

CITY OF WEST TORRENS



MINUTES

of the

Council & Committee Meetings

- City Services and Amenity Standing Committee
- City Finance and Governance Standing Committee

of the

CITY OF WEST TORRENS

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

on

TUESDAY, 21 JANUARY 2020

at 7.00pm

**Terry Buss PSM
Chief Executive Officer**

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1 MEETING OPENED

1.1 Welcome to Country

The Presiding Member declared the meeting open at 7.03pm.

At the opening of the Meeting, the Presiding Member invited Mickey Kumatpi Marrutya O'Brien, descendant of the Kurna (Adelaide Plains) and Narrunga (York Peninsula) peoples to provide the Welcome to Country.

The Presiding Member thanked Mickey Kumatpi Marrutya O'Brien for his attendance.

7.05pm Cr George Vlahos entered the meeting.

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, E Papanikolaou, D Huggett, K McKay, D Mugavin, G Nitschke, G Vlahos, C O'Rielley, D Wilton, A McKay, J Wood

Officers:

| | |
|------------------|--|
| Mr T Buss | (Chief Executive Officer) |
| Mr B Ross | (General Manager Corporate and Regulatory) |
| Mr N Biggs | (Manager Financial Services) |
| Ms R Butterfield | (Manager Regulatory Services) |
| Ms D Cann | (Manager People and Culture) |
| Ms S Curran | (Manager Strategy and Business) |
| Mr J Ielasi | (Manager City Assets) |
| Mr D Ottanelli | (Manager City Property) |
| Ms H Bateman | (Manager City Development) |
| Mr P Richardson | (Manager City Operations) |
| Mr N Teoh | (Team Leader Waste Management) |
| Mr J Warman | (Team Leader Service Centre) |
| Mr J Leverington | (Senior Development Officer - Planning) |

In attendance:

| | |
|---------------|--|
| Ms C Dunn | (Presiding Member, Council Assessment Panel) |
| Dr D Ferretti | (Assessment Manager) |

The Presiding Member requested that Item 15.1 - Leave of Absence - Cr Surender Pal, be brought forward from the Motions with Notice for consideration prior to Item 3 - Apologies.

2.1 Council Item 15.1 Leave of Absence - Cr Surender Pal Brought Forward for Consideration at this Point in the Meeting

Cr Surender Pal has indicated his intention to seek a leave of absence and, in his absence, has formally requested that Cr Simon Tsiaparis move the following motion:

As Cr Simon Tsiaparis was an apology for the Council meeting, the motion was moved by Cr Daniel Huggett and seconded by Cr Graham Nitschke.

RESOLUTION

Moved: Cr Daniel Huggett
Seconded: Cr Graham Nitschke

That Cr Surender Pal be granted leave of absence for the Council meetings on 21 January 2020 and 4 February 2020.

CARRIED

3 APOLOGIES

Leave of Absence

Council Members:

Cr Surender Pal

Apologies

Cr Simon Tsiaparis
Cr Brandon Reynolds

Officers:

Mr A Catinari (General Manager Urban Services)
Ms P Koritsa (General Manager Business and Community Services)

RECOMMENDATION

That the apologies be received.

RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENT

The following disclosures of interest were made:

| Item | Type of Conflict | Elected Member |
|---|------------------|--------------------|
| City Services and Amenity Committee Item 11.2 Public Street Lighting - LED Implementation Plan | Perceived | Cr John Woodward |
| Council Item 17.5 Call for Nominations for Casual Vacancy of Greater Adelaide Regional Organisation of Councils | Perceived | Cr Kym McKay |
| City Finance and Governance Committee Item 11.1 Debenture Loan Authorisation | Perceived | Cr Cindy O'Rielley |
| Council Item 17.5 Call for Nominations for Casual Vacancy of Greater Adelaide Regional Organisation of Councils | Perceived | Cr Anne McKay |

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council held on 10 December 2019 be confirmed as a true and correct record.

RESOLUTION

Moved: Cr Daniel Huggett

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT

Further to the report listed in the Agenda, the Presiding Member stated:

Firstly, may I acknowledge the land that we meet on today is the traditional lands of the Kaurna people and that we respect spiritual relationship with the Country and that we thank Mickey O'Brien for welcoming us to Country.

Secondly, I would also like to acknowledge the following guests:

- *Hon Mark Butler MP, Federal Member for Hindmarsh*
- *Jayne Stinson MP, Member for Badcoe*
- *Stephen Patterson MP, Member for Morphett*
- *Zoi Papafilopoulos representing the Hon Tom Koutsantonis, Member for West Torrens*
- *Jarryd Thiel representing Matt Cowdrey OAM, Member for Colton*
- *Dr Reece Jennings, Mayor of the City of West Torrens from 1996 to 1997 and 1998 to 2000 and Chair of the Max and Bette Mendelson Foundation Committee*
- *John Trainer OAM, Mayor of the City of West Torrens - 2000 to 2018, West Torrens longest concurrent serving Mayor*
- *George Demetriou, Past Councillor from the City of the West Torrens (1989 – 2018) and the longest serving Deputy Mayor*

To our Federal and State Representatives, on behalf of the City of West Torrens Council, may I thank you for all of the support that you have given our City over the years and for your advocacy. Would you also please convey our gratitude to your Leaders.

To our past Civic Leaders, past Mayor Reece Jennings, Mayor Emeritus John Trainer and Cr George Demetriou, thank you all for your past stewardship and service to the City. We are honoured to have you with us this evening.

Now, may I ask all present to please stand and observe 1 minutes silence as a sign of respect for those who have lost their lives and for the fire-fighters and first responders who so willingly attended to the recent emergencies in relation to the devastating bushfires ravaging our Country.

Tonight, I wish to address you on the 'State' of the City of West Torrens.

166 years ago, the Council of West Torrens was established. And now, 166 years later, we meet tonight for the first Council meeting for 2020 and to usher in a new decade.

In 2018, I was elected as Mayor of the City of West Torrens on a platform that had 5 main objectives:

- 1. Keep rates affordable*
- 2. Provide some rate relief for our Seniors*
- 3. Have more focus on supporting our young people*
- 4. Increase support our Multicultural Communities and*
- 5. Ensure a better environment for our Community*

I am pleased to report that in our first budget our rate increase was well within the previously proposed State Government rate cap parameters meaning that we have kept our rates as affordable as possible. In fact, it is worth noting that our average rates are the second lowest across the Adelaide Metropolitan area.

