

CITY OF WEST TORRENS



**MINUTES**

**of the**

**CITY FACILITIES AND WASTE RECOVERY GENERAL COMMITTEE**

Members: Councillor K McKay (Presiding Member), Mayor M Coxon,  
Councillors: D Mugavin, G Vlahos, B Reynolds, J Woodward, S Pal, A McKay

**of the**

**CITY OF WEST TORRENS**

held in the George Robertson Room, Civic Centre  
165 Sir Donald Bradman Drive, Hilton

on

**TUESDAY, 22 SEPTEMBER 2020**  
**at 6.00pm**

**Terry Buss PSM**  
**Chief Executive Officer**

**City of West Torrens Disclaimer**

Please note that the contents of this Committee Minutes have yet to be considered by Council and Committee recommendations may be altered or changed by the Council in the process of making the formal Council decision.

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## 1 MEETING OPENED

The Presiding Member declared the meeting open at 6.01pm.

### 1.1 Evacuation Procedures

The evacuation procedures were taken as read.

### 1.2 Electronic Platform Meeting

The Presiding Member explained that due to the impacts of COVID-19 public access is restricted and the meeting is being livestreamed via a Zoom public link available on the City of West Torrens website.

## 2 PRESENT

### Committee Members:

Cr K McKay (Presiding Member)

Mayor M Coxon

Councillors: D Mugavin, B Reynolds, J Woodward, S Tsiaparis (as proxy for S Pal), A McKay, G Vlahos (6.02pm)

### Officers:

Ms P Koritsa (General Manager Business and Community Services)

Mr A Catinari (General Manager Urban Services)

Mr D Ottanelli (Manager City Property)

Mr S Watson (Senior Property Assets Advisor)

### In attendance:

Cr Elisabeth Papanikolaou

### In attendance via the online platform:

Mr T Buss (Chief Executive Officer)

Mr B Ross (General Manager Corporate and Regulatory)

Ms R Butterfield (Manager Regulatory Services)

Mr N Teoh (Team Leader Waste Management)

## 2 APOLOGIES

### Apologies

#### Committee Member:

Cr Surender Pal

6.02pm Cr George Vlahos entered the meeting.

### RECOMMENDATION

That the apologies be received.

### COMMITTEE RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

**CARRIED**

### 3 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Committee Item 8.12 - Kesmond Reserve, Keswick - Update	Perceived	Cr Dominic Mugavin
Committee Item 8.6 - Weigall Oval - Update and Grant of New Short Term Licence Agreements	Material	Cr John Woodward

### 4 CONFIRMATION OF MINUTES

#### RECOMMENDATION

That the Minutes of the meeting of the City Facilities and Waste Recovery General Committee held on 26 November 2019 be confirmed as a true and correct record.

#### COMMITTEE RESOLUTION

Moved: Cr George Vlahos  
Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

**CARRIED**

### 5 COMMUNICATION BY THE CHAIRPERSON

The Presiding Member extended his appreciation to the Chief Executive Officer, Terry Buss, General Manager Urban Services, Angelo Catinari, Mayor Michael Coxon and staff for the handling of the recent issues with the demolition of the Lockleys Soldier's Memorial Hall.

### 6 OUTSTANDING REPORTS / ACTIONS

Nil

### 7 REPORTS OF THE CHIEF EXECUTIVE OFFICER

#### 8.1 Partnering Opportunity in Recycling

Information was provided in this report in regard to an approach by the Central Adelaide Waste and Recycling Authority (CAWRA) to explore partnering opportunities in a new recycling initiative of the Cities of Charles Sturt and Port Adelaide Enfield.

#### RECOMMENDATION

The Committee recommended to Council that the report be received.

#### COMMITTEE RESOLUTION

Moved: Cr George Vlahos  
Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

## **8.2 Waste Management Activities Report**

This report provided information on waste management activities undertaken between March and July 2020.

