban Services Committee Meeting held on 17 January 2017 be confirmed as a true and correct record.

**RESOLUTION**

Moved: Cr Arthur Mangos

Seconded: Cr Steven Rypp

That the recommendation be adopted.

**CARRIED**

**6 COMMUNICATION BY THE CHAIRPERSON**

Nil

**7 QUESTIONS WITH NOTICE**

Nil

**8 QUESTIONS WITHOUT NOTICE**

Questions were asked and responses were provided by the Administration.

**9 MOTIONS WITH NOTICE**

Nil

**10 MOTIONS WITHOUT NOTICE**

Nil

## 11 URBAN SERVICES DIVISION REPORTS

### 11.1 Falcon Reserve Petition - Request to Install Fence

The purpose of this report was to provide information to Council relating to a petition that was received requesting the installation of a fence with a safety latch gate along the frontage of the newly-created Falcon Reserve.

#### RECOMMENDATION(S)

The Committee recommends to Council that:

1. A partial barrier structure be installed to address the concerns of the petition while not compromising the design elements of Falcon Reserve.
2. Road signage be installed to improve driver awareness of the playground and the presence of children.
3. The head petitioner be notified accordingly.

#### RESOLUTION

Moved: Cr Graham Nitschke  
Seconded: Mayor John Trainer

That the recommendation be adopted.

#### AMENDMENT

Moved: Cr Michael Farnden  
Seconded: Cr Rosalie Haese

That:

1. Design and costing of a full fence be investigated and a further report be provided to Council.
2. Road signage be installed in the interim to improve driver awareness of the reserve and the presence of children.
3. The head petitioner be notified accordingly.

The Amendment was Put and Carried and on becoming the motion was **CARRIED**

## 11.2 Request for Liquor Licence - Western Youth Centre

The Western Youth Centre Inc. wrote to Council seeking Council's consent (in its capacity as landlord) for the grant of a Limited Club Licence at the facility.

### RECOMMENDATION(S)

The Committee recommends to Council that:

1. The Western Youth Centre Inc.(WYC) be advised that Council (in its capacity as landlord) provides its consent for the grant of a Limited Club (Liquor) Licence at the facility to the Western Youth Centre Cricket Club on condition that the WYC, in its capacity as lessee of the facility, take responsibility for ensuring that there is no breach of the relevant Act or of the conditions of the liquor licence or anything that may result in the liquor licence being revoked or suspended.
2. The Western Youth Centre Inc. be further advised that the standard conditions contained within Council's Liquor Licensing policy (as follows at 2.3-2.12) will, where applicable, apply and that the following conditions will be embodied within a Deed of Variation (or similar document) to the existing lease agreement:
  - 2.1 The liquor licence be solely for use by the Western Youth Centre Cricket Club.
  - 2.2 The liquor licence to operate only during the cricket season and only between the hours of 6:30pm and 11:00pm on Saturdays when the "A" Grade Cricket team plays a home match or at times when a designated fundraising event has been approved by the WYC.
  - 2.3 There shall be no entertainment on or in any balcony or outdoor area (the intention is to minimise the impact of noise).
  - 2.4 There shall be no loudspeakers placed on or in the fascia of the premises, balcony or in any adjacent outdoor area or footpath (the intention is to minimise the impact of noise).
  - 2.5 The Licensee shall at all times ensure that noise levels should be in accord with EPA Guidelines and the Liquor Licensing Regulations.
  - 2.6 All entertainment shall cease one hour prior to closing time (to reduce disturbance to residents).
  - 2.7 No loudspeaker shall be placed closer than 4 metres to any entrance to or exit from the premises and at all times, any such loudspeaker is to be directed away from entrances or exits and into the premises proper (to minimise the 'spill out' of noise emissions).
  - 2.8 All external doors and windows are to be closed when the 'in-house' sound system is in use (other than for playing low level background music), live entertainment is being undertaken or a jukebox is available for use (to minimise the 'spill out' of noise emissions).
  - 2.9 No garbage or refuse, including empty bottles and cans, is to be moved from inside the premises to outside storage bins or areas between the hours of 11pm and 7am the following morning after an event (to reduce disturbance to residents).

