

CITY OF WEST TORRENS



MINUTES

of the

Council & Committee Meetings

- **City Services and Climate Adaptation Standing Committee**

of the

CITY OF WEST TORRENS

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

and the public gallery via electronic platform

on

TUESDAY, 2 MARCH 2021
at 7.00pm

Angelo Catinari
Chief Executive Officer (Acting)

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.00pm.

1.1 Acknowledgement of Country

The Presiding Member called for the Acknowledgment of Country to be read out by Cr Brandon Reynolds:

"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 Procedures

The Presiding Member advised that due to COVID-19 physical distancing restrictions members of the public are excluded from attending Council meetings with the exception of approved deputations. As such, the evacuation procedures were read out to the gallery by Acting General Manager Corporate and Regulatory.

1.3 Electronic Platform Meeting

The Presiding Member advised the meeting was being livestreamed via a Zoom public link available on the City of West Torrens website.

2 PRESENT

Council Members:

Mayor M Coxon (Presiding Member)

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

Officers:

Mr A Catinari	(Chief Executive Officer - Acting)
Ms P Koritsa	(General Manager Business and Community Services)
Mr C James	(General Manager Corporate and Regulatory - Acting)
Mr D Ottanelli	(General Manager Urban Services - Acting)
Ms S Curran	(Manager Strategy and Business)
Ms H Bateman	(Manager City Development)
Mr P Richardson	(Manager City Operations)

In attendance via the online platform:

Ms C Luya	(Manager Community Services)
Ms R Butterfield	(Manager Regulatory Services)

3 APOLOGIES

Apologies

Council Member:

Cr David Wilton

Officers:

Mr T Buss (Chief Executive Officer)

RECOMMENDATION

That the apologies be received.

RESOLUTION

Moved: Cr Kym McKay

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 15.1 - West Torrens Australia Day Awards	Perceived	Cr Kym McKay
Council Item 8.1 - Petition to amend Council Policy - Mobile Food Vendors	Perceived	Cr Dominic Mugavin
Council Item 8.1 - Petition to amend Council Policy - Mobile Food Vendors	Perceived	Cr Graham Nitschke
Council Item 15.1 - West Torrens Australia Day Awards	Perceived	Cr Brandon Reynolds

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council held on 16 February 2021 be confirmed as a true and correct record.

RESOLUTION

Moved: Cr Anne McKay

Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT

Further to the report listed in the Agenda, Mayor Michael Coxon elaborated on his attendance at the Adelaide Airport Over 50s Club 39th Birthday celebrations on Saturday 20 February 2021 and noted that Cr Brandon Reynolds was the first under 50 member of the Airport Over 50s Club.

Mayor Coxon also elaborated on his visit to the Harry Postema's Fringe Art Exhibition on Sunday 21 February 2021 at Gallery Yampu, Port Adelaide and advised that Harry Postema was a local contemporary artist who received grant funding from City of West Torrens to assist with the Fringe Art Exhibition.

RECOMMENDATION

That the Mayor's Report be noted.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Surrender Pal

That the recommendation be adopted.

CARRIED

7 ELECTED MEMBERS REPORTS

Cr Simon Tsiaparis advised of his attendance at the Netley Kindergarten Annual General Meeting (AGM) on Monday 22 February 2021. Cr Tsiaparis noted that the Governing Council voted at the AGM to make him a community member of the Governing Council.

Cr Kym McKay advised of his attendance at a Variety SA, children's charity, fundraising event as a guest of the President of Radio Italiana on Monday 1 March 2021.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Dominic Mugavin

That the reports from Members be noted.

CARRIED

8 PETITIONS

8.1 Petition to amend Council Policy - Mobile Food Vendors

Cr Dominic Mugavin declared a perceived conflict of interest in this item as his partner signed the petition, and he participated in the discussion and vote.

Cr Graham Nitschke declared a perceived conflict of interest in this item as he is known to the Head Petitioner, Jade Flavell, in a personal capacity, and participated in the discussion and vote.

This report presented a petition requesting that the Council amend the *Council Policy: Mobile Food Vendors* to allow food trucks to continue to operate at the Wheatsheaf Hotel.

RECOMMENDATION(S)

It is recommended to Council that:

1. The Petition be received.
2. The Chief Executive Officer continue to negotiate and finalise an authorisation permit with the Wheatsheaf Hotel proprietor/owner to manage the area outside of the hotel at Albert Street, Thebarton, in order to facilitate Mobile Food Vendors to continue to operate at that location.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

CARRIED

Cr/s Dominic Mugavin and Graham Nitschke voted in favour of the motion moved by Cr Kym McKay and seconded by Cr Daniel Huggett.

9 DEPUTATIONS

The Presiding Member advised that whilst the Council Agenda had nil listed for Deputations, representatives of the Wheatsheaf Hotel, Jade Flavell, Publican & Brewer and Maeve McLoughlin, 2IC and Food Truck Coordinator, had written to him requesting to make a deputation relating to their petition to amend the Mobile Food Vendors policy. The Presiding Member decided in discussion with the Acting Chief Executive Officer, Angelo Catinari, to give permission to Ms Flavell and Ms McLoughlin to make a deputation in relation to their petition.

