

CITY OF WEST TORRENS



MINUTES

of the

Council & Committee Meetings

- **City Services and Amenity Standing Committee**

of the

CITY OF WEST TORRENS

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

on

TUESDAY, 3 SEPTEMBER 2019
at 7.00pm

Terry Buss PSM
Chief Executive Officer

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.05pm.

1.1 Acknowledgement of Country

At the opening of the Meeting, the Presiding Member called for the Acknowledgment of Country to be read out by Cr Jassmine Wood:

'West Torrens City Council acknowledges that we are meeting on the traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past, present, and emerging.

We recognise and respect their cultural heritage, beliefs and spiritual relationship with the land, sea, waterways and sky.

We acknowledge that they are of continuing importance to the Kurna people living today.

We have built a beautiful city. However, we further recognise that the process of settlement resulted in the dispossession and dislocation of the Kurna people and that we are always mindful of this.'

1.2 Evacuation Procedure

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

2 PRESENT

Council Members:

Mayor M Coxon (Presiding Member)

Councillors: J Woodward, D Huggett, K McKay, D Mugavin, G Nitschke, S Pal, S Tsiaparis, C O'Rielly, A McKay, J Wood, B Reynolds

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 R Butterfield	(Manager Regulatory Services)
Mr J Ielasi	(Manager City Assets)
Ms C Luya	(Manager Community Services)
Mr D Ottanelli	(Manager City Property)
Ms H Bateman	(Manager City Development)

3 APOLOGIES

Apologies

Council Members:

Cr Elisabeth Papanikolaou
Cr George Vlahos
Cr David Wilton

RECOMMENDATION

That the apologies be received.

RESOLUTION

Moved: Cr John Woodward
Seconded: Cr Daniel Huggett

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENT

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Council Item 17.4 - Nominations Sought for the South Australian Boating Facility Advisory Committee	Actual	Cr Kym McKay
Council Item 17.5 - Waste Expo Australia Conference 2019	Material	Cr Kym McKay
Council Item 12.1 - Adoption of City Advancement and Prosperity General Committee Recommendations	Material	Cr Simon Tsiaparis
Council Item 17.4 - Nominations Sought for the South Australian Boating Facility Advisory Committee	Actual	Cr Anne McKay
Council Item 17.5 - Waste Expo Australia Conference 2019	Material	Cr Anne McKay
Council Item 17.5 - Waste Expo Australia Conference 2019	Material	Cr Brandon Reynolds

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council held on 20 August 2019 be confirmed as a true and correct record.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT

RECOMMENDATION

That the Deputy Mayor's Report be noted.

RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

7 ELECTED MEMBERS REPORTS

Cr Kym McKay advised of his attendance at a Lockleys Neighbourhood Watch Meeting on Monday 2 September 2019 and a meeting with several residents of Lockleys to discuss their concerns about a development application relating to a tree on Wednesday 28 August 2019.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Surender Pal

That the reports from Members be noted.

CARRIED

8 PETITIONS

Nil

9 DEPUTATIONS

Nil

10 ADJOURN TO STANDING COMMITTEE

RECOMMENDATION

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

RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

7.12pm the meeting adjourned into Committees.

7.24pm 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 City Services and Amenity Standing Committee Meeting

RECOMMENDATION

That the recommendations of the City Services and Amenity Standing Committee held on 3 September 2019 be adopted.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS

12.1 City Advancement and Prosperity General Committee Meeting

7.25pm *Cr Simon Tsiaparis declared a material conflict of interest in this item due to Committee Item 8.2 - Community Grants June to August 2019, in that his father, Evan Tsiaparis, is President of the Pan Macedonian Federation of SA who applied for a sponsorship grant. Cr Tsiaparis advised that he would leave the meeting for the discussion and vote.*

RECOMMENDATION

That the Minutes of the City Advancement and Prosperity General Committee held on 27 August 2019 be noted and the recommendations adopted.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

7.26pm Cr Simon Tsiaparis returned to the meeting.

13 QUESTIONS WITH NOTICE

Nil

14 QUESTIONS WITHOUT NOTICE

Question was asked and a response provided by the Administration.

15 MOTIONS WITH NOTICE**15.1 Request for a briefing from DPTI to Elected Members on the north-south corridor options****RESOLUTION**

Moved: Cr Dominic Mugavin

Seconded: Cr Graham Nitschke

That Council write to the Minister for Planning, Transport and Infrastructure requesting a briefing from DPTI to Elected Members on the options currently being considered by the South Australian Government for the north-south corridor.

