

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 AUGUST 2018**

**at 7.00pm**

**Bill Ross**  
**Chief Executive Officer (Acting)**

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## 1 MEETING OPENED

The Presiding Member declared the meeting open at 7.07pm.

### 1.1 Evacuation Procedure

The evacuation procedures were read out to the gallery by the Acting Chief Executive Officer.

## 2 PRESENT

### Council Members:

Mayor J Trainer (Presiding Member)

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

### Officers:

|                 |   |
|-----------------|---|
| Mr B Ross       | (Chief Executive Officer - Acting)                |
| Ms P Koritsa    | (General Manager Business and Community Services) |
| Mr A Catinari   | (General Manager Urban Services)                  |
| Mr J Ielasi     | (Manager City Assets)                             |
| Mr D Ottanelli  | (Manager City Property)                           |
| Ms H Bateman    | (Manager City Development)                        |
| Mr P Richardson | (Manager City Operations)                         |
| Ms R Cusick     | (Manager Strategy and Business - Acting)          |
| Dr D Ferretti   | (CAP Assessment Manager)                          |

## 3 APOLOGIES

### Officers:

Mr T Buss (Chief Executive Officer)

## 4 DISCLOSURE STATEMENT

The following disclosures of interest were made:

| Item   | Type of Conflict | Elected Member      |
|--|------------------|---------------------|
| Council Item 17.6 Call for Nominations for Members of Greater Adelaide Regional Organisation of Councils | Material         | Cr Arthur Mangos    |
| Council Item 17.5 West Adelaide Football Club AV system upgrade  | Material         | Cr George Demetriou |
| Council Item 17.5 West Adelaide Football Club AV system upgrade  | Perceived        | Mayor John Trainer  |
| Council Item 17.6 Call for Nominations for Members of Greater Adelaide Regional Organisation of Councils | Perceived        | Mayor John Trainer  |

|   |           |                    |
|---|-----------|--------------------|
| Council Item 11.1 Adoption of Urban Services Committee Recommendations                                | Perceived | Mayor John Trainer |
| Council Item 17.1 Proposed Delegations to Council's Assessment Panel under the Development Act 1993   | Material  | Cr Graham Nitschke |
| Council Item 17.2 Review of Delegations to the Chief Executive Officer under the Development Act 1993 | Material  | Cr Graham Nitschke |
| Council Item 15.3 Reinstatement of pensioner concession arrangements                                  | Material  | Cr Steven Rypp     |
| Council Item 11.1 Adoption of Urban Services Committee Recommendations                                | Material  | Cr Steven Rypp     |

## 5 CONFIRMATION OF MINUTES

### RECOMMENDATION

That the Minutes of the meeting of the Special Council held on 24 July 2018 be confirmed as a true and correct record.

### RESOLUTION

Moved: Cr Megan Hill

Seconded: Cr George Demetriou

That the recommendation be adopted.

**CARRIED**

## 6 MAYORS REPORT

Further to the report listed in the agenda, Mayor John Trainer advised of his attendance on Tuesday 7 August 2018 at the Lockleys RSL Donation Ceremony, held at the Lockleys Primary School for the presentation of memorabilia from the closing of the Lockleys RSL.

### RECOMMENDATION

That the Mayor's Report be noted.

### RESOLUTION

Moved: Cr Tony Polito

Seconded: Cr Steven Rypp

That the recommendation be adopted.

**CARRIED**

## 7 ELECTED MEMBERS REPORTS

The following Elected Members advised of their attendance at Thebarton Theatre on Sunday 29 July 2018 for the Theatre's 90<sup>th</sup> birthday celebration concert coinciding with the admitting of the Theatre into the South Australian Music's Hall of Fame:

- Cr Arthur Mangos
- Cr George Demetriou
- Cr Steven Rypp
- Cr Graham Nitschke
- Cr Garth Palmer

Cr Arthur Mangos advised of his attendance at the following:

- KelledyJones Local Government Elections Breakfast at The National Wine Centre on Friday 3 August 2018;
- Planning Reform Open House Drop-In Session on Friday 3 August 2018 with Cr Garth Palmer;
- West Adelaide vs Port Adelaide match at City Mazda Stadium on Saturday 4 August 2018.

Cr Arthur Mangos also tabled Australian Building Codes Board documents obtained at the Planning Reform Open House Drop-In Session on Friday 3 August 2018, regarding the *development of performance solutions and 21 years of the performance-based code*.

Cr George Demetriou advised of his attendance at the following:

- Cummins Society Inc. book launch to celebrate the publication of "Sir John Morphett and Cummins House" by Keith Miller on Sunday 29 July 2018;
- 2018 SALA Festival exhibition opening night by various artists in the Hamra Centre Auditorium on Thursday 2 August 2018.

Cr Graham Nitschke noted that George Street, Thebarton has now reopened following the road reconstruction and tree planting.

Cr Garth Palmer advised of his attendance at the following:

- Airport Over 50s Annual General Meeting on Thursday 26 July 2018;
- Elected Member workshop - Kerbside Bin Audit Report held at City of West Torrens, Civic Centre on Wednesday 1 August 2018;
- KelledyJones Local Government Elections Breakfast at The National Wine Centre on Friday 3 August 2018;
- Planning Reform Open House Drop-In Session on Friday 3 August 2018.

