

CITY OF WEST TORRENS



**MINUTES**

**of the**

**Council & Committee Meetings**

- **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, 19 NOVEMBER 2019**  
**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

At the opening of the Meeting, the Presiding Member stated:

'West Torrens City Council acknowledges that we are meeting on the traditional Country of the Kaurna 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 Kaurna 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 Kaurna people and that we are always mindful of this.'

### 1.2 Evacuation Procedure

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

## 2 PRESENT

### Council Members:

Deputy Mayor G Nitschke (Presiding Member)  
Councillors: J Woodward, K McKay, D Mugavin, S Tsiaparis, G Vlahos, C O'Rielley,  
D Wilton, A McKay, J Wood

### Officers:

Ms P Koritsa	(General Manager Business and Community Services)
Mr B Ross	(General Manager Corporate and Regulatory)
Mr A Catinari	(General Manager Urban Services)
Mr N Biggs	(Manager Financial Services)
Ms S Curran	(Manager Strategy and Business)

### MOTION

Moved: Cr Kym McKay  
Seconded: Cr Simon Tsiaparis

That Item 15.4 - Leave of Absence - Cr Surender Pal, be brought forward from the Motions with Notice for consideration prior to Item 3 - Apologies.

**CARRIED**

## **2.1 Item 15.4 - Leave of Absence - Cr Surender Pal Brought Forward for Consideration at this Point in the Meeting**

### **RESOLUTION**

Moved: Cr Simon Tsiaparis

Seconded: Cr Kym McKay

That Cr Surender Pal be granted leave of absence for the Council and Committee meeting on 19 November 2019.

**CARRIED**

## **3 APOLOGIES**

### **Leave of Absence**

#### **Council Members:**

Mayor Michael Coxon

Cr Elisabeth Papanikolaou

Cr Daniel Huggett

Cr Brandon Reynolds

Cr Surender Pal

#### **Apologies**

##### **Officers:**

Mr T Buss (Chief Executive Officer)

### **RECOMMENDATION**

That the apologies be received.

### **RESOLUTION**

Moved: Cr Cindy O'Rielley

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

## **4 DISCLOSURE STATEMENT**

Nil

## **5 CONFIRMATION OF MINUTES**

### **RECOMMENDATION**

That the Minutes of the meeting of the Council held on 5 November 2019 be confirmed as a true and correct record.

### **RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

**CARRIED**

## **6 MAYORS REPORT**

### **RECOMMENDATION**

That the Mayor's Report be noted.

### **RESOLUTION**

Moved: Cr Dominic Mugavin

Seconded: Cr David Wilton

That the recommendation be adopted.

**CARRIED**

## **7 ELECTED MEMBERS REPORTS**

Deputy Mayor Graham Nitschke advised of his attendance at the following:

- Meeting with residents of Ebor and Norma Streets, Mile End and Frank Pangallo MLC on Friday 8 November 2019 to discuss the controversial planned development at 6 Ebor Street, Mile End;
- Lebanese National Day Festivities at Thebarton Community Centre along with Mayor Coxon on Sunday 10 November 2019;
- Hilton RSL Remembrance Day Service at the West Torrens Memorial Gardens on Monday 11 November 2019;
- Annual General Meeting of the Lady Gowrie Child Care Centre's on Monday 11 November 2019 ;
- Elected Member Planning Reform Briefing on Thursday 14 November 2019;
- Dimitria Greek Festival Official Reception at Kings Reserve Thebarton along with Mayor Coxon and Cr/s Tsiaparis and Kym McKay on Sunday 17 November 2019.

Cr Kym McKay advised of his attendance at the Dimitria Greek Festival Official Reception at Kings Reserve, Thebarton on Sunday 17 November 2019.

Cr Dominic Mugavin advised of his attendance at the Lebanese National Day Festivities at Thebarton Community Centre on Sunday 10 November 2019 and the Elected Member Planning Reform Briefing on Thursday 14 November 2019.

