

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

and the public gallery via electronic platform

on

TUESDAY, 21 SEPTEMBER 2021

at 7.00pm

Terry Buss PSM
Chief Executive Officer

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.01pm.

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 Procedure

The evacuation procedures were read out to the gallery by the General Manager Business and Community Services.

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, D Huggett, K McKay, D Mugavin, G Nitschke, S Tsiaparis, G Vlahos, C O'Rielly, 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 P Della	(General Manager Corporate and Regulatory)
Mr A Catinari	(General Manager Urban Services)
Mr D Ottanelli	(Manager City Property)
Ms L Johnson	(Management Lead - LG Reform and Integrity)
Ms L Gilmartin	(Manager Financial Services)
Ms H Bateman	(Manager City Development)
Ms S Curran	(Manager Strategy and Business)

3 APOLOGIES

Apologies

Council Members:

Cr Elisabeth Papanikolaou

Cr Surrender Pal

4 DISCLOSURE STATEMENT

Nil

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council held on 7 September 2021 be confirmed as a true and correct record.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr George Vlahos

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT

Further to the report listed in the Agenda, Mayor Michael Coxon highlighted an article published in the Advertiser on 21 September 2021 that provided an official comparison of council rates through a new Government-established website *Councils in Focus*. Mayor Coxon was pleased to announce that the City of West Torrens was listed as having, on average, the second lowest council rates compared to all other councils in Adelaide.

Mayor Coxon also tabled correspondence received from the Mile End Residents Association in relation to the proposed development at 4-10 Railway Terrace, Mile End, and recommended that the Administration prepare a report addressing the residents' request of Council as contained in their correspondence.

RECOMMENDATION

That the Mayor's Report be noted.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr George Vlahos

That:

1. The Mayors Report be noted.
2. The Administration prepare a report addressing the residents' request of Council as contained in their correspondence tabled in relation to the proposed development at 4-10 Railway Terrace, Mile End.

CARRIED

7 ELECTED MEMBERS REPORTS

Cr Daniel Huggett advised that he had been contacted by concerned Lockleys residents in relation to the proposed development at Pierson Street, Lockleys and suggested that Council consider organising public meetings to allow local residents to voice their concerns regarding the development.

Cr Kym McKay further elaborated on the concerns raised by Lockleys residents regarding the proposed development and advised that a Residents Association had formed in opposition to the proposed development. Cr McKay also advised that he had been asked to arrange a public meeting, along with Cr Huggett, to coordinate discussion on the matter.

Cr Simon Tsiaparis advised of his attendance at the following:

- Plympton International Governing Council meeting on Wednesday 8 September 2021;
- Netley Kindergarten Governing Council meeting on Thursday 9 September 2021; and
- Local resident meetings at various locations on Saturday 11 September 2021, along with Cr John Woodward, and Saturday 18 September 2021.

RESOLUTION

Moved: Cr David Wilton

Seconded: Cr Anne McKay

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 Committee and reconvene at the conclusion of the City Finance and Governance Committee.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

CARRIED

7.14pm the meeting adjourned into Committee.

7.22pm 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 21 September 2021 be adopted.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Simon Tsiaparis

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.

7.27pm Cr George Vlahos left the meeting.

15 MOTIONS WITH NOTICE

Nil

16 MOTIONS WITHOUT NOTICE

Nil

17 REPORTS OF THE CHIEF EXECUTIVE OFFICER

17.1 Appointment of Deputy Chief Executive Officer

This report sought the concurrence of Council for the Chief Executive Officer to appoint a deputy to the Chief Executive Officer as part of the organisational structure of the Council Administration.

RECOMMENDATION(S)

It is recommended to Council that:

1. In accordance with the provisions of Section 100 (3) of the *Local Government Act 1999*, the Council provides its concurrence for the appointment of a deputy to the Chief Executive Officer within the organisational structure of the Council Administration.
2. In accordance with Section 100 (4) of the *Local Government Act 1999*, the title of the deputy to the Chief Executive Officer will be Deputy Chief Executive Officer.