CARRIED

16 MOTIONS WITHOUT NOTICE**16.1 Cr Jassmine Wood - Leave of Absence**

Cr Jassmine Wood sought leave of absence from the Council meeting on 17 September 2019.

RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Brandon Reynolds

That leave be granted.

CARRIED

17 REPORTS OF THE CHIEF EXECUTIVE OFFICER

17.1 Revision of the 2019/20 Budget

This report proposed revision of the 2019/20 budget, and for this revision to be adopted by the Council.

RECOMMENDATION

It is recommended to Council that:

1. Unspent funds from the 2018/19 budget totalling \$10,983,446 net of income yet to be received be incorporated in the 2019/20 budget, along with unspent reserve funds of \$979,573; and
2. The revised budget for 2019/20 be adopted.

RESOLUTION

Moved: Cr Cindy O'Rielley

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

17.2 Camden Community Centre Inc - Lease and Partnership Agreement

This report provided Elected Members with information in regard to a proposed grant of lease of the Camden Community Hall and partnership funding arrangements for the operation of the Camden Community Centre.

The Presiding Member advised there was a subsequent matter that had arisen during the week in relation to Council nominating an Elected Member to be on the Board of the Camden Community Centre Inc and proposed that Council deal with Item 17.2 first and then deal with the matter of nominating an Elected Member to be on the Board of the Camden Community Centre Inc.

RECOMMENDATION

It is recommended to Council that:

1. A lease for a term of 5 years commencing on 10 September 2019 (and expiring on 9 September 2024) be granted to the Camden Community Centre Inc (CCCI) for its use of the Camden Community Hall at an annual rental of \$10pa payable on demand. The CCCI be responsible for meeting all utility costs, undertaking necessary servicing of plant and equipment and reimbursing the costs of Council's insurance premiums during the term of the lease. Further, the CCCI be required to make the Camden Community Hall available for the use of Council, at no charge, for Council run programs at times when the Hall is not required by the CCCI.
2. A new funding/partnership agreement be entered into for the duration of the lease term, whereby the Council will provide funding of \$52,500 pa to CCCI to assist with the cost of operating the Camden Community Centre. The payment of the funding is contingent upon key deliverables being met by the CCCI.
3. The Mayor and Chief Executive Officer be authorised to sign and/or seal any documentation to give effect to the above recommendations.

RESOLUTION

Moved: Cr Anne McKay
Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

CARRIED

The Presiding Member advised correspondence has been received from the Camden Community Centre Inc seeking an Elected Member to nominate to be on the Board of the Camden Community Centre. The Presiding Member sought expressions of interest from any Elected Members wishing to be on the Board of the Camden Community Centre Inc. Cr Anne McKay expressed her interest in being nominated to be on the Board.

MOTION

Moved: Cr Jassmine Wood
Seconded: Cr Brandon Reynolds

That Cr Anne McKay be nominated to the Board of the Camden Community Centre Inc.

CARRIED

17.3 Environment Grant Application - Messinian Association of SA Inc.

This report presented an Environment Grant application received from the Messinian Association.

RECOMMENDATION

It is recommended to Council that it not approve the environment grant application received from the Messinian Association Inc., for \$2,961.11, to purchase cutlery and glassware.

Or

It is recommended to Council that it approves the environment grant application received from the Messinian Association Inc., for \$2,961.11, to purchase cutlery and glassware.

Or

It is recommended to Council that it approves a \$2,000 environment grant for the Messinian Association Inc.to purchase cutlery and glassware.

RESOLUTION

Moved: Cr Cindy O'Rielley
Seconded: Cr Simon Tsiaparis

That Council approves a \$2,000 environment grant for the Messinian Association Inc.to purchase cutlery and glassware.

CARRIED

17.4 Nominations Sought for the South Australian Boating Facility Advisory Committee

Cr Kym McKay declared an actual conflict of interest in this item as he wishes to be nominated to the South Australian Boating Facility Advisory Committee and remained in the meeting for the discussion and vote on the item.

Cr Anne McKay declared an actual conflict of interest in this item as her husband, Cr Kym McKay, wishes to be nominated to the South Australian Boating Facility Advisory Committee and remained in the meeting for the discussion and vote on the item.

The Minister for Transport, via the Local Government Association, sought nominations for a Local Government Member on the South Australian Boating Facility Advisory Committee.