Next, while we already have a scheme that enables our Seniors to defer rate payments, most of our Senior population still struggle to pay their rates. While this objective has not yet been reached, more work must be done to assist our Seniors.

With respect to supporting our young people, this Council has chosen to lead our Community by example by providing a budget allocation for 2 youth traineeships for young residents of West Torrens and I hope that we can continue this ongoing. Also, our Council is increasing its support for more places in the Mendelson Scholarship Scheme to assist our young people to achieve excellence.

In West Torrens, our community is truly multicultural. We have over 60,000 residents from over 90 countries from around the world and our support has been crucial to creating a harmonious community with better social connections. In fact, to meet the needs of our community, in our current budget, we have allocated a record-breaking \$638,364 in community grants for sponsorships, partnerships, and other support. This is an outstanding achievement and one that we can all be very proud of.

Finally, this Council is dedicated to preserving our Environment by providing additional greenspace and to limit the growth in poor high density developments. As a Council and Executive, we have tirelessly lobbied the State Government to limit infill development across West Torrens. Further, more recently, this Council refused to support a proposal to develop 80 new residential units on vacant land at Mooringe Avenue. This development, if supported by Council, would have been extremely detrimental to the local environment and counter to the expectations of our Community. Yet another example of how our Council is in touch with our Community.

Notwithstanding these achievements, another of our major achievements is the securing of a long term lease with SANFL for redevelopment of Thebarton Oval to become the new home of the AFLW. SANFL are proposing to spend approximately \$12m on this project that will result in creating a wonderful community space for all to enjoy.

It is also worth noting that Councils own \$30m investment in the upgrading of our community facilities is expected to be completed within the next 18 months. This will provide 'State of the Art' facilities for our sporting and community groups to enjoy.

Now, while I have just outlined some of our achievements, I will now address the future as there is much more work to be done.

While we live in a world of rapid change, our Community has chosen us to lead, respond and care for them. This is a very serious responsibility, one which myself and this Council are dedicated to.

Our emerging challenges on the horizon are:

- 1. The introduction and implementation of the new State Government Planning Code and maintaining a healthy community*
- 2. Our ongoing engagement with our 'first nations' community to address reconciliation*
- 3. The collaboration with our young people to meet their needs and aspirations*
- 4. The advocacy for a 'tunnel' for the future completion of the upgrade of South Road to strengthen our community*
- 5. The facilitation of the expansion of operations at Adelaide Airport to enhance our employment and commercial hub*
- 6. The determination the future process of Waste Recovery to care for our environment and finally,*
- 7. The actions to be undertaken in order to positively adapt to the changing climate.*

For us to meet these challenges and to successfully navigate our way through, we will require the support of all levels of Government (both State and Federal) plus our Residential and Business Communities.

To succeed, all of us will need to exceed our expectations. Of course, I understand the geopolitical landscape, however, if we adopt 'legacy thinking' can we do this. After all, our most important resource is not what we make or what we build, it is our people.

So tonight, I am calling on everyone here to commit to this exciting opportunity. We are the custodians of this City and our community expects and deserves the best!

Moving forward, in consultation with our Chief Executive, we have agreed to pursue 2 main actions:

- 1. We intend to convene strategic review workshops every 6 months for the Council and Executive to ensure that our strategic objectives are being met and that our policy settings are right, and:*
- 2. We intend to conduct a 'one day' community summit where leaders from government, business and community will be able to come together to discuss the future of our City. We will then use this information to assist in the development of our annual business plan for West Torrens for 2021.*

In closing, may I take this opportunity to again congratulate everyone for the achievements of last year and to encourage you as we tackle our future challenges.

Let's continue to preserve our incredible Community, respect and enhance the resilience of our people, give our business community confidence, and make our City more attractive but above all, let's do it for our future generations so that we can truly be proud of the legacy that we have left them.

May the City of West Torrens Community continue to prosper.

RECOMMENDATION

That the Mayor's Report be noted.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

CARRIED

7 ELECTED MEMBERS REPORTS

7.38pm Cr Jassmine Wood left the meeting.

Cr Kym McKay advised of his attendance at the Elected Member Workshop seeking input and feedback on the Planning and Design Code on Tuesday 14 January 2020.

7.39pm Cr Jassmine Wood returned to the meeting.

Cr Jassmine Wood acknowledged the City of West Torrens staff who have provided assistance with the bushfire recovery effort, both in the Adelaide Hills and Kangaroo Island.

RESOLUTION

Moved: Cr Cindy O'Rielley

Seconded: Cr David Wilton

That the reports from Members be noted.

CARRIED

8 PETITIONS

8.1 Request for climate emergency declaration

This report presented a petition requesting for the City of West Torrens to declare a climate emergency.

RECOMMENDATION(S)

It is recommended to Council that:

1. The Petition be received and it notes that of the sixty three (63) signatures on the petition:
 - a. Only seventeen (17) are from residents within the City of West Torrens;
 - b. There are a total of fifty-four (54) signatures that comply with the requirements of Clause 8 of the *Code of Practice - Procedures at Meetings* and Regulation 10 of the *Local Government (Procedures at Meetings) Regulations 2013*, eleven (11) of which are residents of the City of West Torrens.
2. In addition to the report contained in the January 2020 meeting agenda of the City Services and Climate Adaption Standing Committee which details the climate adaptation activities undertaken by AdaptWest, a report be presented to the February 2020 meeting of the City Services and Climate Adaption Standing Committee detailing the climate adaptation initiatives and activities undertaken by Council.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

9 DEPUTATIONS

9.1 Opposition to proposed footpaths in Cygnet Street, Novar Gardens

The Presiding Member invited Mr John Wainright to address Council in relation to opposition to the proposed footpath installation in Cygnet Street Novar Gardens.

The Presiding Member thanked Mr Wainright for his attendance.

MOTION

Moved: Cr Anne McKay

Seconded: Cr David Wilton

That City Services and Amenity Standing Committee Item 11.1 Proposed Footpath Construction- Cygnet Street, Novar Gardens and Weston Street, West Beach, be brought forward from the City Services and Amenity Reports for consideration following Council Deputation Item 9.1 Opposition to proposed footpaths in Cygnet Street, Novar Gardens.

