

CITY OF WEST TORRENS



**MINUTES**  
**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, 13 DECEMBER 2022**

**at 7.00pm**

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

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## 1 MEETING OPENED

The Presiding Member declared the meeting open at 7.06pm.

### 1.1 Acknowledgement of Country

The Presiding Member called for the Acknowledgment of Country to be read out by Cr Kym McKay.

*"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 read out to the gallery by the General Manager Corporate and Regulatory Services.

### 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: J Woodward, E Papanikolaou, D Huggett, K McKay, G Nitschke, Z Papafilopoulos, S Pal, L Gelonese, S Whiting, C O'Rielly, G Demetriou, A McKay, J Wood, S Comrie

### 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)

## 3 APOLOGIES

Nil

#### 4 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

<b>Item</b>	<b>Type of Conflict</b>	<b>Elected Member</b>
Item 17.1 - Appointment of Deputy Mayor and Item 17.4 - City Facilities and Waste Recovery General Committee Terms of Reference	Material	Cr Kym McKay
Item 17.1 - Appointment of Deputy Mayor	General	Cr Elisabeth Papanikolaou
Item 17.3 - City Finance and Governance Standing Committee Terms of Reference; Item 17.5 - City Advancement and Prosperity Standing Committee Terms of Reference; and Item 17.10 - Nominations for the West Beach Trust Board of Management	Material	Cr Elisabeth Papanikolaou
Item 17.7 - Appointment and Selection of Council Assessment Panel; and Item 17.8 - Max and Bette Mendelson Foundation Management Committee - Elected Member Appointments	Material	Cr Graham Nitschke
Item 17.9 - Nominations to External Bodies	General	Cr Graham Nitschke
Item 17.2 - City Services and Climate Adaptation Standing Committee Terms of Reference; Item 17.5 - City Advancement and Prosperity Standing Committee Terms of Reference; and Item 17.8 - Max and Bette Mendelson Foundation Management Committee - Elected Member Appointments	Material	Cr Daniel Huggett
Item 17.1 - Appointment of Deputy Mayor; and Item 17.10 - Nominations for the West Beach Trust Board of Management	Material	Cr John Woodward
Item 17.3 - City Finance and Governance Standing Committee Terms of Reference; Item 17.4 - City Facilities and Waste Recovery General Committee Terms of Reference; Item 17.6 - Chief Executive Officer's Performance Review Committee Terms of Reference; and Item 17.8 - Max and Bette Mendelson Foundation Management Committee - Elected Member Appointments	Material	Cr Anne McKay
Item 17.1 - Appointment of Deputy Mayor; Item 17.5 - City Advancement and Prosperity Standing Committee Terms of Reference; and Item 17.6 - Chief Executive Officer's Performance Review Committee Terms of Reference	Material	Cr Jassmine Wood

Item 17.1 - Appointment of Deputy Mayor, Item 17.2 - City Services and Climate Adaptation Standing Committee Terms of Reference; Item 17.8 - Max and Bette Mendelson Foundation Management Committee - Elected Member Appointments; and Item 17.10 - Nominations for the West Beach Trust Board of Management	Material	Cr Cindy O'Rielley
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Item 17.1 - Appointment of Deputy Mayor; Item 17.2 - City Services and Climate Adaptation Standing Committee Terms of Reference; Item 17.5 - City Advancement and Prosperity Standing Committee Terms of Reference; Item 17.7 - Appointment and Selection of Council Assessment Panel; and Item 17.8 - Max and Bette Mendelson Foundation Management Committee - Elected Member Appointments	Material	Cr Surender Pal
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Item 17.1 - Appointment of Deputy Mayor; Item 17.7 - Appointment and Selection of Council Assessment Panel; and Item 17.8 - Max and Bette Mendelson Foundation Management Committee - Elected Member Appointments	Material	Cr George Demetriou
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## 5 CONFIRMATION OF MINUTES

### RECOMMENDATION

That the Minutes of the meeting of the Council held on 29 November 2022 be confirmed as a true and correct record.

### RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

## **6 MAYORS REPORT**

Cr John Woodward queried if there were any activities in particular that Mayor Coxon would consider to be the highlights of his Mayor's Report. Mayor Coxon advised that all of the activities undertaken during the period were equally important to him but he was happy to take any questions.

### **RECOMMENDATION**

That the Mayor's Report be noted.

### **RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

**CARRIED**

## **7 ELECTED MEMBERS REPORTS**

Cr Jassmine Wood thanked those who supported her on her re-election journey and the residents of Airport Ward for their support. Cr Wood extended her thanks to the Administration for their support over the past four years and looks forward to the next four years. Cr Wood welcomed all of the new Elected Members and acknowledged Airport Ward co-Councillor Sara Comrie. Cr Wood expressed concern at the negative online behaviour she had experienced. Mayor Coxon welcomed Cr Wood back to the Council as the returning Airport Ward Councillor for the new Council term.

Cr Daniel Huggett advised of his attendance at the Immanuel Primary School Year 6 Graduation Ceremony on Monday 12 December 2022 and commended the event, particularly the students and teachers involved.

Cr Kym McKay advised of his attendance at the Hilton RSL Remembrance Day Service in the West Torrens Memorial Gardens on Friday 11 November 2022 and attended the Hilton RSL afterwards. Cr McKay also advised he had met with a number of residents over the past few weeks to discuss strategies for residents to improve their verges.

Cr Kym McKay also expressed his support for the comments made by Cr Wood in relation to negative online behaviours by members of the public and commented on his own experiences in relation to harassment by members of the public both in the past and more recently due to his position on particular matters before the Council.

Comments were made from the gallery in reference to Cr Kym McKay's verbal report which were responded to by Cr Kym McKay and the Presiding Member called the meeting to order.

Cr George Demetriou advised of his attendance the Immanuel Primary School Year 6 Graduation Ceremony and thanked Mayor Coxon and Cr Huggett for their attendance.

Cr Graham Nitschke advised of his attendance at the following:

- West Torrens Art Prize exhibition launch at the Hamra Centre Auditorium on Friday 4 November 2022;
- Council Confidential Information Session regarding the Thebarton Oval Precinct, held at the Civic Centre on Monday 7 November 2022;
- Participated in the Special Meeting of Council held at the Civic Centre on Tuesday 8 November 2022;
- Food Truck Carnivale at Kings Reserve on Friday 11 November 2022;
- Adelaide Beaches Building Western Adelaide networking event held at Brightstar Brewing, Thebarton on Thursday 24 November 2022;
- City of West Torrens Swearing-in Ceremony held in the Council Chambers on Tuesday 29 November 2022;
- South Australian Heritage Council's Heritage Forum regarding the excavation of Thebarton Cottage, the former home of Colonel William Light & Maria Gandy on the former Brewery site on Friday 2 December 2022;
- Induction session for the new Council on Tuesday 6 December 2022.
- Attended the Sundae Fun Day event in Mile End Common and Christmas Markets at Holland Street Thebarton on Sunday 11 December 2022.
- Council Assessment Panel meeting and Council meeting in the Civic Centre on Tuesday 13 December 2022.

## RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Lana Gelonese

That the reports from Members be noted.