Cr Rosalie Haese advised of her attendance at the Elected Member workshop - Kerbside Bin Audit Report held at City of West Torrens, Civic Centre on Wednesday 1 August 2018 and West Adelaide vs Port Adelaide match at City Mazda Stadium on Saturday 4 August 2018.

Cr Kym McKay advised of his attendance at the following:

- Recycling Plant Site Tour of the new Material Recovery Facility (MRF) at Northern Adelaide Waste Management Authority (NAWMA) on Friday 27 July 2018 with General Manager Corporate and Regulatory, Bill Ross, and Manager Regulatory Services, Robyn Butterfield;
- Elected Member workshop - Kerbside Bin Audit Report held at City of West Torrens, Civic Centre on Wednesday 1 August 2018;
- West Adelaide vs Port Adelaide match at City Mazda Stadium on Saturday 4 August 2018.

## RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Simon Tsiaparis

That the reports from Members be noted.

**CARRIED**

## **8 PETITIONS**

### **8.1 Roundabout at the intersection of Ashley Street and Sheriff Street, Underdale**

This report presented a petition requesting that Council cease "Project C" to remove the existing roundabout at the intersection of Sherriff Street and Ashley Street Underdale.

#### **RECOMMENDATION**

It is recommended to Council that, on the basis it does not meet the requirements regulation 10 of *Council Policy - Code of Practice Procedures at Meetings* and the *Local Government (Procedures at Meetings) Regulations 2013*, the petition be noted.

#### **RESOLUTION**

Moved: Cr Steven Rypp

Seconded: Cr Kym McKay

That the recommendation be adopted.

**CARRIED**

## **9 DEPUTATIONS**

Nil

#### **MOTION**

Moved: Cr John Woodward

Seconded: Cr Michael Farnden

That Item 15.6 - Relocation of the Jubilee Park tower, be brought forward from the Motions with Notice for consideration prior to Item 10 - Adjournment to Standing Committees.

**CARRIED**

### **9.1 Item 15.6 Relocation of the Jubilee Park tower Brought Forward for Consideration at this Point in the Meeting**

#### **RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Michael Farnden

That the 5.4m tower recently installed in Jubilee Park is relocated to another park in West Torrens that has funding approved as part of the 2018/19 Budget and Business Plan; and is replaced with height appropriate play equipment that protects the privacy of surrounding residents, and takes account of the feedback received from the community about options for new equipment at the Park.

**LOST**

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

In Favour: Crs Simon Tsiaparis, Graham Nitschke, Garth Palmer, Rosalie Haese, Michael Farnden, John Woodward and Cindy O'Rielley

Against: Mayor John Trainer and Crs George Demetriou, Megan Hill, Steven Rypp, Kym McKay, Arthur Mangos, Tony Polito and George Vlahos

The Presiding Member declared the motion **LOST**

Further to the Mayors Report earlier, Mayor John Trainer wished to recognise the recent passing of Brian Childs, former Hilton Ward Councillor (1971 to 1977). Mr Childs was a member of numerous sub-committees, represented the Council as the Chair of the Local Government Authority Planning & Development Committee and was member of the boards of Senior Citizens, Western Youth Centre, Hilton RSL and Theatre 62.

Brian was also a Life Member and Governor of the West Adelaide Footballers Club where he served on the committee for 34 years, 27 as Vice President.

Mayor Trainer asked all those present to stand for a minute's silence to recognise the passing of Mr Childs.

## 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 Steven Rypp

Seconded: Cr Arthur Mangos

That the recommendation be adopted.

**CARRIED**

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

**8.54pm** 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 Item 11.2 Adelaide Footy League - Request for Sub-lease as he umpires for the Adelaide Football League and trains at Thebarton Oval and remained in the chamber for the discussion and vote.*

### RECOMMENDATION

That the recommendations of the Urban Services Committee held on 7 August 2018 be adopted.

**RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

Cr Steven Rypp voted in favour of the motion moved by Cr John Woodward and seconded by Cr Simon Tsiaparis.

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

That the recommendations of the Governance Committee held on 7 August 2018 be adopted.

**RESOLUTION**

Moved: Cr Garth Palmer

Seconded: Cr Rosalie Haese

That the recommendation be adopted.

**CARRIED**

**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 24 July 2018 be noted and the recommendations adopted.

**RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr George Demetriou

That the recommendation be adopted.

**CARRIED**

## 13 QUESTIONS WITH NOTICE

### 13.1 Businesses operating at the airport

#### Question

How many businesses operate from the airport and the total number of employees (including full time, part time and casuals) located on airport land for the following years:

- 1998
- 2003
- 2006
- 2008
- 2013
- 2017

If possible and estimated figures for the following years:

- 2020
- 2030

#### Answer

The information detailed below has been sourced from the *Adelaide Airport Masterplan 2014*.

While estimated figures for 2020 and 2030 are not available, AAL's webpage indicates that the proposed terminal expansion will result in 630 new jobs, presumably these will be direct employment on site.

The 2013 figures show that the businesses/organisations operating at Adelaide Airport, including AAL, directly employ 6,152 full time equivalent (FTEs) people on site with 2,574 FTEs employed off site. Similarly, AAL estimates that indirect employment is approximately 9,033 persons.

