

MINUTES OF ORDINARY COUNCIL MEETING



MINUTES

**MINUTES OF THE MEETING OF COUNCIL HELD ON 9 JULY 2024 COMMENCING
AT 7:00 PM.**

Present: Her Worship the Mayor, C. Boan, Presiding Member
Deputy Mayor, V.J. Tulloch
Councillors, A. Wotton, P. McGregor, D. Wilkins (7.05pm),
S. Vines, K. Mitchell, K.P. Dinh, W. Saeed,
O. Colombo, C.J. Martin, B. Clayton, P. Russell, H. Evans,
M. Basham and L. Panayiotou
Chief Executive Officer, M. Withers
Acting Director Community Development, R. Emmott
Director City Assets, F. Harvey
Director Corporate Services, A. Dickson
Team Leader Governance, K. Leighton
Governance Officer, D. Worden

Kaurna Acknowledgement

Before we begin the proceedings, I would like to acknowledge and pay respect to the Traditional Owners of the land on which we stand, the Kaurna People of the Adelaide Plains. It is upon their ancestral lands that the Port Adelaide Enfield Council meets. It is also The Place of the Kardi, the Emu, whose story travels from the coast inland.

We pay respect to Elders past and present. We respect their spiritual beliefs and connections to land which are of continuing importance to the living Kaurna people of today. We further acknowledge the contributions and important role that Aboriginal people continue to play within our shared community.

1 APOLOGIES

2 LEAVE OF ABSENCE

Cr. den Hartog
Cr. M.J. Osborn

3 CONFIRMATION OF MINUTES

Cr. Martin moved that the minutes of the meeting of Council held on 11 June 2024 and special meeting of Council held on 25 June 2024, as per copies supplied to Members, be taken as read and confirmed.

Cr. Russell seconded

CARRIED

4 DECLARATIONS BY MEMBERS OF CONFLICT OF INTEREST

Mayor Boan declared a material conflict of interest in relation to Item 13.2.2 "Traffic Issues - Robin Road & Park Avenue, Semaphore South".

Mayor Boan declared a material conflict of interest in relation to Item 14.2.4 "LGA President Nominations".

5 DEPUTATIONS

5.1 Deputation - David Stephenson - McLaren Parade Plaza Area

Cr. Wilkins entered the Chamber at 7.05pm.

Cr. Russell moved that Council resolves that the deputation received from David Stephenson be received and noted.

Cr. Clayton seconded

CARRIED

Mayor Boan brought forward Item 13.2.4 as the next item of business.

13.2.4 McLaren Parade, Port Adelaide - Plaza Area - Status Update

Cr Vines moved that Council resolves that:

1. The report of the Director City Assets titled "McLaren Parade, Port Adelaide - Plaza Area - Status Update" be received and noted.
2. The 'attached draft alternative' design of the Dock 1 – Public Space and Plaza area be supported for refinement and construction.

3. Council notes funding of \$600,000 is included in the 2024-2025 Annual Business Plan for the McLaren Parade Plaza area.
4. That a further \$200,000 be endorsed for additional works (and \$12k design fees covered within existing budgets) associated with the 'alternative' design.
5. The revised concept and detailed design commences as soon as practical utilising existing budgets.
6. The community be advised of the resolutions above.

Cr. McGregor seconded

CARRIED UNANIMOUSLY



6 ADJOURNED DEBATE

7 MAYOR'S REPORT

7.1 Mayor's Report - 1 June 2024 to 30 June 2024

Cr. Russell moved that Council resolves that the report of the Director Corporate Services titled "Mayor's Report - 1 June 2024 to 30 June 2024" be received and noted.

Cr. Evans seconded

CARRIED

8 PETITIONS

9 REPORTS BY COUNCIL DELEGATES

10 QUESTIONS WITHOUT NOTICE

11 QUESTIONS ON NOTICE

12 DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS

12.1 Information Reports

Items 12.1.1 to 12.1.4 were considered as a composite recommendation.

12.1.1 Outstanding Matters - Community Development

Cr. Russell moved that Council resolves that the report of the Director Community Development titled "Outstanding Matters - Community Development" be received and noted.

Cr Clayton seconded

CARRIED

12.1.2 Waste Contractor Performance Monitoring

Cr. Russell moved that Council resolves that the report of the Director Community Development titled "Waste Contractor Performance Monitoring" be received and noted.

Cr. Clayton seconded

CARRIED

12.1.3 Dogs Near Playgrounds

Cr. Russell moved that Council resolves that the report of the Director Community Development titled "Dogs Near Playgrounds" be received and noted.

Cr. Clayton seconded

CARRIED

12.1.4 Monument in Memory of Able Seamen Thomas Todd and William Danswan

Cr. Russell moved that Council resolves that the report of the Director Community Development titled "Monument in Memory of Able Seamen Thomas Todd and William Danswan" be received and noted.

