

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, 20 AUGUST 2019
at 7.00pm

Terry Buss PSM
Chief Executive Officer

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.00pm.

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 taken as read.

2 PRESENT

Council Members:

Deputy Mayor G Nitschke (Presiding Member)
Councillors: J Woodward, E Papanikolaou, D Huggett, K McKay, D Mugavin, S Pal,
G Vlahos, D Wilton, A McKay, J Wood, B Reynolds

Officers:

Mr T Buss	(Chief Executive Officer)
Ms P Koritsa	(General Manager Business and Community Services)
Mr B Ross	(General Manager Corporate and Regulatory)
Mr A Catinari	(General Manager Urban Services)
Mr N Biggs	(Manager Financial Services)
Ms S Curran	(Manager Strategy and Business)
Ms R Perkin	(Team Leader Strategy)

3 APOLOGIES

Leave of Absence

Council Members:

Mayor Michael Coxon

Apologies

Council Members:

Cr Simon Tsiaparis
Cr Cindy O'Rielley

RECOMMENDATION

That the apologies be received.

RESOLUTION

Moved: Cr Surender Pal
Seconded: Cr George Vlahos

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENT

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Council Item 17.1 - Reappointment of Member to the Brown Hill and Keswick Creeks Stormwater Board	Perceived	Cr Anne McKay

5 CONFIRMATION OF MINUTES**RECOMMENDATION**

That the Minutes of the meeting of the Council held on 6 August 2019 be confirmed as a true and correct record.

RESOLUTION

Moved: Cr Elisabeth Papanikolaou
Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT

Cr Dominic Mugavin noted an error in the Mayors Report tabled being that he did not attend the meeting with West Thebarton Road traders on Tuesday 13 August 2019.

RECOMMENDATION

That the Mayor's Report be noted.

RESOLUTION

Moved: Cr Jassmine Wood
Seconded: Cr David Wilton

That the Mayor's Report be noted with an amendment to listing on 13 August 2019 noting Cr Dominic Mugavin was not present at the meeting with West Thebarton Road traders.

CARRIED

7 ELECTED MEMBERS REPORTS

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

- Meeting with Mile End Residents and Peter Richardson regarding installing greener infrastructure in the lanes of Mile End on Wednesday 7 August 2019
- Interviewed on 5AA and ABC Adelaide about the pending report by council to reduce the amount of single-use plastics and helium balloon releases into our environment on Thursday 8 August 2019
- Attended the Singapore Bazaar at the Thebarton Community Centre on Saturday 10 August 2019
- Attended the West Adelaide v Adelaide Crows football match at City Mazda Stadium on Sunday 11 August 2019 along with Mayor Michael Coxon and Cr/s Simon Tsiaparis, Anne McKay, Kym McKay, Cindy O'Reilly and Elisabeth Papanikolaou,
- Attended a meeting with West Thebarton Road traders on Tuesday 13 August 2019 along with Mayor Michael Coxon
- Attended a meeting with concerned local residents regarding the planned South Road upgrade at the Hilton Hotel, Hilton on Thursday 15 August 2019 along with Cr/s Dominic Mugavin and George Vlahos and staff member Ms Adriana Christopoulos, Executive Advisor Partnerships, Business and Stakeholder Interaction
- Attended the SA Sea Rescue Squadron Annual Awards Dinner at Squadron Headquarters, West Beach on Saturday 17 August 2019

Cr Dominic Mugavin advised of his attendance at the a meeting with concerned local residents regarding the planned South Road upgrade at the Hilton Hotel on Thursday 15 August 2019 along with C/r Graham Nitschke and George Vlahos, and the Liveable Cities Conference held at the Adelaide Convention Centre on Monday 12 August 2019.

Cr Elisabeth Papanikolaou advised of her attendance at the Local Government Association (LGA) Elected Members Leadership Session on Monday 19 August 2019.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr David Wilton

That the reports from Members be noted.

CARRIED

8 PETITIONS

Nil

9 DEPUTATIONS

Nil

10 ADJOURN TO STANDING COMMITTEE

RECOMMENDATION

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

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr George Vlahos

That the recommendation be adopted.

CARRIED

7.08pm the meeting adjourned into Committees.