CARRIED

9.2 City Services and Amenity Standing Committee Item 11.1 Proposed Footpath Construction- Cygnet Street, Novar Gardens and Weston Street, West Beach brought forward for consideration at this point in the meeting

The purpose of this report was to inform Council of the feedback provided by residents on the proposed installation of a footpath along the southern side of Cygnet Street, Novar Gardens and the south-western side of Weston Street, West Beach as approved within the 2019/20 budget.

RECOMMENDATION

The Committee recommends to Council that Council proceeds with the scheduled footpath construction works on the southern side of Cygnet Street, Novar Gardens and Council proceed with the scheduled footpath construction works on the south-western side of Weston Street, West Beach as approved within the 2019/20 budget.

RESOLUTION

Moved: Cr David Wilton

Seconded: Cr Anne McKay

That Council does not proceed with the scheduled footpath construction works on the southern side of Cygnet Street, Novar Gardens and Council does not proceed with the scheduled footpath construction works on the south-western side of Weston Street, West Beach as approved within the 2019/20 budget.

CARRIED

MOTION

Moved: Cr Dominic Mugavin

Seconded: Cr Elisabeth Papanikolaou

That Council Item 17.1 Council Assessment Panel 2019 Annual Report, be brought forward from the Reports of the Chief Executive Officer for consideration following Council Item 9.2 City Services and Amenity Standing Committee Item 11.1 Proposed Footpath Construction- Cygnet Street, Novar Gardens and Weston Street, West Beach.

CARRIED

8.00pm Cr Anne McKay left the meeting.

8.00pm Cr David Wilton left the meeting.

8.00pm Cr George Vlahos left the meeting.

9.3 Council Item 17.1 Council Assessment Panel 2019 Annual Report brought forward for consideration at this point in the meeting

The purpose of this report was to provide Council with the 2019 Annual Report of the Council Assessment Panel.

RECOMMENDATION

It is recommended to Council that the 2019 Council Assessment Panel Annual Report be received and noted.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

CARRIED

Elected Members were invited to ask questions in relation to the Council Assessment Panel 2019 Annual Report which were responded to by Ms Colleen Dunn, Council Assessment Panel Presiding Member and Dr Donna Ferretti, Assessment Manager.

8.02pm Cr Anne McKay returned to the meeting.

8.02pm Cr David Wilton returned to the meeting.

8.04pm Cr George Vlahos returned to the meeting.

8.05pm Cr Jassmine Wood left the meeting.

8.05pm Cr Daniel Huggett left the meeting.

8.09pm Cr Jassmine Wood returned to the meeting.

The Presiding Member thanked Ms Colleen Dunn, Council Assessment Panel Presiding Member and Dr Donna Ferretti, Assessment Manager for their attendance.

10 ADJOURN TO STANDING COMMITTEES

RECOMMENDATION

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

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

CARRIED

8.10pm the meeting adjourned into Committees.

9.05pm the meeting reconvened. All those present prior to the adjournment of the meeting were present in the Chamber when the meeting reconvened with the addition of Cr Daniel Huggett.

11 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS

11.1 City Services and Amenity Standing Committee Meeting

Cr John Woodward declared a perceived conflict of interest in this item as he had a perceived conflict of interest in City Services and Amenity Committee Item 11.2 Public Street Lighting - LED Implementation Plan as he is on the SA Power Networks Customer Consultative Panel, however as he does not get involved in commercial decisions he participated in the discussion and vote.

RECOMMENDATION

That the recommendations of the City Services and Amenity Standing Committee held on 21 January 2020 be adopted.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr David Wilton

That the recommendation be adopted.

CARRIED

Cr John Woodward voted in favour of the motion moved by Cr Dominic Mugavin and seconded by Cr David Wilton.

11.2 City Finance and Governance Committee Meeting

RECOMMENDATION

That the recommendations of the City Finance and Governance Committee held on 21 January 2020 be adopted.

RESOLUTION

Moved: Cr George Vlahos

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

CARRIED

12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS

Nil

13 QUESTIONS WITH NOTICE

13.1 Restrictions on housing construction activity and stormwater events in Plympton and North Plympton

Question

1. Could Council have the legal power to enforce no housing construction activity before certain times of the day? This would preclude any construction activity before a specific time or on specific day.
2. Is Council aware of any adverse stormwater events in Plympton and North Plympton that may be attributed to a lack of capacity to handle the increased stormwater from infill development in recent years?

Answer

Question 1:

Nuisance associated with construction activity start times is an issue governed by the *Local Nuisance and Litter Control Act 2016* rather than the Development Act. Planning conditions attached to Development Approvals issued under the Development Act are required to serve a planning purpose and it is not possible to condition matters addressed through other legislation such as the Local Nuisance and Litter Control Act. The matters that can be conditioned on a Development Approval have been tested through the courts numerous times. In terms of the new system, the PDI Act carries over the current approach from the Development Act.

Clause 4 of Schedule 1 of the *Local Nuisance and Litter Control Act 2016* declares construction noise a nuisance if an Authorised Officer forms the opinion that the noise has travelled from the construction location to a neighbouring property:

- On any Sunday or public holiday; or
- After 7:00 pm or before 7:00 am on any other day; and
- That the level, nature and extent is such as to constitute an unreasonable interference.

Enforcement action under the legislation include the issue of nuisance abatement notices and an expiation fee of \$500.

Until recently, authorised officers were applying a strict interpretation of the evidentiary provisions of the Local Nuisance and Litter Control Act, requiring an authorised officer to be present to conduct a subjective assessment and form an opinion on the construction noise for enforcement action to be taken. This was in accordance with advice from EPA officers.

Legal advice received indicates that the fact that an authorised officer has not experienced or personally perceived a nuisance condition does not preclude the Council from undertaking enforcement action under the Act to address the nuisance where, on evidence from one or more complainants, the Council is satisfied that a local nuisance occurred.

Authorised officers can undertake enforcement action if they are satisfied that the evidence (such as photos, videos, witness statements etc.) provided by residents, affected by the noise from construction activities, is sufficient to establish that a local nuisance was caused.

Question 2:

Although it is endeavoured to seek typical stormwater management controls within most of the new development being undertaken in areas like Plympton and North Plympton, historically adopted measures and controls are typically not sufficient to fully offset the increase in stormwater volume and peak rate of runoff from new development in all circumstances.