**CARRIED**

## 8 PETITIONS

Nil

## 9 DEPUTATIONS

### 9.1 Guiding Principles for Adelaide Football Club in the development of the Thebarton Oval Precinct Masterplan

The Presiding Member invited Ms Karin Kassahn and Dr Emma Dawes of Torrensville to address Council in relation to the guiding principles for Adelaide Football Club (AFC) in the development of the Thebarton Oval Precinct Masterplan.

**7.32pm** Ms Kassahn and Dr Dawes commenced their Deputation.

**7.37pm** the time limit of five minutes in total for the deputation was reached. The Presiding Member sought for an extension of time for this deputation.

## MOTION

Moved: Cr Jassmine Wood

Seconded: Cr Lana Gelonese

That the time limit allocated for this deputation be extended for five minutes.

**CARRIED**

**7.38pm** Dr Dawes and Ms Kassahn continued their Deputation.

**7.39pm** Dr Dawes and Ms Kassahn concluded their Deputation.

Elected Members were invited to ask questions in relation to the Deputation which were responded to by Dr Dawes.

The Presiding Member thanked Ms Kassahn and Dr Dawes for their deputation and attendance.

The Presiding Member advised of his intention to bring forth Item 15.2 - Guiding Principles for the development of the 'Thebarton Oval Precinct' by the Adelaide Football Club (AFC) following the conclusion of Item 9.2 - Masterplan Advisory Group and Guiding Principles for the Thebarton Oval Precinct.

## **9.2 Masterplan Advisory Group and Guiding Principles for the Thebarton Oval Precinct**

The Presiding Member invited Ms Narelle Walker of Thebarton and Ms Linda Mundy of Torrensville to address Council in relation to their points of view on the Masterplan Advisory Group (MAG) and the Guiding Principles for Stage 2 of the Thebarton Oval Precinct Lease Agreement.

**7.42pm** Ms Walker and Ms Mundy commenced their Deputation.

**7.47pm** Ms Mundy and Ms Walker concluded their Deputation.

The Presiding Member thanked Ms Walker and Ms Mundy for their deputation and attendance.

The Presiding Member requested a show of hands from Elected Members to bring forth Item 15.2 - Guiding Principles for the development of the 'Thebarton Oval Precinct' by the Adelaide Football Club (AFC) prior to the consideration of Item 9.3 - 40km/h zones in the City of West Torrens.

Elected Members provided their support to bring forward Item 15.2.

### **9.2.1 Item 15.2 - Guiding Principles for the development of the 'Thebarton Oval Precinct' by the Adelaide Football Club (AFC) Brought Forward for Consideration at this Point in the Meeting**

#### **RESOLUTION**

Moved: Cr Graham Nitschke

Seconded: Cr Zoi Papafilopoulos

That Council notes the following guiding principles submitted by the community for Council consideration, and considers their inclusion in the guiding principles for AFC in the development of their Masterplan, and the Masterplan Advisory Group's terms of reference. Those being:

#### **With relation to the Kings Reserve Master Plan:**

1. Co-location of community recreation and reserve facilities on the western aspect of Kings Reserve, including, but not limited to:

- precinct quality high level play spaces;
  - upgraded mixed age playground;
  - high quality BBQ and shaded picnic facilities;
  - half-court basketball court;
  - cricket net; and
  - plaza style skate park.
2. Retention of mature trees, and the use of planting and landscape form to define landscape spaces. Saplings, even if planted in increased ratio, are not a suitable substitute for mature tree canopy;
  3. The 2018 Kings Reserve Master Plan and underpinning 'needs analysis' to be the basis with which to inform the development of community facilities within the current stage 2 Thebarton Precinct Master Plan planning phase outlined by the Memorandum of Agreement between WTCC and Adelaide Football Club (AFC);
  4. Particular attention be given to ensuring that the vision and guiding principles as outlined in section 3 (3.1, 3.2, 3.3) of the 2018 Kings Reserve Master Plan are represented in the final design of these facilities;
  5. That replacement community facilities be constructed and made available for use prior to existing facilities being demolished or closed;

**With regard to development of the 'Thebarton Oval Precinct':**

6. That the relocation of the Community centre does not encroach on, or limit, the green space available to residents on Kings Reserve. Mature tree canopy should not be removed to accommodate the relocation of the community centre. Strong preference is not held for co-location;
7. That the Community centre is to remain council run and independent to the AFC, and is not to be a shared facility with the AFC;
8. That there be no, or extremely limited, traffic access to AFC facilities from suburban streets (including Ashley St, Meyer St, East St);
9. That any development improves upon existing parking infrastructure, and that parking remains free and available to residents;
10. That no external sports field makes use of artificial turf;
11. That there is community access to greenspace at either Kings Reserve or Thebarton Oval at all times, and that hours of use where community access is restricted are consistent and transparent (please note that fulfilling this requirement does not absolve the AFC from the requirements stated further above);
12. That there are no prohibition of community events or festivals on Kings Reserve due to use requirements of AFC;
13. That there is no restriction in access to dogs and dog-walking on the facilities constructed on Kings Reserve (outside of standard and normal restrictions around playgrounds), and that this includes on any sports field that may be constructed;
14. That the Thebarton Aquatic Centre be retained and managed for community use, and that there is ongoing community access to leisure, lap swimming, and swim school and other formalized activity at a level similar to what is currently experienced;

**With regard to ongoing governance for the term of the lease:**

15. That there is community representation at both Board and Council level for the duration of the lease;
16. That there is a Council review process for any variation to hours of access; and
17. That a regular periodic review is conducted.

Cr Graham Nitschke tabled an email received from Dr Ramesh Raja Segaran in relation to the matter for Members' information.

**CARRIED**

The Presiding Member advised that following the printing and distribution of the Council Agenda, he had received a request from Walking SA, for a Deputation in relation to the Motion put forth by Cr John Woodward relating to the reduction of the maximum speed limit in residential streets. Mayor Coxon advised that the request had been approved.

**9.3 40km/h zones in the City of West Torrens**

The Presiding Member invited Mr Bill Gehling of Walking SA to address Council in relation to the reduction of the maximum speed limit in residential streets.

**7.59pm** Mr Gehling commenced his Deputation.

**8.04pm** Mr Gehling concluded his Deputation.

Elected Members were invited to ask questions in relation to the Deputation which were responded to by Mr Gehling.

The Presiding Member thanked Mr Gehling for his deputation and attendance.

The Presiding Member requested a show of hands from Elected Members to bring forth Item 15.1 - Reduction of maximum speed limit in residential streets prior to the consideration of Item 10 - Adjourn to Standing Committees.

Elected Members provided their support to bring forward Item 15.1.

**9.3.1 Item 15.1 - Reduction of maximum speed limit in residential streets Brought Forward for Consideration at this Point in the Meeting****RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Elisabeth Papanikolaou

That Council be provided with a report that identifies areas (within in each Council Ward) with potential to reduce the maximum speed limit in residential streets to 40kph. The report to also provide a recommendation on how to initiate and conduct a trial of selected locations, and to include analysis of other metropolitan Councils that have introduced reduced speed limits in residential streets.

**8.21pm** Cr Daniel Huggett left the meeting.

**8.23pm** Cr Daniel Huggett returned to the meeting.

**CARRIED**

**10 ADJOURN TO STANDING COMMITTEE**

Nil

**11 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS**

Nil

**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.

**15 MOTIONS WITH NOTICE****15.1 Reduction of maximum speed limit in residential streets**

This item was considered following Item 9.3 - 40km/h zones in the City of West Torrens.