RECOMMENDATION

It is recommended to Council that:

Cr/s.....be nominated to the South Australian Boating Facility Advisory Committee.

Or

The report be received.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Graham Nitschke

That Cr Kym McKay be nominated to the South Australian Boating Facility Advisory Committee.

CARRIED

Cr/s Kym McKay and Anne McKay voted in favour of the motion moved by Cr John Woodward and seconded by Cr Graham Nitschke.

17.5 Waste Expo Australia Conference 2019

7.44pm *Cr/s Kym McKay and Brandon Reynolds declared a material conflict of interest in this item as they wish to attend the Waste Expo Australia Conference 2019 and as there is a cost and benefit involved they will leave the meeting for the discussion and vote on the item.*

7.45pm *Cr Anne McKay declared a material conflict of interest in this item as her husband, Cr Kym McKay wishes to attend the Waste Expo Australia Conference 2019 and will leave the meeting for the discussion and vote on the item.*

This report provided notice of the 2019 Waste Expo Australia Conference to be held at the Melbourne Convention and Exhibition Centre from Wednesday 23 to Thursday 24 October 2019.

RECOMMENDATION

It is recommended that:

1. Council approves the attendance of Cr Kym McKay, Presiding Member of the City Facilities and Waste Recovery General Committee, at the 2019 Waste Expo Australia Conference to be held at the Melbourne Convention and Exhibition Centre from Wednesday 23 to Thursday 24 October 2019.
2. Expenses be reimbursed in accordance with Council policy.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Daniel Huggett

That:

1. Council approves the attendance of Cr Kym McKay, Presiding Member of the City Facilities and Waste Recovery General Committee, and Cr Brandon Reynolds at the 2019 Waste Expo Australia Conference to be held at the Melbourne Convention and Exhibition Centre from Wednesday 23 to Thursday 24 October 2019.
2. Expenses be reimbursed in accordance with Council policy.

CARRIED

7.46pm Cr Jassmine Wood left the meeting.

7.47pm Cr Jassmine Wood returned to the meeting.

7.48pm Cr/s Kym McKay, Brandon Reynolds, Anne McKay 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 Graham Nitschke

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

19 MEMBER'S BOOKSHELF

- Australian Mayoral Aviation Council - Newsletter July 2019
- Commissioner for Children and Young People SA, 2019, Public Transport - It's not fine. A report into systemic issues identified by South Australian children and young people in relation to their experience of public transport services. The report is also available on their website: <https://www.ccyp.com.au/reports/ccyp-reports/>

RECOMMENDATION

That the additions to Members' bookshelf be noted.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

20 CORRESPONDENCE

20.1 Consultation on Future Management of Snapper

Correspondence was received from the Executive Director Fisheries and Aquaculture of the Primary Industries and Regions SA, Mr Sean Sloan, seeking feedback on a consultation paper containing two management scenarios for management of Snapper in South Australia.

20.2 Nuclear Weapons Ban Treaty

Correspondence was received from the Campaigner of the ICAN Australia, Ms Jemila Rushton, regarding the Mayors for Peace support for the Nuclear Weapons Ban Treaty and seeking endorsement from Council in support of the Treaty on the Prohibition of Nuclear Weapons.

20.3 Heritage Development Plan Amendment and New Planning System

Correspondence was received from the Chair of the State Planning Commission, Mr Michael Lennon, acknowledging Council's two letters regarding the Commission's position on heritage and character in the new planning system, and seeking clarification around the ability to undertake a Heritage Development Plan Amendment (DPA).

20.4 Mayors for Peace Newsletter No. 116

Correspondence was received from the Mayors for Peace, providing the August 2019 No.116 Newsletter.

RECOMMENDATION

That the correspondence be received.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Cindy O'Rielley

That the correspondence be received with the exception of Correspondence Item 20.3 - Heritage Development Plan Amendment and New Planning System.

CARRIED

20.3 Heritage Development Plan Amendment and New Planning System

Correspondence was received from the Chair of the State Planning Commission, Mr Michael Lennon, acknowledging Council's two letters regarding the Commission's position on heritage and character in the new planning system, and seeking clarification around the ability to undertake a Heritage Development Plan Amendment (DPA).