7.30pm 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 Committee Meeting

RECOMMENDATION

That the recommendations of the City Finance and Governance Committee held on 20 August 2019 be adopted.

RESOLUTION

Moved: Cr George Vlahos

Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

CARRIED

12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS

12.1 Audit General Committee Meeting

RECOMMENDATION

That the Minutes of the Audit General Committee held on 13 August 2019 be noted and the recommendations adopted.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

CARRIED

13 QUESTIONS WITH NOTICE

Nil

14 QUESTIONS WITHOUT NOTICE

Nil

15 MOTIONS WITH NOTICE**15.1 Public Consultation for the State Planning Commission PDI Act****MOTION**

Moved: Cr John Woodward

That:

1. Council write to the State Planning Commission and express our disappointment that the offer of public consultation in West Torrens for implementation of the Planning Development and Infrastructure (PDI) Act has now been withdrawn.
2. To seek clarification from the State Planning Commission on the proposed public consultation approach for the PDI Act.

Cr John Woodward sought and was granted leave of the meeting to withdraw his motion.

15.2 Reinstate Public Consultation for the State Planning Commission PDI Act**RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Dominic Mugavin

That:

1. That Council write to the State Planning Commission and express our disappointment that the offer of public consultation in West Torrens for implementation of the Planning Development and Infrastructure (PDI) Act has been withdrawn.
2. Request the State Planning Commission re-instate a public forum in the City of West Torrens to discuss the implementation of the PDI Act.

CARRIED

15.3 Elected Member Training and Development

MOTION

Moved: Cr Kym McKay

That the current maximum of \$4,000 per financial year for an Elected Member, excluding the Mayor, for training, development conferences and/or member based events be abolished on the basis that it constrains the ability for Members to undertake training and development essential for them to discharge their powers, official duties, functions, responsibilities and act as a representative, informed and responsible decision maker in the interests of the community, as required by the *Local Government Act 1999*.

Cr Kym McKay sought and was granted leave of the meeting to defer his motion to the next meeting of the City Advancement and Prosperity General Committee on 27 August 2019.

16 MOTIONS WITHOUT NOTICE

Nil

17 REPORTS OF THE CHIEF EXECUTIVE OFFICER

17.1 Reappointment of Member to the Brown Hill and Keswick Creeks Stormwater Board

Cr Anne McKay declared a perceived conflict of interest in this item as she knows the appointee Mr Geoff Vogt however as they do not share a close relationship she will remain in the Chamber for the discussion and vote.

This report provided Elected Members with the recommendation from the Nominations Committee to reappoint a candidate to the Brownhill and Keswick Creeks Stormwater Board.

RECOMMENDATION

It is recommended to Council that:

1. The report be received.
2. The Nominations Committee recommendation to reappoint Mr Geoff Vogt to the Brown Hill and Keswick Creeks Stormwater Board for a period of three years be endorsed.

FURTHER

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999*, the Council orders that Attachment 1 - Resume of Mr Geoff Vogt, having been considered by the Council in confidence under Section 90(3)(a), 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 premature disclosure of this information would be unreasonable given it contains personal information relating to the applicants which could inadvertently prejudice their future career aspirations and breach any duty of confidentiality owed to them by Council.
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*.

RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr John Woodward

That the recommendation be adopted.

CARRIED

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

17.2 Glandore Character Development Plan Amendment

This report sought to discontinue the Glandore Character Protection Development Plan Amendment (DPA) for reasons outlined in the report.

RECOMMENDATION

It is recommended to Council that:

1. The Glandore Character Protection Development Plan Amendment (DPA) be discontinued due to time constraints and ambiguity presented by the Planning Reform, along with resourcing and financial costs without a guarantee that the DPA will be successful.
2. The Administration seeks to proactively influence the Planning and Design Code to consider the impact of higher density development on Character Areas by highlighting the anomaly that has occurred through the existing definition of 'adjacent land' in the *Development Act 1993*.
3. It writes to the Minister for Planning advising that the Glandore Residential Character Protection Development Plan Amendment be discontinued due to cost, resourcing and planning reform timelines. In addition, highlight the anomaly the Glandore Residential Character Protection Development Plan Amendment sought to rectify and seek that this be remedied within the Planning and Design Code.