The increase in stormwater impacts on receiving Council systems subsequently ends up being incremental in nature as development occurs incrementally across the suburbs, and as such is hard to recognise the direct impact on a year to year basis.

Specific to Plympton and North Plympton, most of this area has a healthy distribution of underground drainage through the local street network, that said, previous research has confirmed that much of these existing networks have a less than ideal existing capacity. There are also a couple of pockets where there is an existing absence of drainage. Both of these circumstances would lead to the reasonable expectation of future stormwater upgrades across much of these suburbs.

There are a couple of locations within these suburbs where frequent rainfall and storm events result in high flows along local streets, sufficient enough for Council Administration to keep an eye on monitoring these location. In these areas, the events of water entering private land have been limited and the reporting of water causing damage to property have only occurred infrequently.

It would be inevitable, as likely most of the Council areas, that for larger infrequent storm events, some property damage from flooding would currently occur within these suburbs.

Council is currently half way through the undertaking of a Stormwater Management Plan (SMP) to look at the current and future performance of our local stormwater networks within the city from many varying considerations, including flooding. This study will demonstrate the current envisioned risks of flooding in areas like this, and demonstrate the cumulative impact of projected future development (and Climate Change) on the flooding and performance of these systems.

The study will then enable the strategic determination of where and when to focus future stormwater management measure to respond to current and future stormwater management challenges. Many comparable studies show that with poor site based development control implementation, the impacts of future infill development in established urban areas will result in the exacerbating of existing flood risks, extents and frequencies by 50% plus.

Within the coming months it is anticipated to hold an Elected Member briefing on the advancement of the local drainage system Stormwater Management Plans which this Council are currently undertaking.

City of West Torrens administration have worked in close collaboration with industry partners and DPTI Planning to assist in influencing the new stormwater management measures within the new Planning and Design Code. As currently stands within the current draft of the code, as out for consultation, there are some strong improvements in relation to stormwater management. Although there are still some areas for improvement, these improvements as currently stand should assist in providing a more consistent uptake of stormwater runoff reduction measures which will assist in minimising the worsening of public stormwater impacts. It is noted that the development industry has expressed concerns with the proposed changes to site based stormwater management controls and will be seeking to see a reduction (or complete removal) in the scale of measures and hence benefit to public stormwater system management.

13.2 Height restrictions for developments along Anzac Highway between South Rd and Beckman St, Glandore

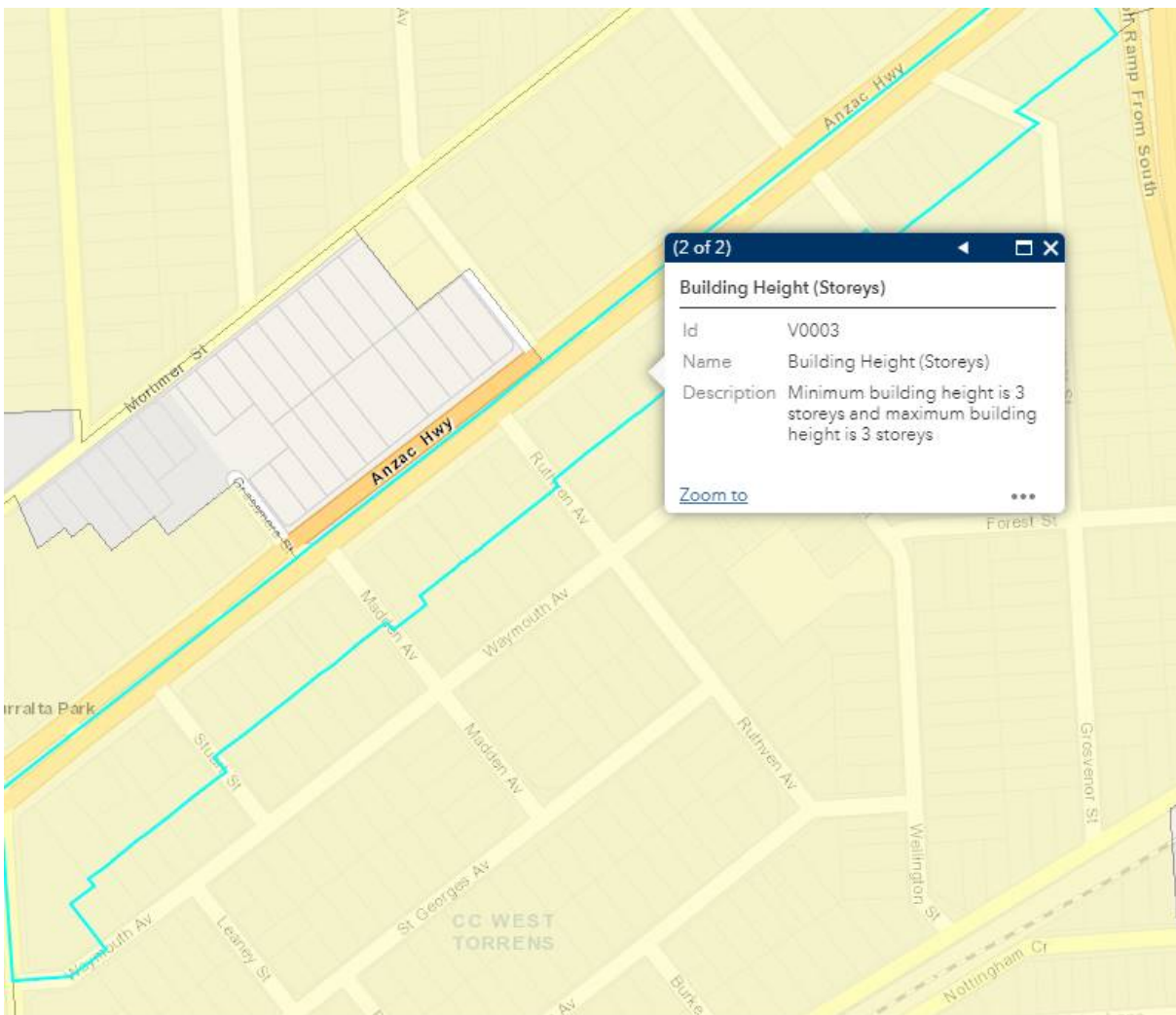
Question

Based on the available information to date with regard to the *Planning, Development and Infrastructure Act 2016*, will the developments along Anzac Highway between South Rd and Beckman St, Glandore be limited to a maximum of 3 storeys?