Cr John Woodward sought clarification on the letter specifically the paragraph relating to the release of the People and Neighbourhoods discussion paper and the combined public consultation for Phase Two and Three of the Code beginning in October 2019. The General Manager Business and Community Services, Pauline Koritsa, advised that staff will be attending a LGA DPTI Briefing tomorrow which will provide further indication on the consultation program. Chief Executive Officer also added that further correspondence has been received from Mr Michael Lennon regarding the public consultation which will be forwarded to Elected Members for information.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Kym McKay

That the correspondence be received.

CARRIED

21 CONFIDENTIAL

21.1 Divestment of Council Property at 108-120 Marion Road, Brooklyn Park

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.

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 Divestment of Council Property at 108-120 Marion Road, Brooklyn Park , 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 it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible price for the land to be divested. In addition, Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely prejudice Council's ability to secure the best possible price for the land for the benefit of the Council and its community and consequently, Council considers the disclosure of this information 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 Graham Nitschke

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

7.56pm the meeting moved into Confidence and the 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 Divestment of Council Property at 108-120 Marion Road, Brooklyn Park, 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, on the basis that it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible price for the land to be divested. In addition, Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely prejudice Council's ability to secure the best possible price for the land for the benefit of the Council and its community and consequently, Council considers the disclosure of this information 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*.

8.04pm 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 8.05pm.

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.13pm.

2 PRESENT

Council Members:

Cr S Tsiaparis (Presiding Member)

Mayor M Coxon

Councillors: J Woodward, D Huggett, K McKay, D Mugavin, G Nitschke, S Pal, C O'Rielley, A McKay, J Wood, B Reynolds

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 R Butterfield	(Manager Regulatory Services)
Mr J Ielasi	(Manager City Assets)
Ms C Luya	(Manager Community Services)
Mr D Ottanelli	(Manager City Property)
Ms H Bateman	(Manager City Development)

3 APOLOGIES

Apologies

Committee Members:

Cr Elisabeth Papanikolaou

Cr George Vlahos

Cr David Wilton

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENTS

Nil

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the City Services and Amenity Standing Committee held on 6 August 2019 be confirmed as a true and correct record.

COMMITTEE RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Brandon Reynolds

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 CITY SERVICES AND AMENITY REPORTS

11.1 Private Parking Area Agreement with Ashford Hospital - Reid Avenue, Ashford

The purpose of this report was to approve an agreement for Council's Compliance Officers to police on-street parking on a private section of road (Reid Avenue, Ashford) in Ashford.

RECOMMENDATION

The Committee recommends to Council that the Mayor and Chief Executive Officer be authorised to sign and seal any documentation to enter into an agreement with Ashford Hospital under the Private Parking Areas Act to police the private parking area at Reid Avenue, Ashford.

COMMITTEE RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED

11.2 B Double Access - Transport Avenue, Netley

The purpose of this report was to consider a B Double access application from Adelaide Airport Limited in Transport Avenue, Netley.

RECOMMENDATION(S)

The Committee recommends to Council that the gazettal of Transport Avenue, Netley, for B Double access be approved by Council, subject to the following:

1. AAL to provide a bicycle approach lane in Transport Avenue at its intersection with Richmond Road, as part of the intersection upgrade that would be undertaken by AAL to facilitate B Double access using Transport Avenue.
2. The gazettal of Transport Avenue as a B Double route will be subject to the intersection being satisfactorily constructed by AAL (including all land acquisition costs).
3. The specific B Double left turn movement from Transport Avenue to Richmond Road (west) shall be prohibited.
4. A cost contribution (subject to further detailed pavement assessment) for the upgrade of the Transport Avenue road pavement to accommodate B Double movements be agreed to by AAL, if found to be necessary.
5. AAL to construct the noise attention wall as identified in the AAL letter of 16 August 2019.

COMMITTEE RESOLUTION

Moved: Cr Surender Pal

Seconded: Mayor Michael Coxon

That the recommendation be adopted.

CARRIED

11.3 Food Act 2018/19 Annual Report

This report presented to Council the work of the environmental health staff during the reporting period 1 July 2018 to 30 June 2019 pursuant to the Food Act 2001.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

11.4 Urban Services Activities Report

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

RECOMMENDATION

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

COMMITTEE RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

CARRIED

11.5 Community Services Activities Report - August 2019

This report detailed the activities of the Community Services Department for August 2019.

RECOMMENDATION

The Committee recommends to Council that the Community Services Activities Report - August 2019 be noted.

COMMITTEE RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

12 MEETING CLOSE

The Presiding Member declared the meeting closed at 7.23pm.