- 2.10 Garbage or refuse, including empty bottles and cans, is not to be available for collection by waste disposal or similar operators (other than operators employed or organised by the CWT) between the hours of 11pm and 7am the following morning after an event (to reduce disturbance to residents).
  - 2.11 The Licensee shall have displayed at all exits from the premises clearly visible signs in the form of: "Please Leave These Premises As Quietly and Quickly As Possible to Reduce Disturbance to Nearby Residents" (wording is discretionary).
  - 2.12 The premises or entertainment to take place within the premises shall not be advertised or promoted by the licensee or any of its entertainers by way of posters or other advertising material fixed, attached or marked on any Council property without the authorisation of the CWT or any private property without the authorisation of the landlord (to prevent unauthorised bill-posting).
3. The Mayor and Chief Executive Officer be authorised to sign and seal any documentation to give effect to this resolution.

### **RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

**CARRIED**

### **11.3 Reid Street Permit Update**

This report advised that a request has been received to change the permit for the portion of Reid Street, Thebarton granted to Reid Torrens Partnership to a new entity, namely Thebarton Management Pty Ltd.

### **RECOMMENDATION(S)**

The Committee recommends to Council that:

1. A permit for a term of 5 years commencing on 30 November 2016 at an initial permit fee of \$20,900 pa plus GST be granted to Thebarton Management Pty Ltd for use of that portion of Reid Street Thebarton as delineated in Attachment 1 of the report.
2. The permit fee escalate by Adelaide All Groups Consumer Price Index (CPI) (or similar index should that index be discontinued) on each anniversary of the commencement date.
3. The Mayor and Chief Executive Officer be authorised to sign and seal any documentation giving effect to the grant of permit.

### **RESOLUTION**

Moved: Cr Graham Nitschke

Seconded: Cr Garth Palmer

That the recommendation be adopted.

**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.

#### **RESOLUTION**

Moved: Cr Steven Rypp  
Seconded: Cr Michael Farnden

That the recommendation be adopted.

**CARRIED**

#### **12 MEETING CLOSE**

The Presiding Member declared the meeting closed at 8.29pm.



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## 1 MEETING OPENED

The Presiding Member declared the meeting open at 8.30pm.

## 2 PRESENT

### Council Members:

Cr G Palmer (Presiding Member)

Mayor J Trainer

Councillors: R Haese, C O'Rielly, G Vlahos, S Rypp, G Demetriou, M Hill, A Mangos, S Tsiaparis, G Nitschke, T Polito, J Woodward, M Farnden

### Officers:

Mr T Buss	(Chief Executive Officer)
Ms S Curran	(General Manager Business and Community Services - Acting)
Mr B Ross	(General Manager Corporate and Regulatory)
Mr A Catinari	(General Manager Urban Services)
Mr J Ielasi	(Manager City Assets)
Mr D Ottanelli	(Manager City Works)
Ms R Butterfield	(Manager Regulatory Services)
Ms J Lennon	(Manager City Development)
Ms V Davidson	(Team Leader Governance)

## 3 APOLOGIES

### Apologies

#### Council Members:

Cr McKay

#### Officers:

Ms P Koritsa (General Manager Business and Community Services)

### RECOMMENDATION(S)

That the apologies be received.

### RESOLUTION

Moved: Cr Steven Rypp

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

## 4 DISCLOSURE STATEMENTS

Nil

## 5 CONFIRMATION OF MINUTES

### RECOMMENDATION(S)

That the Minutes of the meeting of the Governance Committee Meeting held on 17 January 2017 be confirmed as a true and correct record.

**RESOLUTION**

Moved: Cr Simon Tsiaparis

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 Legislative Progress Report - January 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(S)**

The Committee recommends to Council that the 'Legislative Progress Report - January 2017' be received.

**RESOLUTION**

Moved: Cr Steven Rypp

Seconded: Cr Michael Farnden

That the recommendation be adopted.

**CARRIED**

**12 MEETING CLOSE**

The Presiding Member declared the meeting closed at 8.34pm.