**RESOLUTION**

Moved: Cr Simon Tsiaparis

Seconded: Cr Cindy O'Rielly

That the reports from Members be noted.

**CARRIED**

**8 PETITIONS**

Nil

**9 DEPUTATIONS****9.1 Fulham Community Centre**

**7.09pm** The Presiding Member invited Scott Hill, President, and Kerstin Martins, Manager, of the Fulham Community Centre to address Council in relation to the activities of the Fulham Community Centre.

**7.14pm** the time limit of five minutes in total for the deputation was reached. The Presiding Member sought a motion for an extension of time for this deputation.

**MOTION**

Moved: Cr Jassmine Wood

Seconded: Cr Simon Tsiaparis

That the time limit allocated for this deputation be extended for a further 2 minutes.

**CARRIED**

**7.16pm** Mr Hill and Ms Martins concluded their Deputation.

Following the deputation Elected Members were invited to ask questions which were responded to by Ms Martins and Mr Hill.

**MOTION**

Moved: Cr Jassmine Wood

Seconded: Cr Kym McKay

That Council thank Mr Hill and Ms Martins for their deputation to Council and congratulate them on their good work at the Fulham Community Centre.

**CARRIED**

## **10 ADJOURN TO STANDING COMMITTEE**

### **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 George Vlahos

That the recommendation be adopted.

**CARRIED**

**7.21pm** the meeting adjourned into Committees.

**8.14pm** 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 Finance and Governance Standing Committee Meeting**

#### **RECOMMENDATION**

That the recommendations of the City Finance and Governance Standing Committee held on 19 November 2019 be adopted.

#### **RESOLUTION**

Moved: Cr George Vlahos

Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

**CARRIED**

## **12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS**

Nil

## **13 QUESTIONS WITH NOTICE**

Nil

## **14 QUESTIONS WITHOUT NOTICE**

Questions were asked and responses provided by the Administration.



**15 MOTIONS WITH NOTICE****15.1 Elected Member participation at Section 41 Committees****RESOLUTION**

Moved: Cr Cindy O'Rielley

Seconded: Cr John Woodward

That the Chief Executive Officer provide a report to Council that provides entitlements for an Elected Member, who has not been appointed to a Section 41 Committee established by Council under the Local Government Act 1993, to attend and participate in a meeting of that Council committee by way of speaking and asking questions but with no entitlement to debate or vote.

**CARRIED**

**15.2 Letter to the Civil Contractors Federation and the Hon Stephan Knoll MP regarding the South Road Upgrade****RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr Dominic Mugavin

That Council write to the Civil Contractors Federation (CCF) CEO, Mr Phil Sutherland seeking clarification on the recent CCF 5AA Radio media campaign featuring comments of CCF CEO delivering a succinct lobbying message that it wants the South Road project from the Torrens River to Gallipoli underpass decision accelerated and that a tunnel is too expensive and will take too long to build, and that a normal expressway should be built.

The letter should seek clarification from the CCF regarding their position on whether they support the compulsory acquisition of West Torrens residential properties, business premises and the destruction of a Local Church and a Community Centre along South Road and the Iconic Thebarton Theatre.

Further that Council formulates a position Statement on the South Road upgrade that fully supports a thorough and full investigation into building a tunnel section to minimise property acquisitions and/or demolition of properties and that Council write to the Hon Stephan Knoll MP advising of the position Statement.

**CARRIED**

**15.3 Inclusion of Ashford House on the South Australian Heritage Register****RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Simon Tsiaparis

That Council apply to the South Australian Heritage Council for the inclusion of Ashford House on the South Australian (State) Heritage Register.

**CARRIED**

#### **15.4 Leave of Absence - Cr Surender Pal**

This item was considered prior to Item 3 Apologies.

### **16 MOTIONS WITHOUT NOTICE**

#### **16.1 Council Donation for bushfire affected communities in New South Wales and Queensland**

##### **RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr John Woodward

That, in view of the recent bushfires that are ravaging significant areas in New South Wales and Queensland, the City of West Torrens donate \$5,000 (each) to The Salvation Army to support those affected communities.