Unfortunately, figures for 2017 are not available however, advice received from Adelaide Airport Limited forecasts that total direct employment figures, both on-site and off-site, are expected to increase to 12,207 in 2019. The forecast figure is subject to Master Plan assumptions and employment figures will be updated as part of the Master Plan process in 2019.

|   | 1998         | 2003         | 2006         | 2008         | 2013         | 2017       | 2019*         |
|---|--------------|--------------|--------------|--------------|--------------|------------|---------------|
| <b>Number of businesses/organisations located at Adelaide Airport</b> | N/A          | 140          | 117          | 146          | 133          | N/A        | N/A           |
| <b>Direct employment on site</b>                                      | N/A          | 3,212        | 5,070        | 5,267        | 6,152        | N/A        | 8,545         |
| <b>Direct employment off-site</b>                                     | N/A          | 1,390        | 2,666        | 2,770        | 2,574        | N/A        | 3,662         |
| <b>Total direct employment both on-site and off site</b>              | <b>4,810</b> | <b>4,602</b> | <b>7,736</b> | <b>8,037</b> | <b>8,726</b> | <b>N/A</b> | <b>12,207</b> |

\* 2019 Forecast figures

## 14 QUESTIONS WITHOUT NOTICE

Questions were asked and responses provided by the Administration.

**15 MOTIONS WITH NOTICE****15.1 Drainage in Fulham****MOTION**

Moved: Cr Garth Palmer

That the Administration investigate and submit a report to Council on the present drainage system in Fulham. The report to include recommendations on the method required to upgrade the present system to avoid future possible flooding.

Cr Garth Palmer sought leave of the meeting to modify his motion.

**MOTION**

Moved: Cr Steven Rypp

Seconded: Cr Arthur Mangos

That the leave be granted.

**CARRIED**

**RESOLUTION**

Moved: Cr Garth Palmer

Seconded: Cr Steven Rypp

That the Administration investigate and submit a report on options to help avoid the flooding of properties in Crace Road and adjacent streets of Fulham.

**CARRIED**

**15.2 Development of a dog park in Torrensville****RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr Michael Farnden

That the Administration prepare a report that looks at obtaining a section of unused and unkempt Linear Park that is under the control of the water Minister at the end of Hayward Avenue and West Street Torrensville, for the purpose of setting up a dog park for small and large dogs in line with the concept used at the Pooch Park at Rowells Road Lockleys.

**CARRIED**

### 15.3 Reinstatement of pensioner concession arrangements

**9.13pm** Cr Steven Rypp declared a material conflict of interest in this item as he is an Office Manager for a State Government MP and left the meeting for the discussion and vote on the item.

#### MOTION

Moved: Cr Arthur Mangos

That Council write to the Minister of Local Government Hon Stefan Knoll and request that the cost of living allowance to pensioners (\$207.30) and self-funded retirees (\$103.70) be returned to councils and these monies be utilised to reduce their council rates as occurred previously. This will lift the burden off of our pensioners and the monies can't be spent elsewhere as was initially intended.

Cr Mangos liaised with the General Manager Corporate and Regulatory on the most appropriate wording for the motion.

The motion was resubmitted in the following form:

#### MOTION

That Council write to the Hon Stephan Knoll, Minister of Transport, Infrastructure, Local Government & Planning, requesting that the State Government reinstate its funding of the pensioner concessions on Council rates that was discontinued by the then Labour Government on 1 July 2015, and this occur in lieu of a direct cost of living payment being made.

Cr Arthur Mangos sought leave to resubmit his motion as per the Agenda.

#### MOTION

Moved: Cr Garth Palmer  
Seconded: Cr Megan Hill

That leave be granted.

**CARRIED**

#### RESOLUTION

Moved: Cr Arthur Mangos  
Seconded: Cr George Vlahos

That Council write to the Hon Stephan Knoll, Minister of Transport, Infrastructure, Local Government & Planning, requesting that the State Government reinstate its funding of the pensioner concessions on Council rates that was discontinued by the then Labor Government on 1 July 2015, and this occur in lieu of a direct cost of living payment being made.

**CARRIED**

**9.22pm** Cr Steven Rypp returned to the meeting.

#### **15.4 Asset Naming Policy Amendment**

##### **RESOLUTION**

Moved: Cr Arthur Mangos  
Seconded: Cr Graham Nitschke

That clause 5.2.4 of the Asset Naming Policy be amended to include names which represent the City of West Torrens' multi-cultural community i.e. Asian, African and European names.

**CARRIED**

#### **15.5 Lighting options for the West Torrens dog park in Marlestone**

##### **RESOLUTION**

Moved: Cr John Woodward  
Seconded: Cr Michael Farnden

That the Administration present a report to the Urban Services Committee on the low cost options to increase the level of lighting in the West Torrens Dog Park at Marlestone. The report also to include options to increase parking immediately adjacent the dog park to allow for better access and improved safety.

**CARRIED**

#### **15.6 Relocation of the Jubilee Park tower**

This motion was considered prior to Item 10 - Adjournment to Standing Committees.

