

CITY OF WEST TORRENS



MINUTES
of the
Special Council Meeting

of the

CITY OF WEST TORRENS

held in the Council Chambers, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

THURSDAY, 15 SEPTEMBER 2022
at 6.00pm

Angelo Catinari
Chief Executive Officer (Acting)

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1 MEETING OPENED

The Presiding Member declared the meeting open at 6.05pm.

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 Evacuation Procedures

The evacuation procedures were taken as read.

6.06pm Cr Dominic Mugavin left the meeting.

1.3 Meeting Livestream

The Presiding Member advised that the meeting was being livestreamed for the benefit of the public via a Zoom link on the City of West Torrens website.

2 PRESENT

Council Members:

Mayor M Coxon (Presiding Member)

Councillors: E Papanikolaou, D Huggett, K McKay, D Mugavin, G Nitschke, S Pal, G Vlahos (6.09pm), C O'Rielly, A McKay, J Wood

Officers:

Mr T Buss	(Chief Executive Officer)
Mr A Catinari	(Deputy Chief Executive Officer)
Ms P Koritsa	(General Manager Business and Community Services)
Mr P Della	(General Manager Corporate and Regulatory Services)
Ms S Curran	(Manager Strategy and Business)
Mr D Ottanelli	(Manager City Property)
Mr J Ielasi	(Manager City Assets)

In Attendance:

Mr Michael Kelledy	(Kelledy Jones Lawyers)
Ms Zinta Docherty	(Kelledy Jones Lawyers)
Mr Milton Mitsioulis	(Kelledy Jones Lawyers)

3 APOLOGIES

Leave of Absence

Council Member:

Cr Simon Tsiaparis

Apologies

Council Members:

Cr David Wilton

Cr Brandon Reynolds

Cr John Woodward

Lateness:

Council Member:

Cr George Vlahos (6.09pm)

4 DISCLOSURE STATEMENTS

Nil

6.07pm Cr Dominic Mugavin returned to the meeting.

5 CONFIDENTIAL

5.1 Adelaide Football Club - Proposed relocation to Thebarton Oval Precinct

Reason for Confidentiality

The Council is satisfied that, pursuant to section 90(3)(b)(i) and (ii) and (d)(i) and (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; and
- (b)(ii) would, on balance, be contrary to the public interest; and
- (d)(i) commercial information of a confidential nature (not being a trade secret) the disclosure of which - could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
- (d)(ii) 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 Council meeting livestream would be locked during the discussion and consideration of the confidential Item 5.1 - Adelaide Football Club - Proposed relocation to Thebarton Oval Precinct and that the meeting would be re-opened to the public at the completion of the confidential session.

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, meeting secretariat staff, and Council's legal advisors 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 5.1 - '*Adelaide Football Club - Proposed relocation to Thebarton Oval Precinct*' together with 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 (ii), and (d)(i) and (ii) because there are ongoing negotiations relating to the proposed lease that may impact both the existing lessee and also a future prospective lessee of (portion of) the premises 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 Kym McKay

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED

6.08pm the meeting moved into Confidence and the confidential session commenced.

6.09pm Cr George Vlahos entered the meeting during the confidential session.

Council resolved as follows in terms of this Confidential item:

That:

4. The Administration be authorised to undertake a public consultation process in regards to the proposal from the Adelaide Football Club (AFC) for a long term lease over portion of Thebarton Oval and Kings Reserve.
5. Approval be granted to the form and contents of the proposed consultation documentation and process as detailed within this report.
6. A further report be provided to Council following the period of public consultation detailing all responses received to enable the Council to give due consideration to that information prior to making a decision with regard to the proposal from the Adelaide Football Club (AFC) for a long term lease over portion of Thebarton Oval and Kings Reserve.

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 5.1 - '*Adelaide Football Club - Proposed relocation to Thebarton Oval Precinct*', the Council Resolution 1, 2, 3, 7, 8, 9 and 10 of the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under section 90(3)(b)(i) and (ii), and (d)(i) and (ii), 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 because there are ongoing negotiations relating to the proposed lease that may impact both the existing lessee and also a future prospective lessee of (portion of) the premises and would, on balance, be contrary to the public interest.
2. Council delegates the power of review, but not the extension, of this confidentiality order to the Chief Executive Officer on a monthly basis and to revoke the same in whole or in part, in accordance with the provisions of section 91(9)(c) of the *Local Government Act 1999*.

7.35pm the Confidential session closed and the meeting reopened to the public.

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

6 MEETING CLOSE

The Presiding Member declared the meeting closed at 7.36pm.