RESOLUTION

Moved: Cr Cindy O'Rielley

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

17.2 Black Spot Program Nominations for 2022 - 2023

The purpose of this report was to provide Council with a report on the analysis of the latest injury crash data from the Department for Infrastructure and Transport and nominations for Black Spot funding for 2022 - 2023.

RECOMMENDATION(S)

It is recommended to Council that:

1. The report on the analysis of the latest injury crash data provided by DIT be received.
2. Council notes that the local road network (intersections and mid-block) that meets the Black Spot crash criteria have been assessed but eligible sites are not available for nominations mainly because the Benefit Cost Ratio assessment criteria is not met. Some sites have been upgraded or require on-going monitoring, as a course of action.
3. The Administration write to DIT to provide an assessment of the crash data relating to local street junction or intersection with main roads and, where appropriate, seek DIT action to prioritise amelioration measures as soon as possible.

RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

17.3 Licence Agreement SANFL - Brickworks Chimney

7.38pm Mayor Michael Coxon declared a perceived conflict of interest in this item as he is the patron of West Adelaide Football Club and left the meeting for the discussion and vote on the item.

As Mayor Michael Coxon, Presiding Member, left the meeting for the discussion and vote on the item, Deputy Mayor Jassmine Wood assumed the chair as Presiding Member for the conduct of this item.

This report provided Elected Members with details of the proposed Licence Agreement with the South Australian National Football League Inc. (SANFL) to facilitate the display of the Premier and Runner Up team colours from the Grand Final on the heritage listed Hoffmann Kiln chimney at the former Brickworks site.

RECOMMENDATION(S)

It is recommended to Council that:

1. A licence for a term of 5 years at a licence fee of \$10pa plus GST payable on demand, commencing on 1 October 2021 (or such other alternative commencing date as may be agreed), be granted to the South Australian National Football League Inc. to permit the display of Premier and Runner Up team colours on the Hoffmann Kiln chimney at the former Brickworks site, subject to any necessary development consents being sought and obtained.
2. The South Australian National Football League Inc. to be responsible for all necessary works and costs associated with the display and to make good:
 - any damage which may arise resulting from the display; and
 - at the expiry or sooner determination of the licence agreement.
3. The Mayor and Chief Executive Officer be authorised to sign and/or seal any documentation to give effect to the resolution.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

7.39pm Mayor Michael Coxon returned to the meeting and assumed the Chair.

17.4 Former West End Brewery Christmas Lights Display and Brewery Gardens

This report advised Members of a proposal from Lion to hand over the future operation of the Annual Riverbank Christmas Lights Display to the City of West Torrens.

RECOMMENDATION(S)

It is recommended to Council that:

1. Council acknowledges receipt of the correspondence from Lion.
2. Lion be advised that Council in principle agrees to take on ownership and commence responsibility for the Riverbank Christmas Lights Display in 2022 for a period of 5 years subject to the resolution of the following:
 - a. a formal funding and transition agreement between Lion and Council being reached, including a contribution of \$100,000 from Lion towards future upgrades;
 - b. Lion undertake agreed upgrades and improvements to the Brewery Gardens and Christmas Lights Display to facilitate Council's ownership prior to the Christmas Lights Display in 2022;
 - c. Lion 'gift' the Brewery Gardens land and associated infrastructure to Council prior to the Christmas Lights Display in 2022 as a non-compulsory, voluntary "contribution" subject to an appropriate due diligence investigations; and
 - d. Lion engage and involve Council as a stakeholder in good faith discussions in the master planning process for the wider West End Brewery site.
3. The CEO be delegated the authority to undertake further negotiations, subject to budget approvals, to progress the project.

RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Jassmine Wood

That the recommendation be adopted.

7.41 pm Cr George Vlahos returned to the meeting.

CARRIED

17.5 Local Design Review Scheme Code Amendment

This report presented the Local Design Review Scheme Code Amendment that is currently on community consultation.

RECOMMENDATION

It is recommended to Council that, in response to the request for feedback on the Local Design Review Scheme Code Amendment, it advises PlanSA that it offers no objection to the inclusion of the proposed wording in Part 5: *Specified matters and areas identified under the Act and Regulations* of the Code.

RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

17.6 Finalisation of the Open Space Plan 2021 - 2026

This report presented the final Draft Open Space Plan for Council's consideration and approval.

