

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, 16 MARCH 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 7.03pm.

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 Procedures

The Presiding Member advised that due to COVID-19 physical distancing restrictions members of the public are excluded from attending Council meetings with the exception of approved deputations and, as a result, the evacuation procedures were taken as read.

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, 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)
Mr D Ottanelli	(Manager City Property)

In attendance via the online platform:

Ms R Butterfield	(Manager Regulatory Services)
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3 APOLOGIES

Apologies

Council Members:

Cr Daniel Huggett

Cr Jassmine Wood

Cr Elisabeth Papanikolaou

RECOMMENDATION

That the apologies be received.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENT

Nil

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council held on 2 March 2021 be confirmed as a true and correct record.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT

Cr John Woodward requested an update on the meeting with the President of the Peake Gardens Riverside Tennis Club, Jeff Ramm, held on Thursday 4 March 2021. Mayor Coxon advised that the meeting was an opportunity to meet with the President of the Peake Gardens Riverside Tennis Club to discuss options for a redevelopment proposal and the Clubs request for support from Council in the form of grant funding for an upcoming state wide Junior Tennis Tournament.

RECOMMENDATION

That the Mayor's Report be noted.

RESOLUTION

Moved: Cr George Vlahos

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

7 ELECTED MEMBERS REPORTS

Cr Brandon Reynolds advised of his attendance at the North-South Corridor (South Tunnel) Community Reference Group meeting for the Torrens to Darlington (T2D) Project held on Wednesday 3 March 2021.

Cr Kym McKay advised of his attendance at the St George Greek Orthodox Church Service at Rose Street, Thebarton along with Mayor Coxon on Sunday 7 March 2021 and the Elected Member Training on the Code of Conduct and Role of Members held at the Civic Centre on Tuesday 9 March 2021.

Cr Graham Nitschke advised of his attendance at the following:

- North-South Corridor (Airport Link & North Tunnel) Community Reference Group meeting for the Torrens to Darlington (T2D) Project held at the West Adelaide Football Club on Thursday 4 March 2021;
- Council Assessment Panel meeting held at the Civic Centre on Tuesday 9 March 2021;
- Elected Member Training on the Code of Conduct and Role of Members held at the Civic Centre on Tuesday 9 March 2021;
- Meeting with members of the St. Alphonsa Parish Adelaide at the Queen of Angels Church on Wednesday 10 March 2021;
- Attended Elected Member Training on the Representation Review as well as a presentation by Maz regarding the City of West Torrens, Local Art Strategy on Thursday 11 March 2021;
- United Association of SA Harmony Day Celebration and photo shoot with photographer Andrew Baines at West Beach on Saturday 13 March 2021; and
- Adelaide Women's March 4 Justice at Victoria Square on Monday 15 March 2021.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Surender Pal

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 Brandon Reynolds

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

7.14pm the meeting adjourned into Committees.

7.19pm 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 16 March 2021 be adopted.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr David Wilton

That the recommendation be adopted.

CARRIED

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 One Year On, COVID-19 Learnings and Strategies

This report provided an overview of the lessons learnt from strategies with regard to managing the COVID-19 pandemic across the organisation.

RECOMMENDATION

It is recommended to Council that the *COVID-19 Learnings and Strategies* report be received.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Simon Tsiaparis

That:

1. The *COVID-19 Learnings and Strategies* report be received.
2. Council wishes to convey its heartfelt appreciation for the hard work and sacrifices that staff on all levels performed during the first 12 months of the COVID-19 pandemic.

CARRIED

FORMAL MOTION

Moved: Cr Kym McKay

Seconded: Cr John Woodward

That the meeting be adjourned for 15 minutes to allow the Administration to rectify the technical issues with the microphones in the Chamber and for the Council meeting to reconvene at 7.40pm.

CARRIED

7.25pm the meeting adjourned.

7.40pm the meeting reconvened. All those present prior to the adjournment of the meeting were present in the Chamber when the meeting reconvened.