The Presiding Member invited Jade Flavell, Publican & Brewer and Maeve McLoughlin, 2IC and Food Truck Coordinator, of the Wheatsheaf Hotel, to address Council in relation to their petition to amend the Mobile Food Vendors policy.

7.12pm Ms Flavell and Ms McLoughlin commenced their deputation.

7.17pm the time limit of five minutes in total for the deputation was reached. The Presiding Member sought for an extension of time for this deputation.

MOTION

Moved: Cr Kym McKay

Seconded: Cr Surender Pal

That the time limit allocated for this deputation be extended for a further 5 minutes.

CARRIED

7.23pm Ms Flavell and Ms McLoughlin concluded their deputation.

Following the deputation Elected Members were invited to ask questions which were responded to by Ms Flavell.

The Presiding Member thanked Ms Flavell and Ms McLoughlin for their attendance.

10 ADJOURN TO STANDING COMMITTEE

RECOMMENDATION

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

RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

CARRIED

7.26pm the meeting adjourned into Committees.

7.40pm 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 Climate Adaptation Standing Committee Meeting

RECOMMENDATION

That the recommendations of the City Services and Climate Adaptation Standing Committee held on 2 March 2021 be adopted.

RESOLUTION

Moved: Cr Dominic Mugavin
Seconded: Cr George Vlahos

That the recommendation be adopted.

CARRIED

12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS

12.1 City Advancement and Prosperity General Committee Meeting

Cr Jassmine Wood declared a perceived conflict of interest in this item specifically Committee Item 8.5 - Community Grants - November 2020 to January 2021, relating to the United Nations of Australia - SA Division Harmony Day Event, which is listed as Point 1b of the recommendation, as she has previously worked with artist Andrew Baines who was commissioned to do a painting for the Event. Cr Jassmine Wood participated in the discussion and vote.

Cr Graham Nitschke declared a perceived conflict of interest in this item specifically Committee Item 8.5 - Community Grants - November 2020 to January 2021, as he will be attending and involved in the United Nations of Australia - SA Division Harmony Day Event at West Beach which is listed as Point 1b of the recommendation, and participated in the discussion and vote.

RECOMMENDATION

That the Minutes of the City Advancement and Prosperity General Committee held on 23 February 2021 be noted and the recommendations adopted.

RESOLUTION

Moved: Cr George Vlahos
Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

CARRIED

Cr/s Jassmine Wood and Graham Nitschke voted in favour of the motion moved by Cr George Vlahos and seconded by Cr Elisabeth Papanikolaou.

13 QUESTIONS WITH NOTICE

Nil

14 QUESTIONS WITHOUT NOTICE

Nil

15 MOTIONS WITH NOTICE

15.1 West Torrens Australia Day Awards

7.42pm *Cr Kym McKay declared a perceived conflict of interest in this item as he was a previous Australia Day Citizen of the Year award recipient and left the meeting for the discussion and vote on the item.*

Cr Brandon Reynolds declared a perceived conflict of interest in this item as he is a Board Member on the Australia Day Council of SA Board of Management and he participated in the discussion and vote.

7.45pm *Cr Anne McKay declared a perceived conflict of interest in this item as her partner, Cr Kym McKay, was a previous Australia Day Citizen of the Year award recipient and left the meeting for the discussion and vote on the item.*

MOTION

Moved: Cr John Woodward
Seconded: Cr Simon Tsiaparis

That the Administration reports back to the City Advancement and Prosperity Committee on strategies to increase awareness of Council's Australia Day Awards nomination process including the promotion of current and previous award recipients through greater exposure at Civic events.

CARRIED

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

7.49pm Cr Kym McKay returned to the meeting.

16 MOTIONS WITHOUT NOTICE

Nil

17 REPORTS OF THE CHIEF EXECUTIVE OFFICER**17.1 Planning Reform Implementation - Council Assessment Panel Decisions**

This report provided information on the Council Assessment Panel's (CAP) recent decisions to prepare for the implementation of the *Planning, Development and Infrastructure Act 2016*.

RECOMMENDATION

It is recommended to Council that this report be received.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Kym McKay

That the recommendation be adopted.

7.50pm Cr Anne McKay returned to the meeting.

7.51pm Cr Kym McKay left the meeting.

7.55pm Cr Kym McKay returned to the meeting.

7.58pm Cr Brandon Reynolds left the meeting.

8.01pm Cr Brandon Reynolds returned to the meeting.

8.02pm Cr Daniel Huggett left the meeting.

CARRIED

17.2 Delegations under the Planning, Development and Infrastructure Act 2016

This report presented the proposed delegations under the *Planning, Development and Infrastructure Act 2016*.