**15.2 Guiding Principles for the development of the 'Thebarton Oval Precinct' by the Adelaide Football Club (AFC)**

This item was considered following Item 9.2 - Masterplan Advisory Group and Guiding Principles for the Thebarton Oval Precinct.

**16 MOTIONS WITHOUT NOTICE**

Nil

**17 REPORTS OF THE CHIEF EXECUTIVE OFFICER****17.1 Appointment of Deputy Mayor**

The Presiding Member advised that following discussion with the Chief Executive Officer he wished to amend the process for the consideration of this item and sought for each recommendation point to be considered separately.

This report sought the appointment of Deputy Mayors and Deputy to the Deputy Mayors for the term of the Council.

## RECOMMENDATION

It is recommended to Council that:

1. Cr ..... be appointed to the position of Deputy Mayor from 13 December 2022 to 30 November 2023.
2. Cr ..... be appointed to the position of Deputy Mayor from 1 December 2023 to 30 November 2024.
3. Cr ..... be appointed to the position of Deputy Mayor from 1 December 2024 to 30 November 2025.
4. Cr ..... be appointed to the position of Deputy Mayor from 1 December 2025 to the conclusion of the November 2026 local government elections.
5. Cr ..... be appointed to the position of 'Deputy to the Deputy Mayor' from 13 December 2022 to 30 November 2023 after which time the immediate past Deputy Mayor will assume the position of deputy to the Deputy Mayor.

## OR

1. The report be received.

**8.39pm** Cr Cindy O'Rielley declared a material conflict of interest in this item as she wishes to be appointed to the position of Deputy Mayor from 13 December 2022 to 30 November 2023 and as the position is remunerated she left the meeting for the discussion and vote on the item.

## MOTION

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr John Woodward

That Cr Cindy O'Rielley be appointed to the position of Deputy Mayor from 13 December 2022 to 30 November 2023.

**CARRIED**

**8.40pm** Cr Cindy O'Rielley returned to the meeting.

**8.41pm** Cr Jassmine Wood declared a material conflict of interest in this item as she wishes to be appointed to the position of Deputy Mayor from 1 December 2023 to 30 November 2024 and as the position is remunerated she left the meeting for the discussion and vote on the item.

**8.41pm** Cr Surender Pal declared a material conflict of interest in this item as he wishes to be appointed to the position of Deputy Mayor from 1 December 2023 to 30 November 2024 and as the position is remunerated he left the meeting for the discussion and vote on the item.

As two (2) nominations were received for the position of Deputy Mayor from 1 December 2023 to 30 November 2024, a secret ballot was conducted to identify the preferred candidate for the position. The Presiding Member declared that Cr Jassmine Wood was successful in the ballot.

**MOTION**

Moved: Cr John Woodward  
Seconded: Cr Elisabeth Papanikolaou

That Cr Jassmine Wood be appointed to the position of Deputy Mayor from 1 December 2023 to 30 November 2024.

**CARRIED**

**8.46pm** Cr/s Jassmine Wood and Surender Pal returned to the meeting.

**8.47pm** *Cr John Woodward declared a material conflict of interest in this item as he wishes to be appointed to the position of Deputy Mayor from 1 December 2024 to 30 November 2025 and as the position is remunerated he left the meeting for the discussion and vote on the item.*

**8.47pm** *Cr George Demetriou declared a material conflict of interest in this item as he wishes to be appointed to the position of Deputy Mayor from 1 December 2024 to 30 November 2025 and as the position is remunerated he left the meeting for the discussion and vote on the item.*

As two (2) nominations were received for the position of Deputy Mayor from 1 December 2024 to 30 November 2025, a secret ballot was conducted to identify the preferred candidate for the position. The Presiding Member declared that Cr John Woodward was successful in the ballot.

**MOTION**

Moved: Cr Graham Nitschke  
Seconded: Cr Daniel Huggett

That Cr John Woodward be appointed to the position of Deputy Mayor from 1 December 2024 to 30 November 2025.

**CARRIED**

**8.52pm** Cr/s John Woodward and George Demetriou returned to the meeting.

**8.53pm** *Cr Kym McKay declared a material conflict of interest in this item as he wishes to be appointed to the position of Deputy Mayor from 1 December 2025 to the conclusion of the November 2026 local government elections and as the position is remunerated he left the meeting for the discussion and vote on the item.*

**8.53pm** *Cr Anne McKay declared a material conflict of interest in this item as her partner, Cr Kym McKay wishes to be appointed to the position of Deputy Mayor from 1 December 2025 to the conclusion of the November 2026 local government elections and as the position is remunerated she left the meeting for the discussion and vote on the item.*

**MOTION**

Moved: Cr Elisabeth Papanikolaou  
Seconded: Cr Sara Comrie

That Cr Kym McKay be appointed to the position of Deputy Mayor from 1 December 2025 to the conclusion of the November 2026 local government elections.

**CARRIED**

**8.55pm** Cr/s Kym McKay and Anne McKay returned to the meeting.

**8.56pm** Cr Elisabeth Papanikolaou declared a general conflict of interest in this item as she wishes to be appointed to the position of Deputy to the Deputy Mayor from 13 December 2022 to 30 November 2023 and while the position is not remunerated, she left the meeting for the discussion and vote on the item.

Cr George Demetriou nominated Cr Daniel Huggett for the position of Deputy to the Deputy Mayor from 13 December 2022 to 30 November 2023. Cr Huggett acknowledged his nomination, however, he declined to accept the nomination given.

## **MOTION**

Moved: Cr John Woodward

Seconded: Cr Graham Nitschke

That Cr Elisabeth Papanikolaou be appointed to the position of 'Deputy to the Deputy Mayor' from 13 December 2022 to 30 November 2023 after which time the immediate past Deputy Mayor will assume the position of deputy to the Deputy Mayor.

**8.57pm** Cr Kym McKay left the meeting.

**CARRIED**

**8.58pm** Cr Elisabeth Papanikolaou returned to the meeting.

## **17.2 City Services and Climate Adaptation Standing Committee Terms of Reference**

The Presiding Member advised that he wished to amend the process for the consideration of this item and sought for recommendation points 1, 2, 5, 6, 7 and 8 to be considered prior to recommendation points 3 and 4.

This report sought the establishment of, and presented the proposed Terms of Reference for, the City Services and Climate Adaptation Standing Committee, pursuant to Section 41 of the *Local Government Act 1999*, for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.

## **RECOMMENDATION**

It is recommended to Council that:

1. The City Services and Climate Adaptation Standing Committee be established pursuant to s41 of the *Local Government Act 1999* for the period 1 February 2023 to the conclusion of the November 2026 Local Government elections.
2. It appoints all Members of Council to the City Services and Climate Adaptation Standing Committee for the period 1 February 2023 to the conclusion of the November 2026 Local Government elections.
3. It appoints ..... as the Presiding Member and ..... as the Deputy Presiding Member to the City Services and Climate Adaptation Standing Committee for the period 1 February 2023 to 30 November 2025.