Answer

The mapping tool on the SA Planning Portal:

(<https://dpti.geohub.sa.gov.au/portal/apps/webappviewer/index.html?id=5fcfc772bf7d4c279ad9bb11c15bf419>) shows a Technical and Numerical Variation (TNV) applying with maximum of 3 storeys adjacent Glandore. This is in line with the Glandore DPA (image below) showing the area that the TNV applies to in blue:



In addition, the definition of adjacent has been amended to include any allotment within 60m of the subject property boundary which will assist to remove the anomaly in relation to hammerhead allotments that exists under the Development Plan.

14 QUESTIONS WITHOUT NOTICE

Questions were asked and responses provided by the Administration.

15 MOTIONS WITH NOTICE**15.1 Leave of Absence - Cr Surender Pal**

This item was considered prior to Council Item 3 Apologies.

15.2 Emergency Management Arrangements and Disaster Recover Fund**RESOLUTION**

Moved: Cr George Vlahos

Seconded: Cr Kym McKay

That:

1. The CEO be authorised to make arrangements, as deemed necessary and appropriate, with the Adelaide Hills and Kangaroo Island Councils for the in-kind use of available Council resources including staff and equipment for the recovery effort following the recent devastating bushfires.
2. A report be brought forward investigating the implementation of a Disaster Recover Fund that the Council may draw on (as the need arises) to provide support and financial assistance to other Councils or Community Groups in South Australia in times of emergencies and disasters.

CARRIED

16 MOTIONS WITHOUT NOTICE

Nil

17 REPORTS OF THE CHIEF EXECUTIVE OFFICER**17.1 Council Assessment Panel 2019 Annual Report**

This item was considered following Council Item 9.2 City Services and Amenity Standing Committee Item 11.1 Proposed Footpath Construction- Cygnet Street, Novar Gardens and Weston Street, West Beach brought forward for consideration at this point in the meeting.

17.2 Swap Spot/Exchange Zones

The purpose of this report was to respond to the resolution of Council at its meeting of 5 November 2019 that the Administration prepare "a report on the costs and feasibility of setting up a safe swap spot for the residents of West Torrens to ensure that the residents have a safe place to buy/sell and swap goods."

RECOMMENDATION

It is recommended to Council that the Chief Executive Officer be authorised to obtain formal legal advice specifically related to the inherent risks Council would face if it proceeds with the proposal to establish a Safe Swap Spot within the City of West Torrens and Council's insurer, the Local Government Association Mutual Liability Scheme, deems the risk profile of the proposal too great to effectively manage and accordingly, any alleged negligence and/or failure to provide a 'safe' swap spot environment will fall to Council. Further, following receipt of the legal advice, a further report be provided to Council.

RESOLUTION

Moved: Cr Daniel Huggett
Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

CARRIED

17.3 Planning Reform: Zones and TNV Recommendations

This report provided recommended feedback on the proposed zones to be contained in the draft Planning and Design Code.

RECOMMENDATION

It is recommended to Council that the recommendations contained in this report, in relation to zone alternatives, Technical and Numerical Variations, Concept Plans and Heritage and Character Statements be approved and provided to DPTI as its first formal response to the consultation on the draft *Planning and Design Code*.

RESOLUTION

Moved: Cr Graham Nitschke
Seconded: Cr Dominic Mugavin

It is recommended to Council that the recommendations contained in this report, in relation to zone alternatives, Technical and Numerical Variations, Concept Plans and Heritage and Character Statements be approved and provided to DPTI as its first formal response to the consultation on the draft *Planning and Design Code*, with the addition that PDC15 is recommended to apply to all cases where a proposed development in an Urban Corridor Zone is adjacent land in a Suburban Neighbourhood Zone, regardless of what orientation the building takes.

9.20pm Cr Kym McKay left the meeting.

9.21pm Cr Kym McKay returned to the meeting.

9.22pm Cr Daniel Huggett left the meeting.

9.26pm Cr Daniel Huggett returned to the meeting.

CARRIED

17.4 2020 Local Government Association Ordinary General Meeting - Proposed Items of Business

This report advised of the outcome of seeking proposed items of business for inclusion in the agenda for the Local Government Association's Ordinary General Meeting to be held on Friday 3 April 2019 at the Adelaide Entertainment Centre.

RECOMMENDATION

It is recommended to Council that the report be received.

RESOLUTION

Moved: Cr Graham Nitschke
Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

CARRIED

17.5 Call for Nominations for Casual Vacancy of Greater Adelaide Regional Organisation of Councils

Cr Kym McKay declared a perceived conflict of interest in this item as he wishes to nominate to the casual vacancy for the Greater Adelaide Regional Organisation of Councils and as the position is not remunerated, he participated in the discussion and vote.

Cr Anne McKay declared a perceived conflict of interest in this item as her husband, Cr Kym McKay wishes to nominate to the casual vacancy for the Greater Adelaide Regional Organisation of Councils and as the position is not remunerated, she participated in the discussion and vote.

The Local Government Association sought nominations to fill a casual vacancy on the Greater Adelaide Regional Organisation of Councils (GAROC).

RECOMMENDATION

It is recommended to Council that:

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

or

2. The report be received.

RESOLUTION

Moved: Cr John Woodward
Seconded: Cr Graham Nitschke

That Cr Kym McKay be nominated to the Greater Adelaide Regional Organisation of Councils.

CARRIED

Cr Kym McKay voted against the motion moved by Cr John Woodward and seconded by Cr Graham Nitschke.

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

17.6 Divestment of Council Property - Confidential Order Review

In accordance with the provisions of Section 91(9)(a) of the *Local Government Act 1999*, this report presented the annual review of the confidential order applied to Item 21.1 - Divestment of Council Property, at the 19 February 2019 Meeting of Council.

RECOMMENDATION

It is recommended to Council that:

1. In accordance with s91(9)(a), having reviewed the confidentiality order made on 19 February 2019, pursuant to 91(7) and 91(7)(b) of the *Local Government Act 1999*, in respect of confidential Item 21.1 - Divestment of Council Property, Council orders that the Agenda report, the Minutes arising, attachments and any associated documentation continues to be retained in confidence in accordance with sections 90(3)(b)(i) and (b)(ii) of the *Local Government Act 1999*, and not be available for public inspection for a further 6 month period on the basis 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.
2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to review the confidentiality order on a monthly basis and to revoke but not extend it.