#### **15.7 Stickers for wheelie bins**

##### **RESOLUTION**

Moved: Cr John Woodward  
Seconded: Cr Michael Farnden

That Council investigate and prepare a report on the provision of large stickers that can be attached to wheelie bins advising drivers NOT to park and block the collection of the bin contents.

**CARRIED**

#### **15.8 Local traffic restriction in Kurralta Park/Plympton**

##### **RESOLUTION**

Moved: Cr Michael Farnden  
Seconded: Cr John Woodward

That the Administration write to the Department of Planning, Transport and Infrastructure requesting that they undertake the necessary planning to, and report on the viability of, restricting traffic flow from Beckman Street to Grey Street, Kurralta Park, Monday-Friday 7am-9am, by implementing a 'Right and Left Turn Only' movement during these hours from Beckman Street to Anzac Highway.

**LOST**

## **15.9 Capital city and major regional airport operations**

### **RESOLUTION**

Moved: Cr George Vlahos

Seconded: Cr Arthur Mangos

**9.51pm** Cr John Woodward left the meeting.

That the Chief Executive Officer prepare a report for Council which lists all the capital city and major regional airports (e.g. Gold Coast) outlining the following:

- Distance of the airport from the CBD or city centre;
- Hours of operation and curfew times;
- Approximate number of flights (in & out) for each airport.

The Presiding Member suggested a variation to the motion which was supported by the mover Cr George Vlahos and the seconder Cr Arthur Mangos.

That the Chief Executive Officer prepare a report for Council which lists all the capital city and major regional airports (e.g. Gold Coast) outlining the following:

- Distance of the airport from the CBD or city centre;
- Hours of operation and curfew times;
- Approximate number of flights (in & out) for each airport; and

that the Administration write to Australian Mayoral Aviation Council asking them to provide a comparable list of major international airports that have curfew arrangements.

**9.53pm** Cr John Woodward returned to the meeting.

**CARRIED**

## **15.10 Council donation for emergency relief in Greece**

### **RESOLUTION**

Moved: Mayor John Trainer

Seconded: Cr Garth Palmer

That in support of our many Greek Australian residents of West Torrens whose relatives and friends have suffered greatly in the recent forest fires, Council donate \$5,000 to be directed towards providing appropriate emergency relief in Greece, and the Consul General of Greece be advised accordingly.

**CARRIED**

**16 MOTIONS WITHOUT NOTICE****16.1 Atlantic Avenue West Beach drainage system****MOTION**

Moved: Cr Garth Palmer  
Seconded: Cr Rosalie Haese

That the Administration provide a report to Council on the progress made between the Council and Adelaide Airport Limited in reducing the water level of the drainage system at the rear of the houses in Atlantic Avenue, West Beach.

**CARRIED**

As the time was approaching 10.30pm, the Mayor sought to extend the meeting.

**MOTION**

Moved: Cr George Demetriou  
Seconded: Cr Steven Rypp

That the Council meeting be extended until 11.00pm.

**CARRIED**

**10.04pm** Cr Tony Polito retired from the meeting.

**16.2 Development Plan height restrictions****MOTION**

Moved: Cr Michael Farnden

That Council:

1. Adopts a position that it is strongly opposed to any development application within the City of West Torrens that exceeds the maximum building height specified in the approved West Torrens Development plan.
2. Writes to the State Commission Assessment Panel, and the Minister for Planning, expressing strong opposition to the development application lodged at 200-202 Anzac Highway, on the basis that it exceeds the maximum height of 8 storeys specified in the approved Development Plan.

Discussion took place on the motion in relation to the implications of opposing any development applications exceeding the maximum building height specifications and the Development Application at 200-202 Anzac Highway. The Presiding Member ruled that the motion be split into two parts and that Council deal forthwith with part 2 while part 1 of the motion be deferred to the Council meeting of 21 August 2018 for further consideration.

**RESOLUTION**

Moved: Cr Michael Farnden  
Seconded: Cr Arthur Mangos

That Council write to the State Commission Assessment Panel and the Minister for Planning, expressing strong opposition to the development application lodged at 200-202 Anzac Highway, on the basis that it exceeds the maximum height of 8 storeys specified in the approved Development Plan.

**CARRIED**

### 16.3 Tidy Streets Competition Guidelines

#### MOTION

Moved: Cr Kym McKay  
Seconded: Cr Steven Rypp

That Council's Tidy Streets Competition Guidelines be amended to state that, on request by competition entrants, Council will implement compacted rubble or sandy loam verge treatments to the verges in front of entrants properties.

**CARRIED**

### 17 REPORTS OF THE CHIEF EXECUTIVE OFFICER

#### 17.1 Proposed Delegations to Council's Assessment Panel under the Development Act 1993

**10.11pm** Cr Graham Nitschke declared a material conflict of interest in this item as he is a member of the Council Assessment Panel and left the meeting for the discussion and vote on the item.

**10.11pm** Cr George Demetriou declared a material conflict of interest in this item as he is a proxy member of the Council Assessment Panel and left the meeting for the discussion and vote on the item.

This report sought Council's endorsement of proposed delegations to Council's Assessment Panel under the *Development Act 1993*.

