

CITY OF WEST TORRENS



MINUTES
of the
Council Meeting

of the

CITY OF WEST TORRENS

held via electronic means only

on

TUESDAY, 5 MAY 2020
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 read out the Acknowledgment of Country:

'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 Electronic Platform Meeting

The Presiding Member explained the housekeeping matters for the virtual meeting and advised the meeting was being livestreamed via a Zoom public link available on 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, 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)

3 APOLOGIES

Nil

4 DISCLOSURE STATEMENT

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Council Item 17.2 – Amendments to the Heritage Grants Guidelines	Material	Cr Graham Nitschke
Council Item 21.1 - Possible Acquisition of Property	Perceived	Mayor Michael Coxon

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council held on 21 April 2020 be confirmed as a true and correct record.

RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT

Further to the report listed in the Agenda, Mayor Michael Coxon advised of the following:

- Correspondence has been received from Minister for Environment and Water, David Speirs MP, announcing that the City of West Torrens has secured a funding grant of \$31,500 through the Council Modernisation Program to examine the proposal to increase the collection frequency of the kerbside organics service.
- Mayor Coxon recognised and thanked the Manager Community Services, Celine Luya, and her Community Services team for organising and distributing 'essential items' bags to vulnerable older people and families in the West Torrens community.
- Channel 10 News story about Christian Juhasz who has been employed on an 18-month contract as a Library Support Officer at the City of West Torrens Hamra Centre Library through the National Disability Insurance Agency employment service provider Barkuma.
- Mayor Coxon read out a 'Thank You' card received from Jen and Vic Hamra of Plympton expressing thanks to Council for services during Covid-19.
- The City of West Torrens Kings Reserve Wetland project won the 'Excellence in Integrated Stormwater Design' award as part of the Stormwater SA Excellence Awards 2020.

RECOMMENDATION

That the Mayor's Report be noted.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

CARRIED

7 ELECTED MEMBERS REPORTS

Cr Simon Tsiaparis tabled a letter he received from Plympton resident John Searles regarding request to review parking signs in Lincoln Avenue, Plympton.

Cr Jassmine Wood acknowledged the passing of former Charles Sturt councillor Mick Harley OAM.

RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Brandon Reynolds

That the reports from Members be noted.

CARRIED

8 PETITIONS

Nil

9 DEPUTATIONS

Nil

10 ADJOURN TO STANDING COMMITTEE

Nil

11 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS

Nil

12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS

Nil

13 QUESTIONS WITH NOTICE

Nil

14 QUESTIONS WITHOUT NOTICE

Nil

15 MOTIONS WITH NOTICE

Nil

16 MOTIONS WITHOUT NOTICE

Nil

17 REPORTS OF THE CHIEF EXECUTIVE OFFICER**17.1 Land Management Agreement- Morphettville Racecourse DPA**

This report sought Council endorsement for the consent of the registration of a Land Management Agreement within the suburbs of Morphettville, Camden Park and Glengowrie, which relates to the Morphettville Racecourse Development Plan amendment.

RECOMMENDATION(S)

It is recommended to Council that:

1. Endorsement be given by the City of West Torrens to the Land Management Agreement in Attachment Three of this report, pursuant to section 57(1) of the *Development Act 1993*, to be entered into by the Minister for Planning, Minister for Transport Infrastructure and Local Government and the South Australian Jockey Club Incorporated, relating to the land comprised in Certificates of Title:
 - a) Volume 6141 Folios 561 to 563 (inclusive) and 642;
 - b) Volume 5937 Folio 888;
 - c) Volume 6105 Folio 575;
 - d) Volume 5895 Folio 399; and
 - e) Volume 5475 Folio 119.

And as part of the Morphettville Racecourse Development Plan amendment, 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 CONSENT of the Land Management Agreement in Attachment 1 of this report as the registered proprietor of the easements mentioned (vide TG 11232434, T 3928388, T 4162213 and T 4289144 respectively).

RESOLUTION

Moved: Cr Daniel Huggett
Seconded: Cr Jassmine Wood

That the recommendation be adopted.

7.20pm Cr Brandon Reynolds left the meeting.

CARRIED

17.2 Amendments to the Heritage Grants Guidelines

7.21pm Cr Graham Nitschke declared a material conflict of interest in this item as he has a Local Heritage listed property and left the meeting for the discussion and vote.

7.21pm Cr Brandon Reynolds returned to the meeting.

This report sought to amend aspects of the Heritage Grants Guidelines and assessment criteria primarily to improve the experience of community members applying for the grants and streamline the assessment process and management of the scheme.

RECOMMENDATION(S)

It is recommended to Council that it approves the following changes to be introduced to aspects of the Heritage Conservation Grants process:

1. Simplify the application experience by combining the eligibility and ineligibility sections of the Heritage Grants Guidelines to create one set of eligibility criteria.
2. Streamline the assessment process by modifying the scoring table and the assessment weighting given to each question in line with the questions presented in the Smarty Grants application documents, which are used to determine the most eligible applications.
3. Introduce a set timeframe in which works must be commenced and completed to be eligible for the grant round.
4. Require that approved grant applicants display a sign on the property during conservation works to promote the fact that Council has provided grant funding to assist with the conservation works undertaken. (Corflute sign to be provided by Council).

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

7.23pm Cr Graham Nitschke returned to the meeting.