4. It appoints ..... as the Presiding Member and ..... as the Deputy Presiding Member to the City Services and Climate Adaptation Standing Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections.
5. The City Services and Climate Adaptation Standing Committee Terms of Reference, attached to this report, be approved.
6. The ordinary meetings of the City Services and Climate Adaptation Standing Committee be held on the first Tuesday of alternate months commencing February 2023, with the exception of January and December of each year when no meetings will be held, at 6pm in the Council Chamber at 165 Sir Donald Bradman Drive, Hilton SA 5033.
7. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the City Services and Climate Adaptation Standing Committee in consultation with the Presiding Member.
8. The Chief Executive Officer be delegated authority to make amendments of a legislative, formatting and/or minor technical nature to the City Services and Climate Adaptation Standing Committee Terms of Reference.

**9.00pm** Cr Kym McKay returned to the meeting.

## RESOLUTION

Moved: Cr Sam Whiting

Seconded: Cr Elisabeth Papanikolaou

That:

1. The City Services and Climate Adaptation Standing Committee be established pursuant to s41 of the *Local Government Act 1999* for the period 1 February 2023 to the conclusion of the November 2026 Local Government elections.
2. It appoints all Members of Council to the City Services and Climate Adaptation Standing Committee for the period 1 February 2023 to the conclusion of the November 2026 Local Government elections.
5. The City Services and Climate Adaptation Standing Committee Terms of Reference, attached to this report, be approved.
6. The ordinary meetings of the City Services and Climate Adaptation Standing Committee be held on the first Tuesday of alternate months commencing February 2023, with the exception of January and December of each year when no meetings will be held, at 6pm in the Council Chamber at 165 Sir Donald Bradman Drive, Hilton SA 5033.
7. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the City Services and Climate Adaptation Standing Committee in consultation with the Presiding Member.
8. The Chief Executive Officer be delegated authority to make amendments of a legislative, formatting and/or minor technical nature to the City Services and Climate Adaptation Standing Committee Terms of Reference.

**CARRIED**

**9.01pm** Cr Daniel Huggett declared a material conflict of interest in this item as he wishes to be appointed to the position of Presiding Member to the City Services and Climate Adaption Standing Committee for the period 1 February 2023 to 30 November 2023 and as the position is remunerated he left the meeting for the discussion and vote on the item.

**9.02pm** Cr Cindy O'Rielley declared a material conflict of interest in this item as she wishes to be appointed to the position of Presiding Member to the City Services and Climate Adaption Standing Committee for the period 1 December 2023 to the conclusion of the November 2026 Local Government period elections and as the position is remunerated she left the meeting for the discussion and vote on the item.

## **MOTION**

Moved: Cr Anne McKay

Seconded: Cr Elisabeth Papanikolaou

That:

1. It appoints Cr Daniel Huggett as the Presiding Member and Cr Cindy O'Rielley as the Deputy Presiding Member to the City Services and Climate Adaption Standing Committee for the period 1 February 2023 to 30 November 2023.
2. It appoints Cr Cindy O'Rielley as the Presiding Member and Cr Daniel Huggett as the Deputy Presiding Member to the City Services and Climate Adaptation Standing Committee for the period 1 December 2023 to the conclusion of the November 2026 Local Government periodic elections.

**CARRIED**

**9.03pm** Cr/s Daniel Huggett and Cindy O'Rielley returned to the meeting.

## **17.3 City Finance and Governance Standing Committee Terms of Reference**

The Presiding Member advised that he wished to amend the process for the consideration of this item and sought for recommendation points 1, 2, 5, 6, 7 and 8 to be considered prior to recommendation points 3 and 4.

This report sought the establishment of, and presented the proposed Terms of Reference for, the City Finance and Governance Standing Committee, pursuant to Section 41 of the *Local Government Act 1999*, for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.

## **RECOMMENDATION**

It is recommended to Council that:

1. The City Finance and Governance Standing Committee be established pursuant to s41 of the *Local Government Act 1999* for the period 1 February 2023 to the conclusion of the November 2026 Local Government elections.
2. It appoints all Members of Council to the City Finance and Governance Standing Committee for the period 1 February 2023 to the conclusion of the November 2026 Local Government elections.

3. It appoints ..... as the Presiding Member and ..... as the Deputy Presiding Member to the City Finance and Governance Standing Committee for the period 1 February 2023 to 30 November 2025.
4. It appoints ..... as the Presiding Member and ..... as the Deputy Presiding Member to the City Finance and Governance Standing Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections.
5. The ordinary meetings of the City Finance and Governance Standing Committee be held on the first Tuesday of alternate months commencing March 2023, with the exception of January and December of each year when no meetings will be held, at 6pm in the Council Chamber at 165 Sir Donald Bradman Drive, Hilton SA 5033.
6. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the City Finance and Governance Standing Committee in consultation with the Presiding Member.
7. The City Finance and Governance Standing Committee Terms of Reference, attached to this report, be approved.
8. The Chief Executive Officer be delegated authority to make amendments of a legislative, formatting and/or minor technical nature to the City Finance and Governance Standing Committee Terms of Reference.

## RESOLUTION

Moved: Cr Daniel Huggett  
Seconded: Cr Graham Nitschke

That:

1. The City Finance and Governance Standing Committee be established pursuant to s41 of the *Local Government Act 1999* for the period 1 February 2023 to the conclusion of the November 2026 Local Government elections.
2. It appoints all Members of Council to the City Finance and Governance Standing Committee for the period 1 February 2023 to the conclusion of the November 2026 Local Government elections.
5. The ordinary meetings of the City Finance and Governance Standing Committee be held on the first Tuesday of alternate months commencing March 2023, with the exception of January and December of each year when no meetings will be held, at 6pm in the Council Chamber at 165 Sir Donald Bradman Drive, Hilton SA 5033.
6. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the City Finance and Governance Standing Committee in consultation with the Presiding Member.
7. The City Finance and Governance Standing Committee Terms of Reference, attached to this report, be approved.
8. The Chief Executive Officer be delegated authority to make amendments of a legislative, formatting and/or minor technical nature to the City Finance and Governance Standing Committee Terms of Reference.

**CARRIED**

**9.05pm** Cr Anne McKay declared a material conflict of interest in this item as she wishes to be appointed to the position of Presiding Member to the City Finance and Governance Standing Committee for the period 1 February 2023 to 30 November 2024 and as the position is remunerated she left the meeting for the discussion and vote on the item.

**9.05pm** Cr Elisabeth Papanikolaou declared a material conflict of interest in this item as she wishes to be appointed to the position of Presiding Member to the City Finance and Governance Standing Committee for the period 1 December 2024 to the conclusion of the November 2026 Local Government period elections and as the position is remunerated she left the meeting for the discussion and vote on the item.

**9.05pm** Cr Kym McKay declared a material conflict of interest in this item as his partner, Cr Anne McKay wishes to be appointed to the position of Presiding Member to the City Finance and Governance Standing Committee for the period 1 February 2023 to 30 November 2024 and as the position is remunerated he left the meeting for the discussion and vote on the item.

## MOTION

Moved: Cr Jassmine Wood

Seconded: Cr Cindy O'Rielley

That:

1. It appoints Cr Anne McKay as the Presiding Member and Cr Elisabeth Papanikolaou as the Deputy Presiding Member to the City Finance and Governance Standing Committee for the period 1 February 2023 to 30 November 2024.
2. It appoints Cr Elisabeth Papanikolaou as the Presiding Member and Cr Anne McKay as the Deputy Presiding Member to the City Finance and Governance Standing Committee for the period 1 December 2024 to the conclusion of the November 2026 Local Government periodic elections.

