

CITY OF WEST TORRENS



Confidential Minutes

of

Report Items 9.1, 21.1 and 21.2 of the Council Meeting

of the

CITY OF WEST TORRENS

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

on

**TUESDAY, 16 APRIL 2019
at 7.00pm**

**Terry Buss PSM
Chief Executive Officer**

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Released

9 Confidential Deputation

9.1 Plympton Residential DPA

Reason for Confidentiality

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

- (m) information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act.

Council resolved 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, Ms Rebecca Perkin, Team Leader Strategy and Ms Caitlin Rorke-Wickins, Senior Land Use Policy Planner, 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 deputation Item 9.1 Plympton Residential DPA, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(m) because the deputation will present information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act.
2. At the completion of the confidential session the meeting be re-opened to the public.

7.22pm the meeting moved into Confidence and the confidential session commenced.

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, 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)
Ms S Curran	(Manager Strategy and Business)
Ms R Perkin	(Team Leader Strategy)
Ms C Rorke-Wickins	(Senior Land Use Policy Planner)
Ms H Bateman	(Manager City Development)
Mr D Ottanelli	(Manager City Property)
Mr N Biggs	(Manager Financial Services)
Ms L Gilmartin	(Financial Coordinator)

Plympton Residential DPA

The Mayor invited Ms Rebecca Perkin, Team Leader Strategy and Ms Caitlin Rorke-Wickins, Senior Land Use Policy Planner to address Council in relation to the Plympton Residential Development Plan Amendment.

Following the deputation Elected Members were invited to ask questions which were responded to Ms Pauline Koritsa, General Manager Business and Community Services.

The Presiding Member thanked Ms Perkin and Ms Rorke-Wickins for their attendance.

MOTION

Moved: Cr John Woodward

Seconded: Cr Simon Tsiaparis

That:

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the information received, discussed or considered within the confidential deputation Item 9.1 Plympton Residential DPA, the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(3)(m), be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting because the deputation will present information relating to a proposed amendment to a Development Plan under the Development Action 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under the Act.
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*.

CARRIED

7.46pm the Confidential session closed and the meeting reopened to the public.

21 CONFIDENTIAL REPORTS

21.1 Future of Cummins House

Reason for Confidentiality

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

- (j)(i) information the disclosure of which - would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council).
- (j)(ii) information the disclosure of which - would, on balance, be contrary to the public interest.

Council resolved 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 Future of Cummins House, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(j)(i) and (j)(ii) because the disclosure of this information as requested could materially impact on negotiations between the parties and as such the request by the Public Official to maintain confidence is required to be upheld until such times as matters are finalised and Council has considered its position.
2. At the completion of the confidential session the meeting be re-opened to the public.

9.27pm the meeting moved into Confidence and the confidential session commenced.

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'Rielly, D Wilton, A McKay, 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 D Ottanelli	(Manager City Property)
Ms S Curran	(Manager Strategy and Business)
Mr N Biggs	(Manager Financial Services)
Ms L Gilmartin	(Financial Coordinator)

This report provided Members' with the options available to Council relating to its' involvement in the future of the Cummins House property.

RECOMMENDATION

It is recommended to Council that the State Government be advised that following further consideration, Council reaffirms its previous advice and seeks to terminate its "holding over" lease for the Cummins House property (The current "holding over" arrangements terminate on 31 May 2019 or such earlier date as may be agreed between the parties).

RESOLUTION

Moved: Cr John Woodward
Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

CARRIED

FURTHER

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the Item 21.1 Future of Cummins House, the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(3)(j)(i) and (j)(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 the disclosure of this information as requested could materially impact on negotiations between the parties and as such the request by the Public Official to maintain confidence is required to be upheld until such times as matters are finalised and Council has considered its position.
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 John Woodward
Seconded: Cr Elisabeth Papanikolaou

That the recommendations be adopted.

CARRIED

9.29pm the Confidential session closed and the meeting reopened to the public.