RESOLUTION

Moved: Cr John Woodward
Seconded: Cr Elisabeth Papanikolaou

That Council:

1. The Glandore Character Protection Development Plan Amendment (DPA) be discontinued due to time constraints and ambiguity presented by the Planning Reform, along with resourcing and financial costs without a guarantee that the DPA will be successful.
2. The Administration seeks to proactively influence the Planning and Design Code to consider the impact of higher density development on Character Areas by highlighting the anomaly that has occurred through the existing definition of 'adjacent land' in the *Development Act 1993*.

3. Writes to DPTI advising that, in considering the Minister for Planning's advice to dedicate resources to the Planning and Design Code, the Statement of Intent for Glandore will not be progressed due to our focus on the implementation of the Planning and Design Code but as an alternative, Council seeks a mechanism within the Planning and Design Code which addresses the height anomaly that exists between the Urban Corridor Zone and the Glandore Character Policy Area i.e. spatially representing building heights at the interface and ensuring that the term 'abutting' is replaced with the term 'adjacent land' as defined in the *Planning, Design and Infrastructure Act 2016* as follows:

'adjacent land' in relation to other land, means land that is no more than 60 metres from the other land;

and

4. A map representing the affected area be included in the letter to the Minister to clarify the area concerned.

CARRIED

17.3 AdaptWest in Action

An update on the *AdaptWest in Action* climate change program was provided as part of this report, which includes the 3-year Action Plan (draft) and regional policy position on the planning reform (draft) for endorsement.

RECOMMENDATION

It is recommended to Council that:

1. The *AdaptWest in Action 2019-2022 Plan (draft)* is endorsed.
2. The actions in the plan are implemented, subject to available budget.
3. The AdaptWest Position Statement on the State Planning Reform and the Planning and Design Code (draft) is endorsed for forwarding to the Minister for Planning.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Surender Pal

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 Dominic Mugavin

Seconded: Cr John Woodward

That the recommendation be adopted.

CARRIED

19 MEMBER'S BOOKSHELF

- International Campaign to abolish nuclear weapons (ican), *Choosing Humanity: Why Australia must join the Treaty on the Prohibition of Nuclear Weapons Report*
- South Australian Tourism Commission, *The South Australian Visitor Economy Sector Plan 2030*. Available on their website: <https://tourism.sa.gov.au/research-and-statistics/strategies/tourism-plan-2030>
- South Australian Freight Council, *Moving Freight 2019 - Towards a 20 Year State Infrastructure Strategy*

RECOMMENDATION

That the additions to Members' bookshelf be noted.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

CARRIED

20 CORRESPONDENCE

20.1 Australia Day Council of SA Board of Management

Correspondence was received from the Director Policy of the Local Government Association of SA, Lea Bacon, regarding appointment of Cr Brandon Reynolds as Member of the Australia Day Council of SA Board of Management.

20.2 Sale of Arnott's and Campbell's International Operations

Email correspondence was received from the President of Campbell International, Umit Subasi, regarding Campbell and KKR signing of definitive agreement for sale of Arnott's and certain Campbell's International operations.

20.3 Schedule of Representation Reviews

Correspondence was received from the Office of Local Government of the Department of Transport, Infrastructure providing a schedule of representation reviews to be completed by all South Australian councils. The City of West Torrens must undertake its review from October 2020 to 2021.

20.4 The City of Hiroshima Peace Declaration

Correspondence was received from the President of Mayors for Peace and Mayor of Hiroshima, Mr Matsui Kazumi, providing a copy of the Peace Declaration he delivered at the Peace Memorial Ceremony on 6 August 2019 for the 74th anniversary of the atomic bombing of Hiroshima.

20.5 The City of Nagasaki Peace Declaration

Correspondence was received from the Mayor of Nagasaki, Mr Tomihisa Taue, providing a copy of the Peace Declaration he delivered at the Nagasaki Peace Ceremony on 9 August 2019 for the 74th anniversary of the atomic bombing of Nagasaki.

RECOMMENDATION

That the correspondence be received.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Anne McKay

That the correspondence be received with the exception of Correspondence Items 20.1 - Australia Day Council of SA Board of Management and 20.3 - Schedule of Representation Reviews.