**CARRIED**

**9.06pm** Cr/s Anne McKay, Elisabeth Papanikolaou and Kym McKay returned to the meeting.

## 17.4 City Facilities and Waste Recovery Standing Committee Terms of Reference

The Presiding Member advised that he wished to amend the process for the consideration of this item and sought for recommendation points 1, 2, 5, 6, 7 and 8 to be considered prior to recommendation points 3 and 4.

This report sought the establishment of, and presented proposed Terms of Reference for, the City Facilities and Waste Recovery Standing Committee, pursuant to Section 41 of the *Local Government Act 1999*, for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.

## RECOMMENDATION

It is recommended to Council that:

1. The City Facilities and Waste Recovery Standing Committee be established pursuant to s41 of the *Local Government Act 1999* for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.

2. It appoints all Members of Council to the City Facilities and Waste Recovery Standing Committee for the period 1 February 2023 to the conclusion of the November 2026 Local Government elections.
3. It appoints ..... as the Presiding Member and ..... as the Deputy Presiding Member to the City Facilities and Waste Recovery Standing Committee for the period 1 February 2023 to 30 November 2025.
4. It appoints ..... as the Presiding Member and ..... as the Deputy Presiding Member to the City Facilities and Waste Recovery Standing Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections.
5. The ordinary meetings of the City Facilities and Waste Recovery Standing Committee be held on the first Tuesday of alternate months commencing February 2023, with the exception of January and December of each year when no meetings will be held, immediately following the conclusion of the City Services and Climate Adaptation Standing Committee meeting, held at 6pm, in the Council Chamber at 165 Sir Donald Bradman Drive, Hilton SA 5033.
6. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the City Facilities and Waste Recovery Standing Committee in consultation with the Presiding Member.
7. The City Facilities and Waste Recovery Standing Committee Terms of Reference, attached to this report, be approved.
8. The Chief Executive Officer be delegated authority to make amendments of a legislative, formatting and/or minor technical nature to the City Facilities and Waste Recovery Standing Committee Terms of Reference.

## RESOLUTION

Moved: Cr Daniel Huggett  
Seconded: Cr Jassmine Wood

That:

1. The City Facilities and Waste Recovery Standing Committee be established pursuant to s41 of the *Local Government Act 1999* for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.
2. It appoints all Members of Council to the City Facilities and Waste Recovery Standing Committee for the period 1 February 2023 to the conclusion of the November 2026 Local Government elections.
5. The ordinary meetings of the City Facilities and Waste Recovery Standing Committee be held on the first Tuesday of alternate months commencing February 2023, with the exception of January and December of each year when no meetings will be held, immediately following the conclusion of the City Services and Climate Adaptation Standing Committee meeting, held at 6pm, in the Council Chamber at 165 Sir Donald Bradman Drive, Hilton SA 5033.
6. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the City Facilities and Waste Recovery Standing Committee in consultation with the Presiding Member.

7. The City Facilities and Waste Recovery Standing Committee Terms of Reference, attached to this report, be approved.
8. The Chief Executive Officer be delegated authority to make amendments of a legislative, formatting and/or minor technical nature to the City Facilities and Waste Recovery Standing Committee Terms of Reference.

**CARRIED**

**9.08pm** Cr Kym McKay declared a material conflict of interest in this item as he wishes to be appointed to the position of Presiding Member to the City Facilities and Waste Recovery Standing Committee for the period 1 February 2023 to 30 November 2025 and as the position is remunerated he left the meeting for the discussion and vote on the item.

**9.08pm** Cr Anne McKay declared a material conflict of interest in this item as she wishes to be appointed to the position of Presiding Member to the City Facilities and Waste Recovery Standing Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government period elections and as the position is remunerated she left the meeting for the discussion and vote on the item.

#### **MOTION**

Moved: Cr Cindy O'Rielley  
Seconded: Cr Jassmine Wood

That:

1. It appoints Cr Kym McKay as the Presiding Member and Cr Anne McKay as the Deputy Presiding Member to the City Facilities and Waste Recovery Standing Committee for the period 1 February 2023 to 30 November 2025.
2. It appoints Cr Anne McKay as the Presiding Member and Cr Kym McKay as the Deputy Presiding Member to the City Facilities and Waste Recovery Standing Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections.

**CARRIED**

**9.09pm** Cr/s Kym McKay and Anne McKay returned to the meeting.

#### **17.5 City Advancement and Prosperity Standing Committee Terms of Reference**

The Presiding Member advised that he wished to amend the process for the consideration of this item and sought for recommendation points 1, 2, 5, 6, 7 and 8 to be considered prior to recommendation points 3 and 4.

This report sought the establishment of, and presented the proposed Terms of Reference for, the City Advancement and Prosperity Standing Committee, pursuant to Section 41 of the *Local Government Act 1999*, for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.

## RECOMMENDATION

It is recommended to Council that:

1. The City Advancement and Prosperity Standing Committee be established pursuant to s41 of the *Local Government Act 1999* for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.
2. It appoints all Members of Council to the City Advancement and Prosperity Standing Committee for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.
3. It appoints ..... as the Presiding Member and ..... as the Deputy Presiding Member to the City Advancement and Prosperity Standing Committee for the period 1 February 2023 to 30 November 2025.
4. It appoints ..... as the Presiding Member and ..... as the Deputy Presiding Member to the City Advancement and Prosperity Standing Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections.
5. Ordinary meetings of the City Advancement and Prosperity Standing Committee be held on the first Tuesday of alternate months commencing March 2023, with the exception of January and December of each year when no meetings will be held, immediately following the conclusion of the City Finance and Governance Standing Committee meeting held at 6pm, in the Council Chamber at 165 Sir Donald Bradman Drive, Hilton SA 5033.
6. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the City Advancement and Prosperity Standing Committee in consultation with the Presiding Member.
7. The City Advancement and Prosperity Standing Committee Terms of Reference, attached to this report, be approved.
8. The Chief Executive Officer be delegated authority to make amendments of a legislative, formatting and/or minor technical nature to the City Advancement and Prosperity Standing Committee Terms of Reference.

## RESOLUTION

Moved: Cr Cindy O'Rielley

Seconded: Cr Anne McKay

That:

1. The City Advancement and Prosperity Standing Committee be established pursuant to s41 of the *Local Government Act 1999* for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.
2. It appoints all Members of Council to the City Advancement and Prosperity Standing Committee for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.

3. Ordinary meetings of the City Advancement and Prosperity Standing Committee be held on the first Tuesday of alternate months commencing March 2023, with the exception of January and December of each year when no meetings will be held, immediately following the conclusion of the City Finance and Governance Standing Committee meeting held at 6pm, in the Council Chamber at 165 Sir Donald Bradman Drive, Hilton SA 5033.
4. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the City Advancement and Prosperity Standing Committee in consultation with the Presiding Member.
5. The City Advancement and Prosperity Standing Committee Terms of Reference, attached to this report, be approved.
6. The Chief Executive Officer be delegated authority to make amendments of a legislative, formatting and/or minor technical nature to the City Advancement and Prosperity Standing Committee Terms of Reference.