### **RECOMMENDATION**

The Committee recommended to Council that the report be received.

### **COMMITTEE RESOLUTION**

Moved: Cr Dominic Mugavin

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

## **8.3 Thebarton Community Centre Fees and Charges update**

This report sought the approval of Council to keep the fees and charges for the Thebarton Community Centre at 2019/20 rates to make it affordable to users in light of the social and economic impacts of COVID-19.

### **RECOMMENDATION**

The Committee recommended to Council that the 2020/21 fee structure for Thebarton Community Centre remain the same as the 2019/20 fee structure to enable the Centre to remain as affordable as possible for users in light of the social and economic impacts of COVID-19.

### **MOTION**

Moved: Cr John Woodward

Seconded: Cr George Vlahos

That the recommendation be adopted.

Mayor Michael Coxon sought clarification on Attachment 1 of the Agenda report which referred to the 2017-18 fees and charges for the Thebarton Community Centre. The General Manager Business and Community Services, Pauline Koritsa, acknowledged the heading typo in the Attachment and advised that the fees and charges reflect the fee structure presented to Council in 2019, however she was unable to verify if they were the proposed fees and charges for 2020-21.

Cr Simon Tsiaparis suggested deferring business item 8.3 to the next meeting of Council to ensure the correct Thebarton Community Centre fees and charges were presented to Council Members. The Committee consented to the change and accordingly the following motion was moved:

### **COMMITTEE RESOLUTION**

Moved: Cr Simon Tsiaparis

Seconded: Mayor Michael Coxon

That consideration of the report presenting Thebarton Community Centre Fees and Charges update be deferred until the 6 October 2020 meeting of Council.

**CARRIED**

#### **8.4 Brand identity and signage for Council-owned facilities**

This report presented brand identity guidelines for placement on Council-owned sporting and community facilities.

#### **RECOMMENDATION(S)**

The Committee recommended to Council that:

1. It approves the installation of signage on all of its facilities as detailed in Option 1 within this report.
2. Stage 1 of installation of building signage, as outlined in this report, be undertaken in this financial year, following budget review and approval.
3. Installation of decals inside new facilities be undertaken prior to the end of this calendar year.
4. It approves the adaption of the City of West Torren's logo 'tag line' to reflect that the City of West Torrens proudly supports our community by providing community facilities for them to use.
5. Stage 2, permanent building signage, be undertaken in the 2021/22 financial year, pending costings and budget approval by Council.

#### **COMMITTEE RESOLUTION**

Moved: Cr George Vlahos  
Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

**CARRIED**

#### **8.5 Apex Park, Lockleys Oval and Mellor Park - Update Report**

This report provided an update for Members in relation to the projects at Apex Park, Lockleys Oval and Mellor Park.

#### **RECOMMENDATION**

The Committee recommended to Council that the report be noted.

#### **COMMITTEE RESOLUTION**

Moved: Cr George Vlahos  
Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

**CARRIED**

## 8.6 Weigall Oval - Update and Grant of New Short Term Licence Agreements

**6.31pm** Cr John Woodward declared a material conflict of interest in this item as his children are members of the Adelaide Cobras Soccer Club and left the meeting for the discussion and vote on the item.

This report advised Members of a proposal to grant new short term licence agreements to the Adelaide Angels Baseball Club and Adelaide Cobras Soccer Club for their use of portion of the new clubroom building and playing fields at Weigall Oval, Plympton.

### RECOMMENDATION(S)

The Committee recommended to Council that:

1. The report be noted.
2. A licence for the period from a date to be determined by the Administration (following handover of the facility to Council, with the necessary Certificate of Practical Completion / Certificate of Occupancy documents) until 30 September 2021 be granted to the Adelaide Angels Baseball Club Inc. and the Adelaide Cobras Soccer Club Inc. at a licence fee of \$1,750 plus GST, inclusive of all outgoings, to each club for use of portions of the Weigall Oval Complex.
3. The Mayor and the Chief Executive Officer be authorised to sign and/or seal any necessary documentation to give effect to the grant of licences to the two clubs.