**CARRIED**

### **17 REPORTS OF THE CHIEF EXECUTIVE OFFICER**

#### **17.1 Land Management Agreement - 38 Winwood Street, Thebarton**

This report sought Council endorsement for the sign and seal of a Land Management Agreement for Development Application 211/167/2019, which relates to a change of use to a restaurant at 38 Winwood Street, Thebarton.

##### **RECOMMENDATION**

It is recommended to Council that:

1. Endorsement be given for the City of West Torrens to enter into the Land Management Agreement in Appendix 3 of this report pursuant to section 57(2) of the *Development Act 1993* relating to the whole of the land comprised in Certificates of Title Volume 5110 Folios 941, 942, 943, 944 and 945 and Volume 5174 Folio 290 being 38 Winwood Street, Thebarton as part of Development Application 211/167/2019; and
2. Authorisation be given to the City of West Torrens Mayor and Chief Executive Officer to sign and affix the common seal to the Land Management Agreement in Appendix 3 of this report pursuant to section 57(2) of the *Development Act 1993* relating to the whole of the land comprised in Certificates of Title Volume 5110 Folios 941, 942, 943, 944 and 945 and Volume 5174 Folio 290 being 38 Winwood Street, Thebarton.

##### **RESOLUTION**

Moved: Cr Dominic Mugavin

Seconded: Cr Kym McKay

That the recommendation be adopted.

**CARRIED**

**17.2 Planning Reform - Heritage and Character Statements**

This report presented proposed Heritage and Character Statements, as they apply to specific areas of the Suburban Neighbourhood Zone and Housing Diversity Zone, under the draft Planning and Design Code, for submission to the Department of Planning, Transport and Infrastructure.

**RECOMMENDATION**

It is recommended to Council that the proposed Heritage and Character Statements be approved and submitted to the Department of Planning, Transport and Infrastructure for its consideration and inclusion in the Planning and Design Code.

**RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Anne McKay

That the recommendation be adopted.

**CARRIED**

**17.3 Nominations sought for a Local Government representative for the State Records Council**

This report sought nominations for a local government representative to the State Records Council.

**RECOMMENDATION**

It is recommended to Council that:

Cr/s ..... be nominated to the State Records Council.

Or

The report be received.

**8.50pm** Cr John Woodward left the meeting.

**RESOLUTION**

Moved: Cr George Vlahos

Seconded: Cr Dominic Mugavin

That the report be received.

**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 Simon Tsiaparis

Seconded: Cr George Vlahos

That the recommendation be adopted.

**CARRIED**

## **19 MEMBER'S BOOKSHELF**

- Adelaide and Mount Lofty Ranges Natural Resources Management Board 2018-19 Achievement Report
- Murray Darling Association 2018-19 Annual Report

#### **RECOMMENDATION**

That the additions to Members' bookshelf be noted.

#### **RESOLUTION**

Moved: Cr Jassmine Wood

Seconded: Cr Anne McKay

That the recommendation be adopted.

**CARRIED**

## **20 CORRESPONDENCE**

### **20.1 Greener Neighbourhoods Grants Program**

Correspondence was received from the Minister for Environment and Water, David Speirs MP, advising that the project application from council entitled 'Greening the City - tree planting to combat tree loss through urban infill' has been approved for funding through the first round of the Greener Neighbourhoods Grants Program offered by the Department for Environment and Water.

### **20.2 Draft Planning and Design Code - Rural and Urban Areas**

Further correspondence was received from the Executive Director of Planning and Land Use Services of the Department of Planning, Transport and Infrastructure, Sally Smith, regarding the release of the draft Planning and Design Code for public consultation. The original correspondence from the Executive Director of Planning and Land Use Services of the Department of Planning, Transport and Infrastructure sent on 1 October 2019 has also been attached for reference.