#### RECOMMENDATION

It is recommended to Council that it:

1. Hereby revokes its previous delegations to the Council Assessment Panel of those powers and functions under the *Development Act 1993* this 7<sup>th</sup> day of August 2018.
2. In exercise of the powers contained in Section 20 and 34(23) of the *Development Act 1993*, the powers and functions under the *Development Act 1993* and the *Development Regulations 2008* contained in the proposed Instrument of Delegation being **Attachment 1** to the Agenda report, are hereby delegated to the Council's Assessment Panel this 7<sup>th</sup> day of August 2018, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.

#### MOTION

Moved: Cr Garth Palmer  
Seconded: Cr Kym McKay

That the recommendation be adopted.

**AMENDMENT**

Moved: Cr Michael Farnden

Seconded:

It is recommended to Council that it:

1. Hereby revokes its previous delegations to the Council Assessment Panel of those powers and functions under the *Development Act 1993* this 7<sup>th</sup> day of August 2018.
2. In exercise of the *powers contained in Section 20 and 34(23) of the Development Act 1993*, the powers and functions under the *Development Act 1993* and the *Development Regulations 2008* contained in the proposed Instrument of Delegation being **Attachment 1** to the Agenda report, are hereby delegated to the Council's Assessment Panel this 7<sup>th</sup> day of August 2018, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.
3. That the shortfalls in site area remain at 5% or more determined by CAP.

**10.12pm** Cr Arthur Mangos left the meeting.

**10.14pm** Cr Arthur Mangos returned to the meeting.

The amendment lapsed for want of a seconder.

**FURTHER AMENDMENT**

Moved: Cr John Woodward

Seconded: Cr Michael Farnden

That the item be deferred to the next meeting of Council on 21 August 2018.

The further amendment was Put and **LOST**

The original motion as moved by Cr Garth Palmer and seconded by Cr Kym McKay was Put and **CARRIED**

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

In Favour: Crs Megan Hill, Steven Rypp, Kym McKay, Garth Palmer, George Vlahos and Cindy O'Rielley

Against: Crs Arthur Mangos, Simon Tsiaparis, Rosalie Haese, Michael Farnden and John Woodward

**CARRIED**

**10.25pm** Cr Graham Nitschke returned to the meeting.

**10.25pm** Cr George Demetriou returned to the meeting.

## **17.2 Review of Delegations to the Chief Executive Officer under the Development Act 1993**

**10.26pm** Cr Graham Nitschke declared a material conflict of interest in this item as he is a member of the Council Assessment Panel and left the meeting for the discussion and vote on the item.

**10.26pm** Cr George Demetriou declared a material conflict of interest in this item as he is a proxy member of the Council Assessment Panel and left the meeting for the discussion and vote on the item.

This report sought Council's endorsement of proposed delegations to the Chief Executive Officer under the *Development Act 1993*.

### **RECOMMENDATION(s)**

It is recommended to Council that having undertaken a review of the powers and functions previously delegated to the Chief Executive Officer and others in accordance with section 44(6) of the *Local Government Act 1999*, the Council:

1. Hereby revokes all delegations made to persons occupying the position of Chief Executive Officer and others under *the Development Act 1993*, *Development (Development Plans) Amendment Act 2006* and *Development Regulations 2008* this 8<sup>th</sup> day of August 2018.
2. In exercise of the powers contained in Section 20 of the *Development Act 1993*, the powers and functions under the *Development Act 1993* and the *Development Regulations 2008* contained in the Instrument of Delegation being **Attachment 1** to the Agenda report, are, subject to the conditions, limitations and provisos contained therein, hereby delegated this 8<sup>th</sup> day of August 2018 to the person occupying the office of Chief Executive Officer (and any person appointed to act in that position) and such powers and functions may be delegated by the Chief Executive Officer to an officer or officers of the Council as the Chief Executive Officer sees fit.

### **RESOLUTION**

Moved: Cr George Vlahos

Seconded: Cr Garth Palmer

That the recommendation be adopted.

**CARRIED**

**10.27pm** Cr Graham Nitschke returned to the meeting.

**10.27pm** Cr George Demetriou returned to the meeting.

### 17.3 City of West Torrens Building Fire Safety Committee Vacancies and Appointment of New Members

The purpose of this report was to declare two vacancies and appoint new members to the West Torrens Building Fire Safety Committee pursuant to Section 71 of the *Development Act 1993*.

#### RECOMMENDATION

It is recommended to Council that:

1. Ms Janine Lennon and Mr Andrew Romaniuk be removed from the City of West Torrens Building Fire Safety Committee pursuant to section 71(19)(c)(iv) of the *Development Act 1993* as they are no longer employed at the City of West Torrens.
2. Mr Troy Olds be appointed as a member of the City of West Torrens Building Fire Safety Committee being a person who holds prescribed qualifications in building surveying pursuant to section 71(19)(a)(i) of the *Development Act 1993* until 30 August 2019.
3. Mr Troy Olds be appointed as the Presiding Member of the City of West Torrens Building Fire Safety Committee until 30 August 2019.
4. Pursuant to section 20 of the *Development Act 1993*, the Council delegates to the Chief Executive Officer, and to any person appointed to act in that position, the power pursuant to section 71(19)(a)(iv) of that Act to select and appoint City of West Torrens staff members as a member and as a deputy members of the City of West Torrens Building Fire Safety Committee with the existing Instrument of Delegation under the *Development Act 1993* be updated to reflect the delegation of this power.
5. Pursuant to section 20 of the *Development Act 1993*, the Council resolves to delegate to the Chief Executive Officer, and to any person appointed to act in that position, the power pursuant to section 71(19)(c)(iv) of that Act to remove any member or deputy member of the City of West Torrens Building Fire Safety Committee that was previously appointed by the Chief Executive Officer for any reasonable cause and the existing Instrument of Delegation under the *Development Act 1993* be updated to reflect the delegation of this power.
6. The Terms of Reference for the City of West Torrens Building Fire Safety Committee as provided in **Attachment 2** of the Agenda report be approved.