17.3 Amendment of Council Assessment Panel Terms of Reference

This report proposed the inclusion of an additional clause in the Council Assessment Panel Terms of Reference to facilitate the appointment of a presiding member at the commencement of a meeting if both the Presiding and Deputy Presiding Member are not able to attend.

RECOMMENDATION

It is recommended to Council that it approves the *Draft Council Assessment Panel Terms of Reference*.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

CARRIED

17.4 Breakout Creek Stage 3 - DPTI Open Space funding application

This report sought a decision of the Council in allocating \$2 million towards the Breakout Creek Stage 3 redevelopment project, and in doing so meet the eligibility criteria of DPTI's Open Space and Places for People funding program for 2019/20.

RECOMMENDATION(S)

It is recommended to Council that the Department of Planning, Transport and Infrastructure (DPTI) be advised that:

1. Council is not able to commit at this point in time to an allocation of \$2 million to be eligible in its application to DPTI's Open Space and Places for People Grant Program for the Breakout Creek Stage 3 redevelopment project consistent with its decision made 10 December 2019 and the added financial uncertainty due to the Covid-19 pandemic.

Or

2. Council commits to an allocation of \$2 million to be eligible in its application to DPTI's Open Space and Places for People Grant Program for the Breakout Creek Stage 3 redevelopment project.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Daniel Huggett

That the Department of Planning, Transport and Infrastructure (DPTI) be advised that Council is not able to commit at this point in time to an allocation of \$2 million to be eligible in its application to DPTI's Open Space and Places for People Grant Program for the Breakout Creek Stage 3 redevelopment project consistent with its decision made 10 December 2019 and the added financial uncertainty due to the Covid-19 pandemic.

CARRIED

17.5 Introduction of Interim Policy: Public Consultation during COVID-19

This report presented the new *Interim Council Policy: Public Consultation during COVID-19* for consideration and approval by Council.

RECOMMENDATION(S)

It is recommended to Council that:

1. The *Interim Council Policy: Public Consultation during COVID-19* be approved.
2. The *Council Policy: Public Consultation* be suspended until the cessation of the *Public Access and Public Consultation Notice (No 2) 2020*.
3. The Chief Executive Officer be authorised to make changes of a minor and/or technical nature.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

17.6 Covid-19 Rates Financial Hardship Policy

The purpose of this report was to formalise, by way of policy, the first round of relief measures Council has introduced to support those in the community adversely impacted by the COVID-19 pandemic.

RECOMMENDATION

It is recommended to Council that the *Covid-19 Rates Financial Hardship Policy* be adopted.

RESOLUTION

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

7.38pm Cr Anne McKay left the meeting.

17.7 Information Only Council and Committee Reports

The purpose of this report was to provide a detailed listing of information only Council and Committee reports to be received.

RECOMMENDATION

It is recommended to Council that the information only Council and Committee reports, contained in the Attachment Under Separate Cover of Agenda report, be received.

7.39pm Cr Anne McKay returned to the meeting.

RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

CARRIED

18 LOCAL GOVERNMENT BUSINESS

Nil

19 MEMBER'S BOOKSHELF

- SA Power Networks, Public Lighting Service Framework February 2020
- Commissioner for Children and Young People SA, Community Building for the 21st Century: *Collaborative gaming to build connection, confidence and creativity*, April 2020

RECOMMENDATION

That the additions to Members' bookshelf be noted.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

20 CORRESPONDENCE

Nil

21 CONFIDENTIAL**21.1 Possible Acquisition of Property****Reason for Confidentiality**

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

- (b)(i) information the disclosure of which - could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council.
- (b)(ii) information the disclosure of which - would, on balance, be contrary to the public interest.

Prior to moving into Confidence the Presiding Member advised the virtual attendees that the public portion of the electronic Council meeting was declared closed at 7.40pm with the virtual meeting locked and all virtual attendees removed from the electronic meeting platform.

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 - Possible Acquisition of Property, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(b)(i) and (b)(ii) because the information received, discussed and considered in relation to this agenda item is information, the disclosure of which could reasonably be expected to severely prejudice Council's ability to achieve the best possible outcome relating to the acquisition of the property in Richmond and would, on balance, be contrary to the public interest.
2. At the completion of the confidential session the meeting be re-opened to the public.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr George Vlahos

That 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 - Possible Acquisition of Property, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(b)(i) and (b)(ii) because the information received, discussed and considered in relation to this agenda item is information, the disclosure of which could reasonably be expected to severely prejudice Council's ability to achieve the best possible outcome relating to the acquisition of the property in Richmond and would, on balance, be contrary to the public interest.

CARRIED

7.42pm the meeting moved into Confidence and the confidential session commenced.

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 - Possible Acquisition of Property the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(3)(b)(i) and (b)(ii), be kept confidential and not available for public inspection for a period of 12months from the date of this meeting, on the basis that the information received, discussed and considered in relation to this agenda item is information, the disclosure of which could reasonably be expected to severely prejudice Council's ability to achieve the best possible outcome relating to the acquisition of the property in Richmond and would, on balance, be contrary to the public interest.
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*.

8.14pm the Confidential session closed.

Note: The Confidential Minutes are kept separately from this document.

22 MEETING CLOSE

The Presiding Member declared the public portion of the meeting was closed at 7.40pm and the confidential session closed at 8.14pm.