RESOLUTION

Moved: Cr Daniel Huggett
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

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

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

RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Dominic Mugavin

That the recommendation be adopted with the exception of Local Government Circular 51.19 Council power to remove abandoned vehicles which pose a fire risk.

CARRIED

Local Government Circular 51.19 Council power to remove abandoned vehicles which pose a fire risk

Cr Kym McKay sought clarification from the Administration regarding the power to remove abandoned vehicles which pose a fire risk and if it could be used to resolve an ongoing complaint with an allegedly hazardous vehicle in Torrensville. The Administration advised that the Circular draws attention to the power to remove vehicles that may pose a fire safety concern when located in areas of high fire risk, such as the Adelaide Hills.

RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Graham Nitschke

That the Local Government Circular 51.19 Council power to remove abandoned vehicles which pose a fire risk be received.

9.38pm Cr Jassmine Wood left the meeting.

CARRIED

19 MEMBER'S BOOKSHELF

- Urban Development Institute of Australia SA - Annual Report 2018-2019
- South Australian Sea Rescue Squadron Annual Report 2018 - 2019
- History Trust of South Australia, Giving the Past a Future Now!, Highlights 2018-2019
- Adelaide Airport Limited, Plane Talk Community News - December 2019
- South Australia Coastal Councils Alliance, Snapshot of Issues & Priorities

RECOMMENDATION

That the additions to Members' bookshelf be noted.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

CARRIED

20 CORRESPONDENCE

20.1 Adelaide and Mount Lofty Ranges Natural Resources Management Board Minutes

Correspondence was received from the Adelaide and Mount Lofty Ranges Natural Resources Management Board regarding the minutes of the Board meeting held on Thursday 26 September 2019.

20.2 Brown Hill Keswick Creek Stormwater Project - Key Outcome Summary

Correspondence was received from the Brown Hill Keswick Creek Stormwater Project providing a copy of the key outcomes summary from the meeting of the Brown Hill and Keswick Creeks Stormwater Board held on Thursday 28 November 2019.

20.3 Proposed motorway and preservation of property along South Road

Correspondence was received from the Chief Executive Officer of the Civic Contractors Federation, Philip Sutherland, acknowledging Council's letter dated 29 November 2019 in relation to proposed motorway on South Road and options for preservation of property along South Road. The original correspondence from Mayor Coxon sent on 29 November 2019 was also attached for reference.

20.4 Minister update on the North - South Corridor

Correspondence was received from the Minister for Transport, Infrastructure and Local Government and Minister for Planning, Hon Stephan Knoll MP, acknowledging Council's letter dated 22 November 2019 in relation to the South Road upgrade.

20.5 Engagement with Minister's Recreational Fishing Advisory Council

Correspondence was received from the Chair of the Minister's Recreational Fishing Advisory Council, Graham Keegan, providing an update on establishment of the Minister's Recreational Fishing Advisory Council (MRFAC) and requesting feedback on engagement with MRFAC).

20.6 Coastal Councils Alliance

Correspondence was received from the Chair of the SA Coastal Councils Alliance, Mayor Keith Parkes, regarding the Coastal Councils Alliance.

20.7 Adelaide Airport Preliminary Draft Master Plan 2019

Correspondence was received from the Managing Director of the Adelaide Airport Limited, Mark Young, acknowledging Council's letter dated 25 October 2019 in relation to the submission to the Adelaide Airport Preliminary Draft Master Plan 2019 public consultation process.

20.8 Completion of the sale of Arnott's Biscuits & Campbell's Australian operations

Correspondence was received from the Chairman and Interim Chief Executive Officer of Campbell Arnott's Australia, Brian Driscoll, regarding completion of the sale of Arnott's Biscuits & Campbell's Australian operations.

20.9 South Australian Public Health Council Nominations

Correspondence was received from the Director of Policy of the Local Government Association of South Australia, Lea Bacon, regarding South Australian Public Health Council nominations.

20.10 Waste and Resources Recovery Modernisation and Council Transition Package

Correspondence was received from the Minister for Environment and Water, David Speirs MP, regarding the release of three funding programs as part of the Waste and Resources Recovery Modernisation and Council Transition Package.

20.11 Kangaroo Island Council Bushfire Support - Letter of Thanks

Correspondence was received from the Chief Executive Officer of the Kangaroo Island Council, Greg Georgopoulos, regarding the recent and ongoing bushfire support provided by City of West Torrens.

20.12 Local Government Employee Bushfire Counselling Service

Correspondence was received from the General Manager of the Local Government Risk Services, Tony Gray, advising that the LGAWCS has established a crisis counselling service to provide support specifically to Local Government employees and Elected Members impacted by the events.

RECOMMENDATION

That the correspondence be received.

MOTION

Moved: Cr Kym McKay

That the recommendation be adopted.

The motion lapsed for want of a seconder.

RESOLUTION

Moved: Cr Cindy O'Rielley

Seconded: Cr John Woodward

That the recommendation be adopted with the exception of Correspondence Item 20.10 Waste and Resources Recovery Modernisation and Council Transition Package.

CARRIED

20.10 Waste and Resources Recovery Modernisation and Council Transition Package

Correspondence was received from the Minister for Environment and Water, David Speirs MP, regarding the release of three funding programs as part of the Waste and Resources Recovery Modernisation and Council Transition Package.

Cr Cindy O'Rielley sought clarification from the Administration on whether Council will be applying for any of the funding programs. The Administration advised that staff are undertaking work on a grant application.

RESOLUTION

Moved: Cr Cindy O'Rielley
Seconded: Cr John Woodward

That the correspondence be received.

CARRIED

21 CONFIDENTIAL**21.1 Sale of Property for the Non Payment of Rates****Reason for Confidentiality**

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

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

because this report recommends that Council issues an order, in accordance with Section 184 of the *Local Government Act 1999* which provides the ability for Council to sell property when the rates due on the property have been in arrears for three years or more, to sell property which meets this criteria and, to assist Council to determine whether to issue an order in this instance, the report contains information which would, if dealt with in public, result in the unreasonable disclosure of the personal affairs of the ratepayers named within that report.

- (i) information relating to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the council or an employee of the Council.

because there is a possibility that the issuing of the order will result in litigation involving the Council and as such the release of this information could prejudice Council's position.