Cr. Clayton seconded

CARRIED

12.2 Decision Reports

12.2.1 Policy - Aboriginal & Torres Strait Islander Tertiary Education Scholarship

Cr. Clayton moved that Council resolves that:

1. The report of the Director Community Development titled "Policy - Aboriginal & Torres Strait Islander Tertiary Education Scholarship" be received and noted.
2. Council Policy CD31 "Aboriginal & Torres Strait Islander Tertiary Education Scholarship" as provided in Attachment 2 is endorsed.

Cr. Vines seconded

CARRIED

12.2.2 Review of Dog & Cat Management Act

Cr. Basham moved that Council resolves that:

1. The report of the Director Community Development titled "Review of Dog & Cat Management Act" be received and noted.
2. The feedback to the proposed amendments to the Dog & Cat Management Act, as provided in Attachment 3 be endorsed by Council for submission.
3. A copy of the submission as provided in Attachment 3 be forwarded to the Local Government Association for its information.
4. That Council's submission as attached be amended by adding a paragraph with words to the effect:

It is noted by this Council that the poor take up of by-laws in regard to cat management is due to inadequacies in the Dog and Cat Management Act and until that changes, the current problems will continue.

Cr. Mitchell seconded

CARRIED UNANIMOUSLY

13 DIRECTOR OF CITY ASSETS REPORTS

13.1 Information Reports

13.1.1 Outstanding Matters - City Assets

Cr. Russell moved that Council resolves that the report of the Director City Assets titled "Outstanding Matters - City Assets" be received and noted.

Cr. Clayton seconded

CARRIED

13.2 Decision Reports

13.2.1 Intersection Modification - Northfield Road & Folland Avenue, Northfield

Cr. Basham moved that the item be deferred to seek a further report with alternative options.

Cr. Panayiotou seconded

CARRIED

13.2.2 Traffic Issues - Robin Road & Park Avenue, Semaphore South

Pursuant to Section 75 of the Local Government Act, Mayor Boan declared a material conflict of interest in relation to this item as she lives on this street and some benefit may come if works progress. Mayor Boan will deal with the material conflict by withdrawing from the chamber.

Mayor Boan withdrew from the Chamber at 7.29pm.

Deputy Mayor Tulloch assumed the Chair.

Cr Vines moved that Council resolves that:

1. The report of the Director City Assets titled "Traffic Issues - Robin Road & Park Avenue, Semaphore South" be received and noted.
 2. Consultation with the community is progressed on the proposed pavement bar layout for the intersection of Robin Road and Park Avenue, Semaphore South and subject to general support arrange for installation within existing budgets.
 3. The head petitioner and petition signatories be notified of the outcome of this report.
- Cr. Mitchell seconded **CARRIED UNANIMOUSLY**

Mayor Boan re-entered the Chamber at 7.34pm.

13.2.3 Roy Amer Reserve Junior Slide

Cr. Basham moved that Council resolves that:

1. The report of the Director City Assets titled "Roy Amer Reserve Junior Slide" be received and noted.
2. That Council endorses the installation of a new junior slide at Roy Amer Reserve playground.
3. That Council refers the proposed funding of \$17,750 to the next budget review for consideration of inclusion in the 2024-2025 Capital works program.

Cr. Panayiotou seconded

CARRIED

13.2.4 McLaren Parade, Port Adelaide - Plaza Area - Status Update

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14 DIRECTOR OF CORPORATE SERVICES REPORTS

14.1 Information Reports

Items 14.1.1 to Item 14.1.3 were considered as a composite recommendation.

14.1.1 Outstanding Matters - Corporate Services

Cr. Russell moved that Council resolves that the report of the Director Corporate Services titled "Outstanding Matters - Corporate Services" be received and noted.

Cr. Martin seconded

CARRIED

14.1.2 Elected Member Workshop Summary

Cr. Russell moved that Council resolves that the report of the Director Corporate Services titled "Elected Member Workshop Summary" be received and noted.

Cr. Martin seconded

CARRIED

14.1.3 Climate Resilient Infrastructure Program - Progress Update

Cr. Russell moved that Council resolves that the report of the Director Corporate Services titled "Climate Resilient Infrastructure Program - Progress Update" be received and noted.

Cr. Martin seconded

CARRIED

14.2 Decision Reports

14.2.1 Policy - Provision of Aid in Emergencies

Cr. Vines moved that Council resolves that:

1. The report of the Director Corporate Services titled "Policy - Provision of Aid in Emergencies" be received and noted.
2. The revised Provision of Aid in Emergencies Council Policy provided as Attachment 2 to this report be endorsed.

Cr. Mitchell seconded

CARRIED

14.2.2 Policy - Fraud and Corruption Prevention

Cr. Evans moved that Council resolves that:

1. The report of the Director Corporate Services titled "Policy - Fraud and Corruption Prevention" be received and noted.
2. The revised Fraud and Corruption Prevention Policy provided as Attachment 2 to this report be endorsed.