**CARRIED**

**9.15pm** *Cr Elisabeth Papanikolaou declared a material conflict of interest in this item as she wishes to be appointed to the position of Presiding Member to the City Advancement and Prosperity Standing Committee for the period 1 February 2023 to 30 November 2024 and as the position is remunerated she left the meeting for the discussion and vote on the item.*

**9.15pm** *Cr Daniel Huggett declared a material conflict of interest in this item as he wishes to be appointed to the position of Presiding Member to the City Advancement and Prosperity Standing Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections and as the position is remunerated he left the meeting for the discussion and vote on the item.*

**9.15pm** *Cr Jassmine Wood declared a material conflict of interest in this item as she wishes to be appointed to the position of Presiding Member to the City Advancement and Prosperity Standing Committee for the period 1 December 2024 to 30 November 2025 and as the position is remunerated she left the meeting for the discussion and vote on the item.*

Following the declarations from Cr/s Elisabeth Papanikolaou, Daniel Huggett and Jassmine Wood, Cr Lana Gelonese nominated Cr Surender Pal for the position of Presiding Member to the City Advancement and Prosperity Standing Committee for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections. Cr Pal acknowledged and accepted her nomination.

**9.17pm** *Cr Surender Pal declared a material conflict of interest in this item as he wishes to be appointed to the position of Presiding Member to the City Advancement and Prosperity Standing Committee for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections and as the position is remunerated he left the meeting for the discussion and vote on the item.*

The Presiding Member advised that following discussion with the Chief Executive Officer he wished to amend the process for the consideration of this item and sought for each year of the term to be considered separately.

As two (2) nominations were received for the position of Presiding Member from 1 February 2023 to 30 November 2024, a secret ballot was conducted to identify the preferred candidate for the position. The Presiding Member declared that Cr Elisabeth Papanikolaou was successful in the ballot.

**MOTION**

Moved: Cr Graham Nitschke

Seconded: Cr Sam Whiting

That it appoints Cr Elisabeth Papanikolaou as the Presiding Member and Cr Daniel Huggett as the Deputy Presiding Member to the City Advancement and Prosperity Standing Committee for the period 1 February 2023 to 30 November 2024.

**CARRIED**

**9.31pm** Cr Daniel Huggett returned to the meeting.

As two (2) nominations were received for the position of Presiding Member from 1 December 2024 to 30 November 2025, a secret ballot was conducted to identify the preferred candidate for the position. The Presiding Member declared that Cr Jassmine Wood was successful in the ballot.

**MOTION**

Moved: Cr Daniel Huggett

Seconded: Cr Cindy O'Rielley

That it appoints Cr Jassmine Wood as the Presiding Member and Cr Elisabeth Papanikolaou as the Deputy Presiding Member to the City Advancement and Prosperity Standing Committee for the period 1 December 2024 to 30 November 2025.

**CARRIED**

**9.35pm** Cr Jassmine Wood returned to the meeting.

**9.35pm** *Cr Daniel Huggett declared a material conflict of interest in this item as he wishes to be appointed to the position of Presiding Member to the City Advancement and Prosperity Standing Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections and as the position is remunerated he left the meeting for the discussion and vote on the item.*

As two (2) nominations were received for the position of Presiding Member from 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections, a secret ballot was conducted to identify the preferred candidate for the position. The Presiding Member declared that Cr Daniel Huggett was successful in the ballot.

**MOTION**

Moved: Cr Anne McKay

Seconded: Cr Sam Whiting

That it appoints Cr Daniel Huggett as the Presiding Member and Cr Elisabeth Papanikolaou as the Deputy Presiding Member to the City Advancement and Prosperity Standing Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections.

**CARRIED**

**9.44pm** Cr/s Surender Pal, Daniel Huggett and Elisabeth Papanikolaou returned to the meeting.

## 17.6 Chief Executive Officer's Performance Review Committee Terms of Reference

Mayor Michael Coxon advised of his intention to nominate himself as Chair of the Chief Executive Officer's Review Prescribed General Committee for the four year period as this would not impose any additional cost on Council and sought for a mover and seconder to this effect.

**9.48pm** *Mayor Michael Coxon declared a general conflict of interest in this item as he wishes to be appointed to the position of Presiding Member to the Chief Executive Officer's Review Prescribed General Committee for the period 1 February 2023 to the conclusion of the 2026 Local Government periodic elections and while the position is not remunerated, he 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, Cr Cindy O'Rielly as Deputy Mayor assumed the chair as Presiding Member for the conduct of this item.

**9.48pm** *Cr Anne McKay declared a material conflict of interest in this item as she wishes to be appointed to the position of Presiding Member to the Chief Executive Officer's Review Prescribed General Committee for the period 1 December 2024 to 30 November 2025 and as the position is remunerated she left the meeting for the discussion and vote on the item.*

**9.49pm** *Cr Kym McKay declared a material conflict of interest in this item as his partner, Cr Anne McKay wishes to be appointed to the position of Presiding Member to the Chief Executive Officer's Review Prescribed General Committee for the period 1 December 2024 to 30 November 2025 and as the position is remunerated he left the meeting for the discussion and vote on the item.*

This report sought the establishment of, and presented the proposed Terms of Reference for, the Chief Executive Officer's Performance Review General Committee, pursuant to Section 41 of the *Local Government Act 1999*, for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.

### RECOMMENDATION

It is recommended to Council that:

1. The Chief Executive Officer's Performance Review General Committee be established pursuant to s41 of the *Local Government Act 1999* for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.
2. It appoints the Mayor and up to seven (7) Elected Members to the Chief Executive Officer's Review Prescribed General Committee for the period 1 February 2023 to the conclusion of the 2026 Local Government periodic elections as follows:
  - Mayor
  - Cr
  - Cr
  - Cr
  - Cr
  - Cr
  - Cr
  - Cr
3. It appoints ..... as the Presiding Member and ..... as the Deputy Presiding Member to the Chief Executive Officer's Performance Review General Committee for the period 1 February 2023 to 30 November 2024.

4. It appoints ..... as the Presiding Member and ..... as the Deputy Presiding Member to the Chief Executive Officer's Review Prescribed General Committee for the period 1 December 2024 to 30 November 2025.
5. It appoints ..... as the Presiding Member and ..... as the Deputy Presiding Member to the Chief Executive Officer's Review Prescribed General Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections.
6. The ordinary meeting of the Chief Executive Officer's Performance Review General Committee be held annually on the fourth Thursday of September each year commencing September 2019 at 6.00pm in the Mayor's Reception Room, 165 Sir Donald Bradman Drive, Hilton SA 5033.
7. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the Chief Executive Officer's Performance Review General Committee in consultation with the Presiding Member.
8. The Chief Executive Officer's Performance Review General Committee Terms of Reference attached to this report be approved.
9. The Chief Executive Officer be delegated authority to make amendments of a legislative, formatting and/or minor technical nature to the Chief Executive Officer's Performance Review General Committee Terms of Reference.

As two (2) nominations were received for the position of Presiding Member for the period 1 December 2024 to 30 November 2025, a secret ballot was conducted to identify the preferred candidate for the position. The Presiding Member declared that Cr Anne McKay was successful in the ballot.

## **MOTION**

That it appoints Cr Anne McKay as the Presiding Member to the Chief Executive Officer's Review Prescribed General Committee for the period 1 December 2024 to 30 November 2025.

**9.53pm** Cr/s Anne McKay and Kym McKay returned to the meeting.

**9.54pm** *Cr Jassmine Wood declared a material conflict of interest in this item as she wishes to be appointed to the position of Presiding Member to the Chief Executive Officer's Review Prescribed General Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections and as the position is remunerated she left the meeting for the discussion and vote on the item.*

As two (2) nominations were received for the position of Presiding Member for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections, a secret ballot was conducted to identify the preferred candidate for the position. The Presiding Member declared that Cr Jassmine Wood was successful in the ballot.