#### FURTHER

1. Pursuant to Section 83 (5) of the Local Government Act 1999 the Confidential Item for the Council meeting is delivered to the Council Members upon the basis of my recommendation that the matters to which the item relates be received, considered and discussed by the Council in confidence under Part 3 of the Act.
2. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that Attachment 1 Mr Troy Olds - Curriculum Vitae, 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 10 years from the date of this meeting, on the basis that the premature disclosure of this information would be unreasonable given it contains personal information relating to the candidate which could inadvertently prejudice their future career aspirations and breach any duty of confidentiality owed to them by Council.
3. 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*.

**RESOLUTION**

Moved: Cr George Vlahos

Seconded: Cr Kym McKay

That the recommendation be adopted.

**CARRIED**

**17.4 Appointment of an Independent Member(s) to the Audit Committee**

This report advised of the proposed recruitment process to appoint independent member(s) to the Audit Prescribed General Committee following the November 2018 Council elections.

**RECOMMENDATION**

It is recommended to Council that:

1. It approves the proposed recruitment and selection process for the appointment of an independent member(s) to Council's Audit Prescribed General Committee following the November 2018 Council elections.
2. The General Manager Business and Community Services, the General Manager Corporate and Regulatory and Cr/s ..... be appointed to the selection panel for the independent members of the Audit Prescribed General Committee.
3. A report be presented to the new Council recommending the appointment of the independent members of the Audit Prescribed General Committee following its re-establishment in November 2018.

**RESOLUTION**

Moved: Cr George Vlahos

Seconded: Cr Garth Palmer

That:

1. It approves the proposed recruitment and selection process for the appointment of an independent member(s) to Council's Audit Prescribed General Committee following the November 2018 Council elections.
2. The General Manager Business and Community Services, the General Manager Corporate and Regulatory and Cr/s John Woodward and George Vlahos be appointed to the selection panel for the independent members of the Audit Prescribed General Committee.
3. A report be presented to the new Council recommending the appointment of the independent members of the Audit Prescribed General Committee following its re-establishment in November 2018.

**CARRIED**

## 17.5 West Adelaide Football Club AV system upgrade

**10.33pm** Cr George Demetriou declared a material conflict of interest in this item as he is a Life Member of the Club and his daughter is a Board member of the West Adelaide Football Club and left the meeting for the discussion and vote on the item.

Mayor John Trainer declared a perceived conflict of interest in this item as he is a Patron of the West Adelaide Football Club and participated in the discussion and vote.

This report presented a request from the West Adelaide Football Club to assist with funding for an upgrade of the Club's AV system.

### RECOMMENDATION

It is recommended to Council that:

It approves \$3,000 community equipment grant to the West Adelaide Football Club to assist with the purchase of an AV system.

Or

It purchases an appropriate AV system which will be housed at the Club for use by Council and others.

Or

The request from the West Adelaide Football Club for financial assistance with the purchase of a new AV system be declined.

### RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Simon Tsiaparis

That Council purchases an appropriate AV system which will be housed at the Club for use by Council and others.

**CARRIED**

Mayor John Trainer voted in favour of the motion moved by Cr John Woodward and seconded by Cr Simon Tsiaparis

The decision was set aside when the Presiding Member, Mayor John Trainer, called for a Division.

In Favour: Mayor John Trainer and Crs George Demetriou, Megan Hill, Steven Rypp, Kym McKay, Arthur Mangos, Simon Tsiaparis, Graham Nitschke, Garth Palmer, Rosalie Haese, Michael Farnden, John Woodward, George Vlahos and Cindy O'Rielley

Against: Nil

As all members were in agreement, the decision was **CARRIED UNANIMOUSLY**.

**10.39pm** Cr George Demetriou returned to the meeting.

## **17.6 Call for Nominations for Members of Greater Adelaide Regional Organisation of Councils**

**10.40pm** Mayor John Trainer declared a material conflict of interest in this item as he wishes to be nominated for the Greater Adelaide Regional Organisation of Councils and left the meeting for the discussion and vote on the item.

**10.40pm** Cr Arthur Mangos declared a material conflict of interest in this item as he wishes to be nominated for the Greater Adelaide Regional Organisation of Councils and left the meeting for the discussion and vote on the item.

As Mayor John Trainer, Presiding Member, left the meeting, Cr George Vlahos as Deputy Mayor, assumed the Chair as Presiding Member.

The Local Government Association sought nominations to fill the eight (8) open positions on the Greater Adelaide Regional Organisation of Councils (GAROC).