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 Sale of Property for the Non Payment of Rates , attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(a) and (i) because the report involves personal affairs of the ratepayers named in the report and Council litigation.
2. At the completion of the confidential session the meeting be re-opened to the public.

RESOLUTION

Moved: Cr Daniel Huggett
Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED

9.43pm the meeting moved into Confidence and the Confidential session commenced.

9.44pm Cr Jassmine Wood entered the Confidential session.

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 Sale of Property for the Non Payment of Rates the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(3)(a) and (i), be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, on the basis that the report involves personal affairs of the ratepayers named in the report and Council litigation.
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*.

9.53pm 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 9.54pm.

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1 MEETING OPENED

The Presiding Member declared the meeting open at 8.11pm.

2 PRESENT

Council Members:

Cr D Mugavin (Presiding Member)

Mayor M Coxon

Councillors: J Woodward, E Papanikolaou, D Huggett, K McKay, G Nitschke, G Vlahos, C O'Rielly, D Wilton, A McKay, J Wood

Officers:

| | |
|------------------|--|
| Mr T Buss | (Chief Executive Officer) |
| Mr B Ross | (General Manager Corporate and Regulatory) |
| Mr N Biggs | (Manager Financial Services) |
| Ms R Butterfield | (Manager Regulatory Services) |
| Ms D Cann | (Manager People and Culture) |
| Ms S Curran | (Manager Strategy and Business) |
| Mr J Ielasi | (Manager City Assets) |
| Mr D Ottanelli | (Manager City Property) |
| Ms H Bateman | (Manager City Development) |
| Mr P Richardson | (Manager City Operations) |
| Mr N Teoh | (Team Leader Waste Management) |
| Mr J Warman | (Team Leader Service Centre) |
| Mr J Leverington | (Senior Development Officer - Planning) |

3 APOLOGIES

Leave of Absence

Council Members:

Cr Surrender Pal

Apologies

Cr Simon Tsiaparis

Cr Brandon Reynolds

Officers:

| | |
|---------------|---|
| Mr A Catinari | (General Manager Urban Services) |
| Ms P Koritsa | (General Manager Business and Community Services) |

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr George Vlahos

Seconded: Cr David Wilton

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

| Item | Type of Conflict | Elected Member |
|---|-------------------------|-----------------------|
| City Services and Amenity Committee Item 11.2 Public Street Lighting - LED Implementation Plan | Perceived | Cr John Woodward |

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the City Services and Amenity Standing Committee held on 10 December 2019 be confirmed as a true and correct record.

COMMITTEE RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Anne McKay

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 Proposed Footpath Construction- Cygnet Street, Novar Gardens and Weston Street, West Beach

This item was considered following Council Deputation Item 9.1 - Opposition to proposed footpaths in Cygnet Street, Novar Gardens.

11.2 Public Street Lighting - LED Implementation Plan

Cr John Woodward declared a perceived conflict of interest in this item as he is on the SA Power Networks Customer Consultative Panel, however as he does not get involved in commercial decisions he participated in the discussion and vote.

This report provided Member's with a further update on the Local Government Association (LGA) Public Lighting progress and presents a strategy for the transition to Light Emitting Diode (LED) street lighting.

RECOMMENDATION

The Committee recommends to Council that:

1. The report be received.
2. The amount of \$339,377.97 (GST Inc.), being the refunded amount for the over-recovery by SAPN in the 2010 to 2015 period in public lighting costs, be allocated within the 2019/20 budget to continue the upgrading of public street lighting to LED.
3. The Chief Executive Officer be authorised to enter into the necessary contract with SAPN to commence the upgrading of public street lighting with LED.

COMMITTEE RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

8.14pm Cr Kym McKay entered the meeting.

CARRIED

Cr John Woodward voted in favour of the motion moved by Cr John Woodward and seconded by Cr Elisabeth Papanikolaou.

11.3 Greener Neighbourhoods Grant Funding

This report provided Elected Members with information in regard to a successful grant application for 'Greening our City' received from the South Australian Government.

RECOMMENDATION

The Committee recommends to Council that the report be noted.

COMMITTEE RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

11.4 Request for additional courts - Glenlea Tennis Club

This report advised Elected Members that a request has been received from the Glenlea Tennis Club seeking approval for the construction of two additional courts adjacent to the Club's leased facility within the Camden Oval complex.

RECOMMENDATION

The Committee recommends to Council that:

1. The Council refers the request for funding of \$90,000 to address stormwater infrastructure and consequent court deterioration issues associated with the existing six courts used by the Glenlea Tennis Club within the Camden Oval complex for consideration in the 2020/2021 budget deliberations; and
2. The Council refers the Club's request for funding of \$65,000 for consideration in the 2020/2021 budget deliberations to enable the construction of two additional courts for use by the Glenlea Tennis Club and the public within the Camden Oval complex.
3. Should Council provide its consent for necessary funding for the additional courts to be constructed through the 2020/21 budget process, the Administration be authorised to enter into negotiations with the Glenlea Tennis Club regarding a variation to the existing lease agreement. A further report be provided to Council following these negotiations.

COMMITTEE RESOLUTION

Moved: Cr Anne McKay
Seconded: Cr David Wilton

That City Services and Amenity Committee Item 11.4 Request for additional courts - Glenlea Tennis Club be deferred to the next meeting of Council on 4 February 2020 to allow for discussion between Ward Councillors and the Administration.

CARRIED

11.5 Response to EPA Container Deposit Scheme Survey

This report provided City of West Torrens' response to the South Australian Environment Protection Authority's current survey reviewing the South Australia's Container Deposit Scheme.

RECOMMENDATION

The Committee recommends to Council that:

1. The report is received
2. The attached survey responses be endorsed for submission

COMMITTEE RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Kym McKay

That the recommendation be adopted.

Discussion took place in relation to the proposed feedback. Cr John Woodward suggested additional commentary for questions 3 and 7. Additionally, Cr Graham Nitschke proposed an inclusion for question 4.1, part B of the feedback. The mover Cr John Woodward and seconder Cr Kym McKay consented to the changes and accordingly, the motion was changed as follows:

The Committee recommends to Council that:

1. The report is received
2. The survey responses attached to the Agenda report be endorsed for submission, subject to the following inclusions:
 - a) question 3 of the feedback:
 - Recyclers recover a substantial number of CDS containers from yellow bin collections, which indirectly helps reduce recycling cost impacts on councils.
 - b) question 4.1, part B of the feedback include the following currently exempted items:
 - All plain milk plastic containers
 - Fruit juice - one litre or more plastic containers
 - Flavoured milk - one litre or more plastic containers
 - c) question 7 of the feedback:
 - Council resolved at its meeting on 3 July 2018 to write to the Minister for Environment and Water to request an investigation of the costs and benefits of increasing the Container Deposit refund amount to 20c per item.