17.2 Impacts facing Thebarton Oval and Kings Reserve User Groups resulting from North-South Corridor Works

This report advised Members that the Administration wishes to seek approval to commence discussions with the lessee, licensee users and regular hirers.

RECOMMENDATION

It is recommended to Council that:

1. In order to develop options for Council to consider to address the likely impacts of the upgrade to the North South Corridor relevant to the Thebarton Oval/Kings Reserve precinct, the Administration be authorised to commence discussions with the following stakeholders:
 - Torrensville Bowling Club;
 - Thebarton Oval Tenants – SANFL and Adelaide Footy League;
 - Messinian Association of SA (MA Hawks Soccer Club);
 - Proposed Thebarton Oval Tenant - Adelaide Football Club;
 - Thebarton Community Centre – Community Groups, and
 - Other relevant stakeholders as may be identified by the Administration.
2. A further report(s) be provided to Council following discussions with the identified groups.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

CARRIED

17.3 Introduction of Council Policy: Enforcement

This report presented the newly created *Council Policy: Enforcement* for Council's consideration and approval.

RECOMMENDATION(S)

It is recommended to Council that:

1. The *Council Policy: Enforcement* be approved; and
2. The Chief Executive Officer be authorised to make amendments of a minor and/or technical nature to the *Council Policy: Enforcement*.

RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

7.59pm Cr Kym McKay left the meeting.

CARRIED

17.4 National General Assembly of Local Government 2021 - Call for Motions

This report advised of the outcome of seeking Notices of Motion for inclusion in the agenda for the Australian Local Government Association National Assembly 2021.

RECOMMENDATION

It is recommended to Council that the following motion be submitted to the Australian Local Government Association National General Assembly:

"That:

- (i) Nuclear weapons pose an unacceptable threat to people everywhere;*
- (ii) Local Councils and their community voice their concerns for the consequences of nuclear weapons and endorse this Treaty;*
- (iii) The prohibition and elimination of nuclear weapons is a humanitarian imperative;*
- (iv) Cities and towns have a responsibility to protect their constituents from the threat posed by nuclear weapons;*
- (v) Local Councils call on the Australian government to sign and ratify the Treaty."*

MOTION

Moved: Cr Anne McKay

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

Discussion took place on the motion to be submitted to the Australian Local Government Association National General Assembly and Cr Graham Nitschke suggested clarifying that the Treaty referred to the United Nations Treaty on the Prohibition of Nuclear Weapons. The mover, Cr Anne McKay, consented to the change and accordingly, the motion was changed as follows:

RESOLUTION

Moved: Cr Anne McKay

Seconded: Cr Graham Nitschke

That the following motion be submitted to the Australian Local Government Association National General Assembly:

"That:

- (i) Nuclear weapons pose an unacceptable threat to people everywhere;*
- (ii) Local Councils and their community voice their concerns for the consequences of nuclear weapons and endorse the United Nations Treaty on the Prohibition of Nuclear Weapons;*
- (iii) The prohibition and elimination of nuclear weapons is a humanitarian imperative;*
- (iv) Cities and towns have a responsibility to protect their constituents from the threat posed by nuclear weapons;*
- (v) Local Councils call on the Australian government to sign and ratify the United Nations Treaty on the Prohibition of Nuclear Weapons."*

CARRIED

17.5 Economic Development Plan 2020 - 2025

This report presented the findings from the public consultation process back to Council as part of the formal approval process of the Economic Development Plan 2020 - 2025.

RECOMMENDATION(S)

It is recommended to Council that:

1. It approves the City of West Torrens Economic Development Plan 2020 - 2025.
2. The Chief Executive Officer be delegated authority to make minor changes of an editorial nature or format if required.

RESOLUTION

Moved: Cr George Vlahos

Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

CARRIED

17.6 Weslo Holdings Update - Confidential Order Review

This report presented the review of the confidential order applied to confidential report Item 21.1 - Weslo Holdings - Update, at the 17 March 2020 meeting of Council in accordance with the provisions of Section 91(9)(a) of the *Local Government Act 1999*.