RECOMMENDATION(S)

It is recommended to Council that:

1. In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 2 March 2021 and entitled Delegations under the *Planning, Development and Infrastructure Act 2016* and marked Instrument A) are hereby delegated this 2nd day of March 2021 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
2. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

3. In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016*, the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 2 March 2021 and entitled Delegations under the *Planning, Development and Infrastructure Act 2016* and marked Instrument B) are hereby delegated this 2nd day of March 2021 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
4. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

17.3 3RT Technologies Pty Ltd Lease - 240 Morphett Road, North Plympton - Confidential Order Review

This report presented the review of the confidential order applied to confidential report Item 21.1 - 3RT Technologies Pty Ltd Lease - 240 Morphett Road, North Plympton, at the 3 March 2020 meeting of Council in accordance with the provisions of Section 91(9)(a) of the *Local Government Act 1999*.

RECOMMENDATION

It is recommended to Council that:

1. In accordance with s91(9)(a), having reviewed the confidentiality order made on 3 March 2020 meeting, in respect of report Item 21.1 - 3RT Technologies Pty Ltd Lease - 240 Morphett Road, North Plympton, Council orders that confidential Agenda report, the Minutes arising, attachments and any associated documentation, continues to be retained in confidence in accordance with Section 90(3)(b)(i) and (b)(ii) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period on the basis that it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible outcome with 3RT Technologies Pty Ltd. In addition, the disclosure of Council's commercial position may severely prejudice Council's ability to satisfactorily resolve the lease matter with 3RT Technologies Pty Ltd and consequently, Council considers the disclosure of this information would, on balance, be contrary to the public interest.
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 Kym McKay
Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED**18 LOCAL GOVERNMENT BUSINESS**

Nil

19 MEMBER'S BOOKSHELF

- Business SA December Quarter 2020 Survey of Business Expectations

RECOMMENDATION

That the additions to Members' bookshelf be noted.

RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

CARRIED**20 CORRESPONDENCE****20.1 Business SA December Quarter 2020 Survey of Business Expectations**

Correspondence was received from the Chief Executive Officer of Business SA, Martin Haese, regarding the release of the results of the December Quarter 2020 Survey of Business Expectations.

A copy of the results of the December Quarter 2020 Survey of Business Expectations can be found in Member's Bookshelf.

RECOMMENDATION

That the correspondence be received.

RESOLUTION

Moved: Cr Surender Pal
Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED**21 CONFIDENTIAL**

Nil

22 MEETING CLOSE

The Presiding Member declared the meeting closed at 8.08pm.

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.27pm.

2 PRESENT

Council Members:

Cr D Mugavin (Presiding Member)

Mayor M Coxon (7.29pm)

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

Officers:

Mr A Catinari (Chief Executive Officer - Acting)

Ms P Koritsa (General Manager Business and Community Services)

Mr C James (General Manager Corporate and Regulatory - Acting)

Mr D Ottanelli (General Manager Urban Services - Acting)

Mr P Richardson (Manager City Operations)

Ms H Bateman (Manager City Development)

Ms S Curran (Manager Strategy and Business)

In attendance via the online platform:

Ms C Luya (Manager Community Services)

Ms R Butterfield (Manager Regulatory Services)

3 APOLOGIES

Apologies

Committee Member:

Cr David Wilton

Officers:

Mr T Buss (Chief Executive Officer)

Lateness

Committee Member:

Mayor Michael Coxon (7.29pm)

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr Brandon Reynolds

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 Climate Adaptation Standing Committee held on 2 February 2021 be confirmed as a true and correct record.

COMMITTEE RESOLUTION

Moved: Cr Anne McKay
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

Nil

9 MOTIONS WITH NOTICE

Nil

10 MOTIONS WITHOUT NOTICE

Nil

11 CITY SERVICES AND CLIMATE ADAPTATION REPORTS

11.1 Results of Weed Control Trial - Glyphosate Alternative

This report provided an update to Members regarding the findings and resulting recommendations from the non-glyphosate weed control trial.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr Graham Nitschke
Seconded: Cr Surender Pal

That the recommendation be adopted.

7.29pm Mayor Coxon entered the meeting.

CARRIED

11.2 Asset Management Plans 2021 Update

This report considered the adoption of the updated Infrastructure and Asset Management Plans (IAMP's) for Stormwater, Buildings, Roads and Footpaths, Recreation and Open Space, and Vehicles (Fleet), Plant and Equipment, following the public consultation that closed on 19 February 2021.

RECOMMENDATION

The Committee recommends to Council that:

1. It approves the draft Infrastructure and Asset Management Plans:
 - Stormwater AMP, February 2021
 - Buildings AMP, February 2021
 - Recreation and Open Space AMP, February 2021
 - Roads AMP, February 2021
 - Footpath AMP, February 2021
 - Vehicles (Fleet), Plant and Equipment AMP, February 2021.
2. The Chief Executive Officer be delegated authority to make minor changes of an editorial nature or format if required.

COMMITTEE RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

11.3 Community Services Activity Report: February 2021

This report detailed the activities of the Community Services Department for February 2021.

RECOMMENDATION

The Committee recommends to Council that the Community Services Activity Report: February 2021 be received.

COMMITTEE RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Surender Pal

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 Simon Tsiaparis

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

CARRIED

12 MEETING CLOSE

The Presiding Member declared the meeting closed at 7.39pm.