### **RECOMMENDATION**

It is recommended to Council that:

1. Cr/s.....be nominated to the Greater Adelaide Regional Organisation of Councils.

Or

2. The report be received.

### **RESOLUTION**

Moved: Cr Simon Tsiaparis

Seconded: Cr George Demetriou

That Mayor John Trainer and Cr Arthur Mangos be nominated to the Greater Adelaide Regional Organisation of Councils.

**CARRIED**

**10.43pm** Mayor John Trainer returned to the meeting and assumed the Chair.

**10.43pm** Cr Arthur Mangos 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**

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

### **RESOLUTION**

Moved: Cr Steven Rypp

Seconded: Cr Kym McKay

That the recommendation be adopted.

**CARRIED**

**18.2 LGA Metropolitan Local Government Group Meeting - Key Outcome Summary**

This report presented the Key Outcome Summary from the 11 July 2018 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 Steven Rypp

That the recommendation be adopted.

**CARRIED**

**19 MEMBER'S BOOKSHELF**

Nil

**20 CORRESPONDENCE****20.1 Mayors for Peace Newsletter**

Correspondence was received from the Mayors for Peace, providing the July 2018 No. 103 Newsletter.

**20.2 LGA Membership Subscriptions 2018/19**

Correspondence was received from the Chief Executive Office of the Local Government Association, Matt Pinnegar, regarding LGA Membership Subscriptions for 2018/19.

**20.3 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 minutes of the Board meeting held on Thursday 24 May 2018.

**RECOMMENDATION**

That the correspondence be received.

**RESOLUTION**

Moved: Cr Arthur Mangos

Seconded: Cr Garth Palmer

That the recommendation be adopted.

**CARRIED**

## 21 CONFIDENTIAL

### 21.1 Lockleys Bowling Club - Payment Proposal

#### Reason for Confidentiality

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

- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

#### 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 Lockleys Bowling Club - Payment Proposal, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(g) because the disclosure of which could reasonably be expected to breach duty of confidence owed to Lockleys Bowling Club given it deals with the financial instability of the Club.
2. At the completion of the confidential session the meeting be re-opened to the public.

#### RESOLUTION

Moved: Cr Steven Rypp  
Seconded: Cr Garth Palmer

That the recommendation be adopted.

**CARRIED**

**10.45pm** the meeting moved into Confidence and confidential 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 Lockleys Bowling Club - Payment Proposal the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(3)(g), be kept confidential and not available for public inspection for a period of 2 weeks from the date of this meeting, on the basis that the disclosure of which could reasonably be expected to breach duty of confidence owed to Lockleys Bowling Club given it deals with the financial instability of the Club.
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*.

**10.56pm** the Confidential session closed and the meeting reopened to the public.

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

## 22 MEETING CLOSE

The Presiding Member declared the meeting closed at 10.57pm.

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Nil

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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, K McKay, S Rypp, G Demetriou, M Hill, A Mangos, S Tsiaparis, G Nitschke, C O'Rielly, M Farnden, T Polito

**Officers:**

Mr B Ross (Chief Executive Officer - Acting)  
 Ms P Koritsa (General Manager Business and Community Services)  
 Mr A Catinari (General Manager Urban Services)  
 Mr J Ielasi (Manager City Assets)  
 Mr D Ottanelli (Manager City Property)  
 Ms H Bateman (Manager City Development)  
 Mr P Richardson (Manager City Operations)  
 Ms R Cusick (Manager Strategy and Business - Acting)  
 Dr D Ferretti (CAP Assessment Manager)

**3 APOLOGIES****Officers:**

Mr T Buss (Chief Executive Officer)

**4 DISCLOSURE STATEMENTS**

The following disclosures of interest were made:

| Item   | Type of Conflict | Elected Member |
|--|------------------|----------------|
| Urban Services Committee Item 11.2 Adelaide Footy League - Request for Sub-lease | Perceived        | Cr Steven Rypp |

**5 CONFIRMATION OF MINUTES****RECOMMENDATION**

That the Minutes of the meeting of the Urban Services Committee held on 3 July 2018 be confirmed as a true and correct record.

**COMMITTEE RESOLUTION**

Moved: Cr Arthur Mangos  
 Seconded: Cr Simon Tsiaparis

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 provided by the Administration.

**9 MOTIONS WITH NOTICE**

Nil

**10 MOTIONS WITHOUT NOTICE**

Nil

**11 URBAN SERVICES DIVISION REPORTS****11.1 City of West Torrens Tree Strategy**

This report presented the *City of West Torrens Tree Strategy 2018-2025 - towards an urban forest* (the Strategy) for Members endorsement following public consultation of the Strategy.

**RECOMMENDATION**

The Committee recommends to Council that the *City of West Torrens Tree Strategy 2018-2025 - towards an urban forest* and the recommended changes identified in the body of this report be endorsed, subject to any additional feedback from Committee members and any minor changes of a technical or editorial nature.

**COMMITTEE RESOLUTION**

Moved: Cr Kym McKay  
Seconded: Cr Arthur Mangos

That the recommendation be adopted.