**20.3 Trial of e-scooter devices within the Western Adelaide Alliance**

Correspondence was received from the Minister for Transport, Infrastructure, and Local Government and Minister for Planning, Hon Stephan Knoll MP, acknowledging the Western Region Alliance letter dated 15 August 2019 seeking support of the e-scooter trial. The original correspondence from the Western Region Alliance sent on 15 August 2019 has also been attached for reference.

**20.4 Murray Darling Association Basin Bulletin Issue 27**

Correspondence was received from the Murray Darling Association providing the October 2019 Basin Bulletin Issue 27.

**20.5 AdaptWest position statement for the State Planning Reform and the Planning and Design Code (Code)**

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 10 September 2019 in relation to the AdaptWest position statement for the State Planning Reform and the Planning and Design Code. The original correspondence from Mayor Coxon to Minister Knoll sent on 10 September 2019 has also been attached for reference.

**RECOMMENDATION**

That the correspondence be received.

**RESOLUTION**

Moved: Cr Jassmine Wood  
Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

**CARRIED**

**8.52pm** Cr John Woodward returned to the meeting.

**21 CONFIDENTIAL**

Nil

**22 MEETING CLOSE**

The Presiding Member declared the meeting closed at 8.53pm.

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## 1 MEETING OPENED

The Presiding Member declared the meeting open at 7.22pm.

## 2 PRESENT

### Council Members:

Cr G Vlahos (Presiding Member)

Deputy Mayor G Nitschke

Councillors: J Woodward, K McKay, D Mugavin, S Tsiaparis, C O'Rielly, D Wilton, A McKay, J Wood

### Officers:

Ms P Koritsa (General Manager Business and Community Services)

Mr B Ross (General Manager Corporate and Regulatory)

Mr A Catinari (General Manager Urban Services)

Mr N Biggs (Manager Financial Services)

Ms S Curran (Manager Strategy and Business)

## 3 APOLOGIES

### Leave of Absence

#### Committee Members:

Mayor Michael Coxon

Cr Daniel Huggett

Cr Elisabeth Papanikolaou

Cr Brandon Reynolds

Cr Surender Pal

### Apologies

#### Officers:

Mr T Buss (Chief Executive Officer)

## RECOMMENDATION

That the apologies be received.

## COMMITTEE RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Anne McKay

That the recommendation be adopted.

**CARRIED**

## 4 DISCLOSURE STATEMENTS

Nil

**5 CONFIRMATION OF MINUTES**

**RECOMMENDATION**

That the Minutes of the meeting of the City Finance and Governance Committee held on 15 October 2019 be confirmed as a true and correct record.

**COMMITTEE RESOLUTION**

Moved: Cr Simon Tsiaparis  
Seconded: Cr Dominic Mugavin

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 Creditor Payments**

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

#### **RECOMMENDATION**

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

#### **COMMITTEE RESOLUTION**

Moved: Cr Dominic Mugavin

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

### **11.2 Credit Card Purchases - July to September 2019**

This report tabled a schedule of credit card payments for the September quarter of 2019.

#### **RECOMMENDATION**

The Committee recommends to Council that the schedule of credit card payments for the September quarter of 2019 be received.

#### **COMMITTEE RESOLUTION**

Moved: Deputy Mayor Graham Nitschke

Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

**CARRIED**

### **11.3 Register of Allowances and Benefits - 3 Months to 30 September 2019**

This report tabled the register of allowances and benefits for Elected Members for the 3 months to 30 September 2019, prepared pursuant to the requirements of Section 79 of the *Local Government Act 1999*.

#### **RECOMMENDATION**

The Committee recommends to Council that the register of allowances and benefits for Elected Members for the 3 months to 30 September 2019, prepared pursuant to the requirements of Section 79 of the *Local Government Act 1999*, be received.

#### **COMMITTEE RESOLUTION**

Moved: Deputy Mayor Graham Nitschke

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

**CARRIED**

#### **11.4 Council Budget Report - FOUR Months to 31 October 2019**

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

#### **RECOMMENDATION**

The Committee recommends to Council that the report be received.