### COMMITTEE RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr George Vlahos

That the recommendation be adopted.

**CARRIED**

**6.37pm** Cr John Woodward returned to the meeting.

## 8.7 Richmond Lions - Grant of Lease

This report sought approval from Members that, following discussions between the parties, the Council is able to consider the grant of a new lease to the Lions Club of Richmond Inc. for their use of the Council owned property on Penong Avenue, Richmond.

### RECOMMENDATION(S)

The Committee recommended to Council that:

1. The Lions Club of Richmond Inc. be granted a new 5 year lease commencing on 1 October 2020 and expiring on 30 September 2025 at a commencing rental of \$3,600 pa plus GST. The Club to meet all user charges other than reimburse the cost of insurance premiums (which have now been factored into the commencing rental). Rental to increase each year on the anniversary of commencement by \$100 plus GST.
2. The Mayor and Chief Executive Officer be authorised to sign and seal any documentation giving effect to the above resolution.
3. Further, the Club be advised that Council provides its consent in its capacity as landlord, for the Club to install a solar panel system on the roof of the premises (subject to any necessary development consents being sought and obtained).

**COMMITTEE RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

**8.8 Request to purchase portion of the road reserve - corner of Arthur Lemon Avenue & Witty Court, Underdale**

Owners of the property on the south-western corner of Arthur Lemon Avenue & Witty Court, Underdale, approached Council seeking to purchase a portion of the road reserve adjacent their property on a portion of its eastern boundary.

**RECOMMENDATION(S)**

The Committee recommended to Council that:

1. The verge land be offered to Ms Lisa Thomas & Mr Brad Stevens on the condition that they meet all costs associated with necessary actions which are required to be undertaken under the *Roads (Opening and Closing) Act*, for the closure and sale of the identified road verge on the side (eastern) boundary of their residential property at 1 Witty Court, Underdale, subject to public consultation and all necessary approvals being sought and obtained from the relevant authorities;
2. The necessary processes to give effect to the eventual sale of the verge land, for an anticipated consideration of approximately \$30,000-40,000 plus all associated costs and any applicable GST (but subject to a formal valuation), under the *Roads (Opening and Closing) Act* be commenced;
3. Should Council and the Surveyor-General provide their consent to the road closure process the land be excluded from the classification of community land;
4. The Mayor and Chief Executive Officer be authorised to sign and, where applicable, seal any documentation to give effect to this resolution; and
5. Further update reports be provided to Council following public consultation and confirmation that the portion of road has been closed by the Surveyor-General.

OR

6. The verge land be offered to Ms Lisa Thomas & Mr Brad Stevens under a permit arrangement for a period of 5 years at a cost of \$500 pa to the applicant.

OR

7. The applicants be advised that Council is not prepared to sell the verge land or enter into a permit agreement for its use by the applicants.

**COMMITTEE RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Anne McKay

That:

1. The verge land be offered to Ms Lisa Thomas & Mr Brad Stevens on the condition that they meet all costs associated with necessary actions which are required to be undertaken under the *Roads (Opening and Closing) Act*, for the closure and sale of the identified road verge on the side (eastern) boundary of their residential property at 1 Witty Court, Underdale, subject to public consultation and all necessary approvals being sought and obtained from the relevant authorities;
2. The necessary processes to give effect to the eventual sale of the verge land, for an anticipated consideration of approximately \$30,000-40,000 plus all associated costs and any applicable GST (but subject to a formal valuation), under the *Roads (Opening and Closing) Act* be commenced;
3. Should Council and the Surveyor-General provide their consent to the road closure process the land be excluded from the classification of community land;
4. The Mayor and Chief Executive Officer be authorised to sign and, where applicable, seal any documentation to give effect to this resolution; and
5. Further update reports be provided to Council following public consultation and confirmation that the portion of road has been closed by the Surveyor-General.