**CARRIED**

## 11.2 Adelaide Footy League - Request for Sub-lease

*Cr Steven Rypp declared a perceived conflict of interest in Urban Services Item 11.2 Adelaide Footy League - Request for Sub-lease as he umpires for the Adelaide Football League and trains at Thebarton Oval and remained in the chamber for the discussion and vote.*

*Mayor John Trainer declared a perceived conflict of interest in this item as he is a Patron of the Adelaide Footy League and participated in the discussion and vote.*

**8.15pm** Mayor John Trainer left the meeting.

Council received a request from the Adelaide Footy League to sub-lease a portion of the Thebarton Oval (ALDI Arena) premises that is leased from Council.

### RECOMMENDATION

The Committee recommends to Council that:

1. Council provide its consent in its capacity of landlord/lessor for the grant of a sub-lease from the Adelaide Footy League (formerly South Australian Amateur Football League) to SEDA College South Australia subject to any necessary development consents or approvals being sought and obtained.
2. The Mayor and Chief Executive Officer be authorised to sign and seal any necessary documentation which may be required to give effect to this resolution.

### COMMITTEE RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Kym McKay

That the recommendation be adopted.

**CARRIED**

Cr Steven Rypp voted in favour of the motion moved by Cr Graham Nitschke and seconded by Cr Kym McKay.

## 11.3 Adelaide Workers' Home Inc. Private Parking Area Agreement - Kintore Lane, Mile End

The purpose of this report was to approve an agreement for Council's Compliance Officers to police a private parking area located in Kintore Lane, Mile End between Parker Street and Dew Street.

### RECOMMENDATION

The Committee recommends to Council that Council enter into an agreement under the *Private Parking Areas Act 1986* with Adelaide Workers' Home Inc. to police the private parking area located in Kintore Lane, Mile End between Parker Street and Dew Street.

**COMMITTEE RESOLUTION**

Moved: Cr Graham Nitschke

Seconded: Cr Arthur Mangos

That the recommendation be adopted.

**8.17pm** Cr Kym McKay left the meeting.

**CARRIED**

**11.4 Public Lighting Update - LED Upgrade**

This report provided Members' with an update report on the LGA Public Lighting progress.

**RECOMMENDATION**

The Committee recommends to Council that the report be received.

**COMMITTEE RESOLUTION**

Moved: Cr Arthur Mangos

Seconded: Cr Steven Rypp

That the recommendation be adopted.

**8.20pm** Cr Kym McKay returned to the meeting.

**8.20pm** Mayor John Trainer returned to the meeting.

**CARRIED**

**11.5 New Depot Facility - Morphett Road, North Plympton**

This report provided Members' with a monthly update on the relocation of staff from the current depot site on Marion Road to the new depot site at Morphett Road, North Plympton.

**RECOMMENDATION**

The Committee recommends to Council that the report be received.

**COMMITTEE RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Kym McKay

That the recommendation be adopted.

**CARRIED**

### **11.6 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 8.39pm.

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## 1 MEETING OPENED

The Presiding Member declared the meeting open at 8.40pm.

## 2 PRESENT

### Council Members:

Cr G Palmer (Presiding Member)

Mayor J Trainer

Councillors: R Haese, G Vlahos, K McKay, S Rypp, G Demetriou, M Hill,

A Mangos, S Tsiaparis, G Nitschke, C O'Rielley, M Farnden, T Polito, J Woodward

### Officers:

Mr B Ross (Chief Executive Officer - Acting)

Ms P Koritsa (General Manager Business and Community Services)

Mr A Catinari (General Manager Urban Services)

Mr J Ielasi (Manager City Assets)

Mr D Ottanelli (Manager City Property)

Ms H Bateman (Manager City Development)

Mr P Richardson (Manager City Operations)

Ms R Cusick (Manager Strategy and Business - Acting)

Dr D Ferretti (CAP Assessment Manager)

## 3 APOLOGIES

### Officers:

Mr T Buss (Chief Executive Officer)

## 4 DISCLOSURE STATEMENTS

Nil

## 5 CONFIRMATION OF MINUTES

### RECOMMENDATION

That the Minutes of the meeting of the Governance Committee held on 3 July 2018 be confirmed as a true and correct record.

### COMMITTEE 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 Local Government (Boundary Adjustment) Amendment Act 2017 - Feedback on Proposed Guidelines for Council Boundary Change Proposals**

The Local Government Grants Commission (LGGC) sought feedback from councils on the draft *Guidelines for Council Boundary Change Proposals* which detail the processes by which the LGGC will receive assess and progress council boundary change proposals in accordance with the *Local Government (Boundary Adjustment) Amendment Act 2017*.

**RECOMMENDATION**

The Committee recommends to Council that the feedback on the Guidelines for Council Boundary Change Proposals, contained in this report, be approved and submitted to the Local Government Grants Commission and the Local Government Association of South Australia.

**COMMITTEE RESOLUTION**

Moved: Cr Arthur Mangos

Seconded: Cr George Demetriou

That the recommendation be adopted.

**CARRIED**

**11.2 Legislative Progress Report - July 2018**

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 - July 2018' be received.

**COMMITTEE RESOLUTION**

Moved: Cr Simon Tsiaparis

Seconded: Cr Kym McKay

That the recommendation be adopted.

**CARRIED**

**12 MEETING CLOSE**

The Presiding Member declared the meeting closed at 8.53pm.