**MOTION**

Moved: Cr Lana Gelonese  
Seconded: Cr Elisabeth Papanikolaou

That it appoints Cr Jassmine Wood as the Presiding Member and Cr John Woodward as the Deputy Presiding Member to the Chief Executive Officer's Review Prescribed General Committee for the period 1 December 2025 to the conclusion of the November 2026 Local Government periodic elections.

**CARRIED**

Following the resolution of Councillor Wood's appointment to the Chief Executive Officer's Review Prescribed General Committee, the Presiding Member noted that Cr Anne McKay's nomination to the Chief Executive Officer's Review Prescribed General Committee needed to be considered, deliberated on and put.

**10.00pm** Cr/s Anne McKay and Kym McKay left the meeting.

**10.00pm** Cr Jassmine Wood returned to the meeting.

**MOTION**

Moved: Cr John Woodward  
Seconded: Cr Daniel Huggett

That it appoints Cr Anne McKay as the Presiding Member and Cr Elisabeth Papanikolaou as the Deputy Presiding Member to the Chief Executive Officer's Review Prescribed General Committee for the period 1 December 2024 to 30 November 2025.

**CARRIED**

**10.02pm** Cr/s Anne McKay and Kym McKay returned to the meeting.

Following the resolution of Councillor Anne McKay's appointment to the Chief Executive Officer's Review Prescribed General Committee, the Presiding Member noted that Mayor Coxon's nomination to the Chief Executive Officer's Review Prescribed General Committee needed to be considered, deliberated on and put.

**MOTION**

Moved: Cr Lana Gelonese  
Seconded: Cr Elisabeth Papanikolaou

That it appoints Mayor Coxon as the Presiding Member and Cr Jassmine Wood as the Deputy Presiding Member to the Chief Executive Officer's Performance Review General Committee for the period 1 February 2023 to 30 November 2024.

**CARRIED**

**10.03pm** Mayor Michael Coxon returned to the meeting and assumed the Chair.

Following the resolution of Mayor Coxon's appointment to the Chief Executive Officer's Review Prescribed General Committee, the Presiding Member declined his nomination and sought for a new nomination to the position.

**10.04pm** Cr Surender Pal declared a material conflict of interest in this item as he wishes to be appointed to the position of Presiding Member to the Chief Executive Officer's Review Prescribed General Committee for the period 1 February 2023 to 30 November 2024 and as the position is remunerated he left the meeting for the discussion and vote on the item.

#### **MOTION**

Moved: Cr Jassmine Wood  
Seconded: Cr Elisabeth Papanikolaou

That it appoints Cr Surender Pal as the Presiding Member and Cr Jassmine Wood as the Deputy Presiding Member to the Chief Executive Officer's Performance Review General Committee for the period 1 February 2023 to 30 November 2024.

**CARRIED**

**10.06pm** Cr Surender Pal returned to the meeting.

Following the resolution of Councillor Surender Pal's appointment to the Chief Executive Officer's Review Prescribed General Committee, the Presiding Member noted that recommendation points 1, 2, 6, 7, 8 and 9 needed to be considered, deliberated on and put. Discussion took place in regard to the requirement for one Elected Member of each Ward to be appointed to the Committee.

#### **MOTION**

Moved: Cr George Demetriou  
Seconded: Cr Kym McKay

That a representative from each Ward be nominated to the Chief Executive Officer's Review Prescribed General Committee for the period 1 February 2023 to the conclusion of the 2026 Local Government periodic elections.

**CARRIED**

#### **MOTION**

Moved: Cr Kym McKay  
Seconded: Cr Daniel Huggett

That:

1. The Chief Executive Officer's Performance Review General Committee be established pursuant to s41 of the *Local Government Act 1999* for the period 1 February 2023 to the conclusion of the November 2026 Local Government periodic elections.
2. It appoints up to seven (7) Elected Members to the Chief Executive Officer's Review Prescribed General Committee for the period 1 February 2023 to the conclusion of the 2026 Local Government periodic elections as follows:
  - Cr Graham Nitschke
  - Cr Lana Gelonese
  - Cr Sara Comrie
  - Cr Anne McKay

- Cr Sam Whiting
  - Cr Elisabeth Papanikolaou
  - Cr Kym McKay
6. The ordinary meeting of the Chief Executive Officer's Performance Review General Committee be held annually on the fourth Thursday of September each year commencing September 2019 at 6.00pm in the Mayor's Reception Room, 165 Sir Donald Bradman Drive, Hilton SA 5033.
  7. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the Chief Executive Officer's Performance Review General Committee in consultation with the Presiding Member.
  8. The Chief Executive Officer's Performance Review General Committee Terms of Reference attached to this report be approved.
  9. The Chief Executive Officer be delegated authority to make amendments of a legislative, formatting and/or minor technical nature to the Chief Executive Officer's Performance Review General Committee Terms of Reference.

**CARRIED**

#### **17.7 Appointment and Selection of Council Assessment Panel**

The Presiding Member advised that he wished to amend the process for the consideration of this item and sought for recommendation points 1, 2, 3 and 4 to be considered first, followed by recommendation points 5, 6 and 7, then recommendation points 8, 9, 10 and 11.

**10.17pm** *Cr Graham Nitschke declared a material conflict of interest in this item as he wishes to be nominated to the position of Council member of the Council Assessment Panel for the period 1 January 2023 to 31 December 2024 and as the position is remunerated he left the meeting for the discussion and vote on the item.*

**10.17pm** *Cr George Demetriou declared a material conflict of interest in this item as he wishes to be nominated to the position of Council member of the Council Assessment Panel for the period 1 January 2023 to 31 December 2024 and as the position is remunerated he left the meeting for the discussion and vote on the item.*

This report sought the recruitment and selection process for members of the City of West Torrens Council Assessment Panel.

#### **RECOMMENDATION**

It is recommended to Council that:

1. .... be appointed as the Council member of the Council Assessment Panel, pursuant to Section 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, for a two (2) year period from 1 January 2023 to 31 December 2024.
2. .... be appointed as the deputy Council member of the Council Assessment Panel, pursuant to Section 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, for a two (2) year period from 1 January 2023 to 31 December 2024.

3. .... be appointed as the Council member of the Council Assessment Panel, pursuant to Section 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, for a two (2) year period from 1 January 2025 to 31 December 2026.
4. .... be appointed as the deputy Council member of the Council Assessment Panel, pursuant to Section 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, for a two (2) year period from 1 January 2025 to 31 December 2026.
5. It approves the proposed recruitment and selection process detailed in this report for the appointment of five independent members, including the Presiding Member and a deputy member, to the Council Assessment Panel (CAP) for a term from 30 June 2023 to 30 June 2025.
6. A Selection Panel be established to make a recommendation to Council for the appointment of independent members to the CAP, that consist of representatives from senior management in the Administration and the following representatives of Council:
  - Cr .....
  - Cr .....
  - Cr .....
7. A report be presented to Council regarding the appointment of the new Council Assessment Panel, including the recommendations of the Selection Panel, in May 2023.
8. From 1 July 2023, the independent members of the Council Assessment Panel (CAP) will be paid a meeting sitting fee for each Council Assessment Panel meeting attended. Those rates are as follows:
 

Presiding Member	\$1,000
Independent Member	\$550
Deputy Independent Member	\$550
9. From 1 January 2023, all allowances paid to Council members of the Council Assessment Panel (CAP) remain the same as the current allowances, indexed annually at the same rate as Elected Member allowances as defined in Regulation 4(2) of the *Local Government (Members Allowances and Benefits) Regulations 2010* (Consumer Price Index). This rate is as follows:
 

Council Member	\$6,848
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10. Deputy Council members to the Council Assessment Panel (CAP) be paid an allowance equivalent to 1/12<sup>th</sup> of the annual allowance paid to the sitting member per meeting attended.
11. Payment of sitting fees to the independent members and deputy independent member of the Council Assessment Panel (CAP) be subject to the provision of a valid invoice containing an Australian Business Number (ABN).