Discussion took place on the motion and the alternative recommendation options for the verge land including permit arrangements. Further discussion took place on the potential use of the verge land by the applicants and the proposed public consultation process.

Mayor Michael Coxon foreshadowed a motion being Point 7 of the Recommendation which advises the applicants that Council was not prepared to sell the verge land or enter into a permit agreement for its use by the applicants.

The original motion as moved by Cr John Woodward and seconded by Cr Anne McKay was Put and **LOST**

**COMMITTEE RESOLUTION**

Moved: Mayor Michael Coxon

Seconded: Cr Dominic Mugavin

That the applicants be advised that Council is not prepared to sell the verge land or enter into a permit agreement for its use by the applicants.

The foreshadowed motion as moved by Mayor Michael Coxon and seconded by Cr Dominic Mugavin was Put and **CARRIED**

### **8.9 Request for Council to enter into new Licence Agreement - Department of Education and Child Development (Cowandilla Primary School)**

This report advised Committee Members that Council received email correspondence from the Department of Education and Child Development (DECD) seeking an indication as to whether Council wished to enter into a new agreement for out of school hours public access to the Cowandilla Primary School oval.

#### **RECOMMENDATION(S)**

The Committee recommended to Council that:

1. Council advise the Department of Education and Child Development (DECD) that it agrees to enter into a new licence agreement for use of the Cowandilla Primary School Oval and surrounds, when not required by the School, for a term of 5 years at a commencing licence fee of \$21,460.67 per annum (pa) plus GST. The licence fee to increase on each anniversary of the date of commencement during the term by Adelaide All Groups CPI (or similar should that index cease to exist).
2. The Mayor and Chief Executive Officer be authorised to sign and/or seal any necessary documentation to give effect to the grant of licence.

#### **COMMITTEE RESOLUTION**

Moved: Cr George Vlahos  
Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

### **8.10 West Torrens Birkalla Soccer Club - New Short Term Lease**

This report advised Members that the lease held by the West Torrens Birkalla (W.T.B.) Soccer Club for its use of portion of the Camden Oval Complex expires on 13 November 2020 and that the grant of a new short term lease is suggested.

#### **RECOMMENDATION(S)**

The Committee recommended to Council that:

1. W.T.B. Soccer Club Inc be granted a new short term lease for the period 14 November 2020 until 30 June 2021 at a rental of \$4,000 per annum (pa) plus GST and outgoings. The new lease include provisions regarding the loan funding that has been advanced to the Club.
2. The Mayor and Chief Executive Officer be authorised to sign and seal any necessary documentation to give effect to the grant of lease.
3. During the term of this agreement the Club and Administration enter into negotiations for the grant of a new long term lease. A further report be provided to this Committee following the finalisation of these negotiations.

#### **COMMITTEE RESOLUTION**

Moved: Mayor Michael Coxon  
Seconded: Cr George Vlahos

That the recommendation be adopted.

**CARRIED**

### 8.11 Peake Gardens Riverside Tennis Club - Update

This report provided Members with an update in regard to the Peake Gardens Riverside Tennis Club project at Peake Gardens Reserve, Marleston.

#### RECOMMENDATION(S)

The Committee recommended to Council that:

1. The report be noted.
2. Council provide its consent for the demolition of the coaches building which is currently located in the north-eastern corner of the Peake Gardens Reserve, Marleston (and which is currently leased by the Peake Gardens Riverside Tennis Club), subject to any necessary development consents being sought and obtained.

#### COMMITTEE RESOLUTION

Moved: Cr John Woodward  
Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

**CARRIED**

### 8.12 Kesmond Reserve, Keswick - Update

*Cr Dominic Mugavin declared a perceived conflict of interest in this item as he attended an event organised by the Kesmond Tennis Club at Kesmond Reserve and borrowed Club property which due to COVID-19 has not been returned to the Club. Cr Mugavin remained in the meeting for the discussion and vote.*

This report advised Members of matters relating to the facilities and the utilisation of the open space located on the Kesmond Reserve, Keswick.