CARRIED

20.1 Australia Day Council of SA Board of Management

Correspondence was received from the Director Policy of the Local Government Association of SA, Lea Bacon, regarding appointment of Cr Brandon Reynolds as Member of the Australia Day Council of SA Board of Management.

Cr Jassmine Wood wished to acknowledge the achievement of Cr Brandon Reynolds being appointed as Member of the Australia Day Council of SA Board of Management.

RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Daniel Huggett

That the correspondence be received.

CARRIED

20.3 Schedule of Representation Reviews

Correspondence was received from the Office of Local Government of the Department of Transport, Infrastructure providing a schedule of representation reviews to be completed by all South Australian councils. The City of West Torrens must undertake its review from October 2020 to 2021.

Cr John Woodward commented that an understanding of what was involved in a representation review would be beneficial for Elected Members who have not been involved in the process. The General Manager Business and Community Services, Pauline Koritsa, provided clarification on the schedule of representation reviews and the impact on City of West Torrens.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Elisabeth Papanikolaou

That the correspondence be received.

CARRIED

21 CONFIDENTIAL

Nil

22 MEETING CLOSE

The Presiding Member declared the meeting closed at 7.54pm.

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.09pm.

2 PRESENT

Committee Members:

Cr G Vlahos (Presiding Member)

Deputy Mayor G Nitschke

Councillors: J Woodward, E Papanikolaou, D Huggett, K McKay, D Mugavin, S Pal, D Wilton, A McKay, J Wood, B Reynolds

Officers:

Mr T Buss	(Chief Executive Officer)
Ms P Koritsa	(General Manager Business and Community Services)
Mr B Ross	(General Manager Corporate and Regulatory)
Mr A Catinari	(General Manager Urban Services)
Mr N Biggs	(Manager Financial Services)
Ms S Curran	(Manager Strategy and Business)
Mr J Ielasi	(Manager City Assets)
Ms R Perkin	(Team Leader Strategy)

3 APOLOGIES

Leave of Absence

Committee Members:

Mayor Michael Coxon

Apologies

Committee Members:

Cr Cindy O'Rielley

Cr Simon Tsiaparis

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr Anne McKay

Seconded: Cr Dominic Mugavin

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 16 July 2019 be confirmed as a true and correct record.

COMMITTEE RESOLUTION

Moved: Cr Surender Pal
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 July 2019.

RECOMMENDATION

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

COMMITTEE RESOLUTION

Moved: Cr Dominic Mugavin
Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

11.2 Credit Card Purchases - April to June 2019

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

RECOMMENDATION

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

COMMITTEE RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Daniel Huggett

That the recommendation be adopted.

CARRIED

11.3 Register of Allowances and Benefits - 12 Months to 30 June 2019

This report tabled the register of allowances and benefits for Elected Members for the 12 months to 30 June 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 12 months to 30 June 2019, prepared pursuant to the requirements of Section 79 of the *Local Government Act 1999*, be received.

COMMITTEE RESOLUTION

Moved: Cr Surender Pal
Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

11.4 Mendelson Foundation Investment Performance 2018/19

This report provided information on the investment performance of the Mendelson Foundation for the 12 months ending 30 June 2019, pursuant to the requirements of Section 140 of the *Local Government Act 1999*.

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 Investment Review 2018/19

This report provided a review of Council investments for 2018/19, pursuant to the requirements of Section 140 of the *Local Government Act 1999*.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Deputy Mayor Graham Nitschke

Seconded: Cr Kym McKay

That the recommendation be adopted.

7.20pm Cr David Wilton left the meeting.

CARRIED

11.6 Planning Reform Update - July 2019

This report presented an update on the status of the implementation of the *Planning, Development and Infrastructure Act 2016* as at 31 July 2019.

RECOMMENDATION

The Committee recommends to Council that the Planning Reform Implementation Update - July 2019 report be noted.

COMMITTEE RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

7.23pm Cr David Wilton returned to the meeting.

CARRIED

11.7 Legislative Progress Report - August 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 - August 2019' be received.

COMMITTEE RESOLUTION

Moved: Cr Jassmine Wood
Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

CARRIED

12 MEETING CLOSE

The Presiding Member declared the meeting closed at 7.29pm.