CARRIED

11.6 Submission for draft Single-Use and Other Plastic Products (Waste Avoidance) Bill 2019

This report provided City of West Torrens' response to the draft Single-Use and Other Plastic Products (Waste Avoidance) Bill - Circular 51.9.

RECOMMENDATION

The Committee recommends to Council that:

1. The report is received
2. The response to the draft Single-Use and Other Plastic Products (Waste Avoidance) Bill, in Attachment 3, be endorsed for submission

COMMITTEE RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr John Woodward

That the recommendation be adopted.

CARRIED

11.7 Solar Panel Rebates for Community Groups

This report summarised the outcome of the Solar Panel Rebates for Community Groups Program for the 2019/20 financial year.

RECOMMENDATION

The Committee recommends to Council that the report be noted.

COMMITTEE RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Elisabeth Papanikolaou

That Council diverts surplus funds of \$52,000 back to the administration to expend on community run facilities for installation of solar and battery systems on the new Weigall Oval clubrooms and the Fulham Community Centre.

CARRIED

11.8 Update of AdaptWest in Action

This report provided an update on *AdaptWest in Action*, a climate adaptation program being implemented across the Western Adelaide Region in partnership with the Cities of Charles Sturt and Port Adelaide Enfield.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

CARRIED

8.43pm Cr Graham Nitschke left the meeting.

11.9 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 Jassmine Wood

That the recommendation be adopted.

CARRIED

11.10 Regulatory Service Activities Report

This report provided information on the activities of the Regulatory Services Department for the six months to 31 December 2019.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

11.11 Service Centre 2nd Quarter Activities Report

This report provided information on Service Centre activities for the second quarter of the 2019/20 financial year.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

8.45pm Cr Graham Nitschke returned to the meeting.

CARRIED

11.12 Community Services Activities Report - December 2019

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

RECOMMENDATION

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

COMMITTEE RESOLUTION

Moved: Cr Daniel Huggett

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

12 MEETING CLOSE

The Presiding Member declared the meeting closed at 8.46pm.

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1 MEETING OPENED

The Presiding Member declared the meeting open at 8.47pm.

2 PRESENT

Council Members:

Cr G Vlahos (Presiding Member)

Mayor M Coxon

Councillors: J Woodward, E Papanikolaou, D Huggett, K McKay, D Mugavin, G Nitschke, C O'Rielly, D Wilton, A McKay, J Wood

Officers:

Mr T Buss (Chief Executive Officer)
Mr B Ross (General Manager Corporate and Regulatory)
Mr N Biggs (Manager Financial Services)
Ms R Butterfield (Manager Regulatory Services)
Ms S Curran (Manager Strategy and Business)
Mr J Ielasi (Manager City Assets)
Mr D Ottanelli (Manager City Property)
Mr P Richardson (Manager City Operations)
Mr J Leverington (Senior Development Officer - Planning)

3 APOLOGIES

Leave of Absence

Council Members:

Cr Surender Pal

Apologies

Cr Simon Tsiaparis

Cr Brandon Reynolds

Officers:

Mr A Catinari (General Manager Urban Services)

Ms P Koritsa (General Manager Business and Community Services)

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr Daniel Huggett

Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

| Item | Type of Conflict | Elected Member |
|---|-------------------------|-----------------------|
| City Finance and Governance Committee Item 11.1 Debenture Loan Authorisation | Perceived | Cr Cindy O'Rielley |

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the City Finance and Governance Committee held on 10 December 2019 be confirmed as a true and correct record.

COMMITTEE RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Daniel Huggett

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 FINANCE & GOVERNANCE REPORT

11.1 Debenture Loan Authorisation

Cr Cindy O'Rielly declared a perceived conflict of interest in this item as she is an employee with the Commonwealth Bank of Australia who provided one of the comparison loans and participated in the discussion and vote.

This report proposed that Council authorise a fixed term debenture loan of \$13,554,958 pursuant to the requirements of sections 134 of the *Local Government Act 1999*.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. The borrowing of \$13,554,958 be authorised from the Local Government Finance Authority by means of the issue of a debenture on the security of the general revenue of the Council, pursuant to section 135 of the *Local Government Act 1999*;
2. The loan be for a term of 15 years and be repaid by 30 half yearly instalments; and
3. The Mayor and the Chief Executive Officer be authorised to sign and seal all documents associated with obtaining the loan.

COMMITTEE RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Jassmine Wood

The Committee recommends to Council that:

1. The borrowing of \$13,554,958 be authorised from the Local Government Finance Authority by means of the issue of a debenture on the security of the general revenue of the Council, pursuant to section 135 of the *Local Government Act 1999*;
2. The loan be for a term of 15 years and be repaid by half yearly instalments; and
3. The Mayor and the Chief Executive Officer be authorised to sign and seal all documents associated with obtaining the loan.

CARRIED

Cr Cindy O'Rielly voted in favour of the motion moved by Cr John Woodward and seconded by Cr Jassmine Wood.

11.2 Creditor Payments

This report tabled a schedule of creditor payments for December 2019.

RECOMMENDATION

The Committee recommends to Council that the schedule of creditor payments for December 2019 be received.

COMMITTEE RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

CARRIED

11.3 Property Leases

This report provided information on overdue property lease payments that are greater than \$2,000.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr Cindy O'Rielley

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

11.4 Mendelson Financial Report December 2019

This report provided information on the financial performance of the Mendelson Foundation as at 31 December 2019.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

CARRIED

11.5 Council Budget Report - SIX Months to 31 December 2019

This report provided information to Council on budget results for the six months ended 31 December 2019.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr Anne McKay
Seconded: Cr Daniel Huggett

That the recommendation be adopted.

CARRIED

11.6 Legislative Progress Report - January 2020

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 - January 2020' be received.

COMMITTEE RESOLUTION

Moved: Cr Daniel Huggett
Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

12 MEETING CLOSE

The Presiding Member declared the meeting closed at 9.04pm.