#### RECOMMENDATION

The Committee recommended to Council that the report be noted.

#### COMMITTEE RESOLUTION

Moved: Cr John Woodward  
Seconded: Cr George Vlahos

That the recommendation be adopted.

**CARRIED**

*Cr Dominic Mugavin voted in favour of the motion moved by Cr John Woodward and seconded by Cr George Vlahos.*

### **8.13 South Australian National Football League - Request for Lease Renewal**

This report advised Members that the South Australian National Football League (SANFL) wished to exercise the first right of renewal that is provided within the lease agreement it holds over portion of the Thebarton Oval complex.

#### **RECOMMENDATION(S)**

The Committee recommended to Council that:

1. The first renewal term (of 5 years from 1 March 2021 until 28 February 2026) provided within the existing lease for portion of the Thebarton Oval complex be granted to the South Australian National Football league (SANFL).
2. Rental at commencement of the first renewal term be determined by using the Adelaide All Groups CPI following release of the December 2020 quarter CPI.
3. The balance of any required qualifying capital expenditure from the initial rental term be determined at the end of that term and be added to that of the first renewal term.
4. The Mayor and Chief Executive officer be authorised to sign and/or seal any necessary documentation to give effect to the grant of the renewal term.

#### **COMMITTEE RESOLUTION**

Moved: Cr Dominic Mugavin

Seconded: Cr John Woodward

That the recommendation be adopted.

**CARRIED**

### **8 OTHER BUSINESS**

Cr Dominic Mugavin noted that he had taken up playing tennis at the Thebarton Basketball & Tennis Courts located on the corner of Ashley Street and South Road, Thebarton. He praised the well maintained tennis courts and playground area and stated that he was pleased to see the local community utilising Council services and facilities.

The Presiding Member commented on the design and fit out of the newly built community facilities and suggested that the City Facilities and Waste Recovery General Committee be involved in the review and approval of design and fitout inventory for future major community projects prior to commencement of any works to ensure that approved inclusions meet the intended requirements.

**9 CONFIDENTIAL****10.1 Richmond Oval and West Adelaide Football Club - Update on Master Planning, Request for Variation of Lease and Acquisition****Reason for Confidentiality**

The Committee 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 was recommended to the City Facilities and Waste Recovery General Committee that:

1. Pursuant to Section 90(2) of the *Local Government Act 1999*, the Committee 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 10.1 - Richmond Oval and West Adelaide Football Club - Update on Master Planning, Request for Variation of Lease and Acquisition, 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.

**COMMITTEE RESOLUTION**

Moved: Cr Brandon Reynolds

Seconded: Cr George Vlahos

That:

1. Pursuant to Section 90(2) of the *Local Government Act 1999*, the Committee 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 Cr Elisabeth Papanikolaou, 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 10.1 - Richmond Oval and West Adelaide Football Club - Update on Master Planning, Request for Variation of Lease and Acquisition, 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.

**CARRIED**

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 7.38pm with the virtual meeting locked and all virtual attendees removed from the electronic meeting platform.

**7.38pm** the meeting moved into Confidence and the Confidential session commenced.

**Committee also resolved that:**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999*, the City Facilities and Waste Recovery General Committee orders that the Item 10.1 - Update and Request for Variation of Lease - West Adelaide Football Club the Minutes arising, attachments and any associated documentation, having been considered by the City Facilities and Waste Recovery General Committee 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 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*.

**7.53pm** the Confidential session closed.

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

**10 NEXT MEETING**

24 November 2020, 6.00pm in the George Robertson Room.

**11 MEETING CLOSE**

The Presiding Member declared the public portion of the meeting was closed at 7.38pm and the confidential session closed at 7.53pm.