RECOMMENDATION

It is recommended to Council that:

1. In accordance with s91(9)(a), having reviewed the confidentiality order made on 17 March 2020 meeting, in respect of report Item 21.1 - Weslo Holdings - Update, Council orders that confidential Agenda report, the Minutes arising, attachments and any associated documentation, continues to be retained in confidence in accordance with Section 90(3)(b)(i) and (b)(ii) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period on the basis that it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible outcome to the lease dispute with Weslo Holdings Pty Ltd. In addition, the disclosure of Council's commercial position may severely prejudice Council's ability to satisfactorily resolve the lease dispute with Weslo Holdings Pty Ltd and consequently, Council considers the disclosure of the information would, on balance, be contrary to the public interest.
2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to review the confidentiality order on a monthly basis and to revoke but not extend it.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

18 LOCAL GOVERNMENT BUSINESS

Nil

19 MEMBER'S BOOKSHELF

Nil

20 CORRESPONDENCE

20.1 Commencement of ban on single-use plastics

Correspondence was received from the Minister for Environment and Water, the Hon. David Speirs MP, regarding the commencement of the ban on the sale and distribution of a number of single-use plastic products in South Australia.

Cr Graham Nitschke commented that he was pleased to see the commencement of the ban on the sale and distribution of a number of single-use plastic products in South Australia.

20.2 Mayors for Peace Newsletter - February 2021

Correspondence was received from the Mayors for Peace providing the February 2021 No. 134 Newsletter.

RECOMMENDATION

That the correspondence be received.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr John Woodward

That the recommendation be adopted.

CARRIED

21 CONFIDENTIAL**21.1 Lease Matters for 3RT Technologies - Tenant of 240 Morphet Rd, North Plympton (Depot)****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.

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 - Lease Matters for 3RT Technologies - Tenant of 240 Morphet Rd, North Plympton (Depot), 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 it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible outcome with 3RT Technologies Pty Ltd. In addition, Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely prejudice Council's ability to satisfactorily resolve the lease matter with 3RT Technologies Pty Ltd and consequently, Council considers the disclosure of this information 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 Brandon Reynolds

That the recommendation be adopted.

CARRIED

Prior to moving into Confidence the Presiding Member advised the virtual attendees that the public portion of the Council meeting will be closed with the virtual meeting locked and all virtual attendees removed from the electronic meeting platform.

8.05pm 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 - Lease Matters for 3RT Technologies - Tenant of 240 Morphett Rd, North Plympton (Depot), 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 12 months from the date of this meeting, on the basis that it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible outcome with 3RT Technologies Pty Ltd. In addition, Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely prejudice Council's ability to satisfactorily resolve the lease matter with 3RT Technologies Pty Ltd and consequently, Council considers the disclosure of this information 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*.

8.08pm the Confidential session closed and the meeting reopened to the public.

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

22 MEETING CLOSE

The Presiding Member declared the meeting closed at 8.09pm.

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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, E Papanikolaou, K McKay, D Mugavin, G Nitschke, S Pal, S Tsiaparis, C O'Rielly, G Vlahos

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)

In attendance via the online platform:

Ms R Butterfield (Manager Regulatory Services)

3 APOLOGIES

Apologies

Committee Members:

Cr Daniel Huggett

Cr Jassmine Wood

Cr Elisabeth Papanikolaou

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr George Vlahos

Seconded: Cr Surrender Pal

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 February 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

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 February 2021.

RECOMMENDATION

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

COMMITTEE RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

11.2 Council Budget Report - EIGHT Months to 28 February 2021

This report provided information to Council on budget results for the eight months ended 28 February 2021.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr George Vlahos

Seconded: Mayor Michael Coxon

That the recommendation be adopted.

CARRIED

11.3 Legislative Progress Report - March 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 during the preceding month.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

12 MEETING CLOSE

The Presiding Member declared the meeting closed at 7.18pm.