Cr. Vines seconded

CARRIED

14.2.3 Policy - Public Interest Disclosure

Cr. Martin moved that Council resolves that:

1. The report of the Director Corporate Services titled "Policy - Public Interest Disclosure" be received and noted.
2. The revised Public Interest Disclosure Policy provided as Attachment 2 to this report be endorsed.

Cr. Mitchell seconded

CARRIED

14.2.4 LGA President Nominations

Pursuant to Section 75 of the Local Government Act, Mayor Boan declared a material conflict of interest in relation to this item as there are monetary benefits for this position. Mayor Boan will deal with the material conflict by withdrawing from the chamber.

Mayor Boan withdrew from the Chamber at 7.37pm.

Deputy Mayor Tulloch assumed the Chair.

Cr. Wotton moved that Council resolves that:

1. The report of the Director Corporate Services titled "LGA President Nominations" be received and noted.
2. That Mayor Claire Boan be nominated for the position of LGA President.

Cr. Mitchell seconded

CARRIED

Mayor Boan re-entered the Chamber at 7.41pm.

14.2.5 Nomination for GAROC

Cr. Evans moved that Council resolves that:

1. The report of the Director Corporate Services titled "Nomination for GAROC" be received and noted.
2. Mayor Boan be nominated for a position on the Greater Adelaide Regional Organisation of Councils (GAROC).

Cr. Panayiotou seconded

CARRIED

14.2.6	Submission on Green Adelaide's draft Urban Greening Strategy
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Cr. Clayton moved that Council resolves that:

1. The report of the Director Corporate Services titled "Submission on Green Adelaide's draft Urban Greening Strategy" be received and noted.
2. The draft submission to Green Adelaide's draft Urban Greening Strategy which forms Attachment Two to this report, is endorsed.

Cr. Evans seconded

CARRIED

14.2.7	Submission on the Adelaide Dolphin Sanctuary Management Plan Draft
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Cr. Vines moved that Council resolves that:

1. The report of the Director Corporate Services titled "Submission on the Adelaide Dolphin Sanctuary Management Plan Draft" be received and noted.
2. The draft submission on the Draft Adelaide Dolphin Sanctuary Management Plan which forms Attachment Two to this report, is endorsed.

Cr. Panayiotou seconded

CARRIED

15	CHIEF EXECUTIVE OFFICER REPORTS
15.1	Information Reports

15.2	Decision Reports
16	NOTICE OF MOTION

16.1	Notice of Motion - Cr. Basham - Rise Church
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Cr. Basham moved that Council Administration bring back a report to a subsequent meeting of Council on the history of amenity complaints due to the activities of Life House (formerly Rise) Church at 1 Brandis Way, Lightview, what measures Council have undertaken to ameliorate amenity issues, and what enforcement and legal avenues are open to Council to prevent or minimise amenity issues now and into the future.

Cr. Panayiotou seconded

CARRIED

16.2	Notice of Motion - Cr. Basham - Rates on Short Term Accommodation Premises
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Cr. Basham moved that Council Administration bring back a report into how Council may apply a different rating structure to short stay accommodation providers such as Air B'n'B and Stayz.

Cr. Vines seconded

CARRIED UNANIMOUSLY

17 MOTIONS WITHOUT NOTICE

18 ADOPTION OF COMMITTEE REPORTS

19 CONFIDENTIAL ITEMS

19.1	Meeting to be Held in Camera - Section 90 (2) 90 (3)(a) Local Government Act 1999 - CAWRA - Independent Board Member Appointment
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Cr. Martin moved that Council resolves that:

1. Pursuant to Section 90(2) of the Local Government Act 1999 (the Act) the Council orders that all members of the public, except the staff members present:

- Chief Executive Officer
- Acting Director Community Development
- Director City Assets
- Director Corporate Services
- Team Leader Governance
- Governance Officer

be excluded from the meeting for the Agenda Item, 19.1 Meeting to be Held in Camera - Section 90 (2) 90 (3)(a) Local Government Act 1999 - CAWRA - Independent Board Member Appointment.

2. The Council is satisfied that pursuant to Section 90(3)(a) of the Local Government Act 1999 the information to be considered involves the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
3. Council has considered and is satisfied that the principle that meetings should be conducted in a place open to the public is outweighed by the need to keep the information or discussion confidential.

Cr. Russell seconded

CARRIED

CONFIDENTIAL

19.2 CAWRA - Independent Board Member Appointment

19.3 Confidentiality Order Section 91(7) Local Government Act 1999 - CAWRA - Independent Board Member Appointment

Cr. Panayiotou moved that Council resolves that:

1. The report of the Director Corporate Services titled “Confidentiality Order Section 91(7) Local Government Act 1999 - CAWRA - Independent Board Member Appointment considered in confidence under Section 90(2) and (3)(a) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that all:
 - reports
 - minutes

in relation to this matter be retained in confidence.

2. Pursuant to Section 91(9)(a) the matter be retained in confidence until all applicants have been notified and the recruitment process is finalised.

Cr. Martin seconded

CARRIED

20 CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 8.10pm.

Minutes confirmed.

PRESIDING MEMBER