RECOMMENDATION(S)

It is recommended to Council that:

1. Having taken into consideration the community feedback detailed in this report, it approves the *City of West Torrens Open Space Plan 2021 - 2026*.
2. The Chief Executive Officer be authorised to make any required changes of a minor or formatting nature prior to its public release.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

CARRIED

17.7 Delegations under the Planning, Development and Infrastructure Act 2016 - Proposed Revisions

This report sought the delegation of powers and functions under the *Planning, Development and Infrastructure Act 2016*.

RECOMMENDATION(S)

It is recommended to Council that:

1. Council hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments with this revocation to come into effect at 11.59pm on 30 September 2021.
2. 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 found in **Attachment 1** of the Agenda report are hereby delegated, with commencement of these delegations to come into effect at 12.00am on 1 October 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.

3. Such powers and functions may be further delegated by Chief Executive Officer of the City of West Torrens in accordance with Sections 44 and 101 of the *Local Government Act 1999* and Section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* as the Chief Executive Officer of the City of West Torrens sees fit, unless otherwise indicated herein or in the proposed Instrument of Delegation.
4. The Chief Executive Officer be authorised to make amendments or formatting changes of a minor nature to the approved *Instrument of Delegation*, if required.

RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Jassmine Wood

That the recommendation be adopted.

CARRIED

18 LOCAL GOVERNMENT BUSINESS

Nil

19 MEMBER'S BOOKSHELF

Nil

20 CORRESPONDENCE

20.1 Libraries Board Grant Funding Advice 2021-2022

Correspondence was received from the Chair of the Libraries Board of South Australia, Bruce Linn AM, regarding the Libraries Board Grant Funding for 2021-2022.

20.2 Request for review of the private proponent-initiated Code Amendment process

Correspondence was received from the Deputy Premier, Attorney-General and Minister for Planning and Local Government, the Hon. Vickie Chapman MP, acknowledging Council's letter dated 13 July 2021 in relation to Council's request for a review of the private proponent-initiated Code Amendment process.

20.3 LGA Membership Subscriptions 2021/22

Correspondence was received from the Acting Chief Executive Officer of the Local Government Association of South Australia, Dr Andrew Johnson, regarding the LGA Membership subscription for 2021/22.

RECOMMENDATION

That the correspondence be received.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

CARRIED

21 CONFIDENTIAL

Nil

22 MEETING CLOSE

The Presiding Member declared the meeting closed at 7.57pm.

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.15pm.

2 PRESENT

Council Members:

Cr B Reynolds (Presiding Member)

Mayor M Coxon

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

Officers:

Mr T Buss	(Chief Executive Officer)
Ms P Koritsa	(General Manager Business and Community Services)
Mr P Della	(General Manager Corporate and Regulatory)
Mr A Catinari	(General Manager Urban Services)
Mr D Ottanelli	(Manager City Property)
Ms L Johnson	(Management Lead - LG Reform and Integrity)
Ms L Gilmartin	(Manager Financial Services)
Ms H Bateman	(Manager City Development)
Ms S Curran	(Manager Strategy and Business)

3 APOLOGIES

Apologies

Committee Members:

Cr Elisabeth Papanikolaou

Cr Surender Pal

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr George Vlahos

Seconded: Cr Simon Tsiaparis

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 17 August 2021 be confirmed as a true and correct record.

COMMITTEE RESOLUTION

Moved: Cr George Vlahos

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

6 COMMUNICATION BY THE CHAIRPERSON

The Presiding Member extended a welcome to the newly appointed General Manager Corporate and Regulatory, Paul Della.

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 August 2021.

RECOMMENDATION

The Committee recommends to Council that the schedule of creditor payments for August 2021 be received.

COMMITTEE RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr George Vlahos

That the recommendation be adopted.

CARRIED

11.2 Local Government Reform - November Commencement

This report provided information regarding the commencement of the *Statutes Amendment (Local Government Review) Act 2021*.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

11.3 Legislative Progress Report - September 2021

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 between the last meeting of the Committee and 9 September 2021.

RECOMMENDATION

The Committee recommends to Council that the Legislative Progress Report - September 2021 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 7.22pm.