#### **COMMITTEE RESOLUTION**

Moved: Cr Anne McKay  
Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

**CARRIED**

#### **11.5 Budget Review - September 2019**

This report provided details of changes proposed to the 2019/20 budget, following completion of the budget review for September 2019.

#### **RECOMMENDATION**

It is recommended to Council that the budget review changes for September 2019 be adopted pursuant to Regulation 9 of the *Local Government (Financial Management) Regulations 2011*.

#### **COMMITTEE RESOLUTION**

Moved: Cr Cindy O'Rielley  
Seconded: Cr Jassmine Wood

That the recommendation be adopted.

**CARRIED**

#### **11.6 Response to National Airports Safeguarding Framework Implementation Review**

This report proposed a response to the National Airports Safeguarding Framework Implementation Review being undertaken by the Federal Department of Infrastructure, Transport, Cities and Regional Development.

#### **RECOMMENDATION**

That Council approves and submits the proposed response to the *National Airports Safeguarding Framework Implementation Review (Attachment 2)* to the Australian Government Department of Infrastructure, Transport, Cities and Regional Development.

#### **MOTION**

Moved: Deputy Mayor Graham Nitschke  
Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

**7.52pm** Cr Anne McKay left the meeting.

**7.54pm** Cr Anne McKay returned to the meeting.

Discussion took place in relation to *Guideline I - Managing the Risk in Public Safety Areas at the Ends of Runways* specifically Councils position regarding Public Safety Areas on relevant land external to the Airport boundary. The Presiding Member suggested that feedback relating to Guideline I be removed from the proposed response to allow for additional feedback to be sought from Elected Members prior to the final submission being sent to the Department of Infrastructure, Transport, Cities and Regional Development on 29 November 2019. The mover, Deputy Mayor Graham Nitschke and seconder Cr Dominic Mugavin consented to the change and accordingly, the motion was changed as follows:

*That Council approves and submits the proposed response to the National Airports Safeguarding Framework Implementation Review (Attachment 2 of the Agenda report) to the Australian Government Department of Infrastructure, Transport, Cities and Regional Development with the exception of the feedback relating to Guideline I - Managing the Risk in Public Safety Areas at the Ends of Runways, on the basis that Council considers this is State Government responsibility.*

**CARRIED**

## **11.7 River Torrens Governance Review**

This report proposed a response to the Adelaide and Mount Lofty Ranges Natural Resources Management Board in relation to the proposed River Torrens governance structure.

### **RECOMMENDATION(S)**

The Committee recommends to Council that:

1. The report be received;
2. It approves and submits the following feedback to the Adelaide and Mount Lofty Ranges Natural Resources Management Board in relation to the proposed River Torrens governance structure:
  - a. The Council provides in principle support for the 'River Torrens Roundtable and Convener' as the governance structure for the River subject to consideration of the following:
    - i. the Governance Structure be established as a subgroup or committee of Green Adelaide (once established) under the proposed Landscape Act.
    - ii. the Roundtable and Convenor reports direct to the Green Adelaide Board (once established).
    - iii. the Roundtable cannot mandate financial contributions from the Council.
    - iv. funding of the new governance structure be borne by the Adelaide and Mount Lofty Ranges Natural Resources Management Board (Green Adelaide Board in the future).
    - v. Council supports five Independent Members of the Roundtable with the appropriate skills and expertise.

- b. While Council provides in principle support for the establishment of the River Torrens as a living integrated natural entity as part of any legislative reform to establish this new governance structure, Council's final position feedback will be dependent on the completion of the Kaurua position on management and governance of watercourses within their country.

#### **COMMITTEE RESOLUTION**

Moved: Cr Kym McKay  
Seconded: Cr John Woodward

That the recommendation be adopted.

**CARRIED**

#### **11.8 Legislative Progress Report - November 2019**

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 - November 2019' be received.

#### **COMMITTEE RESOLUTION**

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

That the recommendation be adopted.

**CARRIED**

#### **12 MEETING CLOSE**

The Presiding Member declared the meeting closed at 8.13pm.