As two (2) nominations were received for the position as the Council member of the Council Assessment Panel for the period, a secret ballot was conducted to identify the preferred candidate for the position. The Presiding Member declared that Cr Graham Nitschke was successful in the ballot.

### **MOTION**

Moved: Cr John Woodward

Seconded: Cr Kym McKay

That:

1. Cr Graham Nitschke be appointed as the Council member of the Council Assessment Panel, pursuant to Section 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, for a two (2) year period from 1 January 2023 to 31 December 2024.
2. Cr George Demetriou be appointed as the deputy Council member of the Council Assessment Panel, pursuant to Section 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, for a two (2) year period from 1 January 2023 to 31 December 2024.
3. Cr Graham Nitschke be appointed as the Council member of the Council Assessment Panel, pursuant to Section 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, for a two (2) year period from 1 January 2025 to 31 December 2026.
4. Cr George Demetriou be appointed as the deputy Council member of the Council Assessment Panel, pursuant to Section 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, for a two (2) year period from 1 January 2025 to 31 December 2026.

**CARRIED**

**10.22pm** Cr/s Graham Nitschke and Cr George Demetriou returned to the meeting.

*Cr Kym McKay declared a general conflict of interest in this item as he wishes to be appointed to the Selection Panel as a Council representative and as the position is not remunerated, he remained in the meeting for the discussion and vote on the item.*

*Cr Cindy O'Rielley declared a general conflict of interest in this item as she wishes to be appointed to the Selection Panel as a Council representative and as the position is not remunerated, she remained in the meeting for the discussion and vote on the item.*

*Cr Elisabeth Papanikolaou declared a general conflict of interest in this item as she wishes to be appointed to the Selection Panel as a Council representative and as the position is not remunerated, she remained in the meeting for the discussion and vote on the item.*

### **MOTION**

Moved: Cr Graham Nitschke

Seconded: Cr Anne McKay

That:

1. It approves the proposed recruitment and selection process detailed in this report for the appointment of five independent members, including the Presiding Member and a deputy member, to the Council Assessment Panel (CAP) for a term from 30 June 2023 to 30 June 2025.

2. A Selection Panel be established to make a recommendation to Council for the appointment of independent members to the CAP, that consist of representatives from senior management in the Administration and the following representatives of Council:
  - Cr Kym McKay
  - Cr Cindy O'Rielley
  - Cr Elisabeth Papanikolaou
3. A report be presented to Council regarding the appointment of the new Council Assessment Panel, including the recommendations of the Selection Panel, in May 2023.

**CARRIED**

Cr/s Kym McKay, Cindy O'Rielley and Elisabeth Papanikolaou all voted in favour of the motion moved by Cr Graham Nitschke and seconded by Cr Anne McKay.

**10.27pm** *Cr Graham Nitschke declared a material conflict of interest in this item as the matter relates to the remuneration of the position of Council member of the Council Assessment Panel to which he has been appointed and left the meeting for the discussion and vote on the item.*

**10.27pm** *Cr George Demetriou declared a material conflict of interest in this item as the matter relates to the remuneration of the position of Deputy Council member of the Council Assessment Panel to which he has been appointed and left the meeting for the discussion and vote on the item.*

#### **MOTION**

Moved: Cr Kym McKay  
Seconded: Cr John Woodward

That:

1. From 1 July 2023, the independent members of the Council Assessment Panel (CAP) will be paid a meeting sitting fee for each Council Assessment Panel meeting attended. Those rates are as follows:

Presiding Member	\$1,000
Independent Member	\$550
Deputy Independent Member	\$550

2. From 1 January 2023, all allowances paid to Council members of the Council Assessment Panel (CAP) remain the same as the current allowances, indexed annually at the same rate as Elected Member allowances as defined in Regulation 4(2) of the *Local Government (Members Allowances and Benefits) Regulations 2010* (Consumer Price Index). This rate is as follows:

Council Member	\$6,848
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3. Deputy Council members to the Council Assessment Panel (CAP) be paid an allowance equivalent to 1/12<sup>th</sup> of the annual allowance paid to the sitting member per meeting attended.
4. Payment of sitting fees to the independent members and deputy independent member of the Council Assessment Panel (CAP) be subject to the provision of a valid invoice containing an Australian Business Number (ABN).

**CARRIED**

**10.28pm** Cr/s Graham Nitschke and George Demetriou returned to the meeting.

As the time was approaching 10.30pm, the Presiding Member sought to extend the meeting until the conclusion of the determination of the Agenda items. Cr Jassmine Wood suggested that the meeting be adjourned for a few minutes to allow a brief break for those present.

### **MOTION**

Moved: Cr Kym McKay  
Seconded: Cr Graham Nitschke

That the Council meeting be extended until the conclusion of the determination of the current Agenda items, and that the meeting be adjourned for a period of five minutes to reconvene at 10.35pm.

**CARRIED**

The Presiding Member adjourned the meeting at 10.30pm.

### **MEETING RESUMED**

The Presiding Member declared that the meeting was resumed at 10.36pm.

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

### **17.8 Max and Bette Mendelson Foundation Management Committee - Elected Member Appointments**

**10.40pm** *Cr Daniel Huggett declared a material conflict of interest in this item as he wishes to be nominated to the Max and Bette Mendelson Foundation Management Committee for the period 1 January 2023 to 30 November 2024 and as the position is remunerated he left the meeting for the discussion and vote on the item.*

**10.40pm** *Cr Sam Whiting declared a material conflict of interest in this item as he wishes to be nominated to the Max and Bette Mendelson Foundation Management Committee for the period 1 January 2023 to the conclusion of the 2026 Local Government periodic elections and as the position is remunerated he left the meeting for the discussion and vote on the item.*

**10.40pm** *Cr Surender Pal declared a material conflict of interest in this item as he wishes to be nominated to the Max and Bette Mendelson Foundation Management Committee for the period 1 December 2024 to the conclusion of the 2026 Local Government periodic elections and as the position is remunerated he left the meeting for the discussion and vote on the item.*

**10.40pm** *Cr George Demetriou declared a material conflict of interest in this item as he wishes to be nominated to the Max and Bette Mendelson Foundation Management Committee for the period 1 January 2023 to 30 November 2024 and as the position is remunerated he left the meeting for the discussion and vote on the item.*

This report sought the nomination of two (2) Elected Members to the Max and Bette Mendelson Foundation Management Committee and proposed the remuneration to be paid to all members of the Committee for the period 1 January 2023 to the conclusion of the 2026 Local Government periodic elections.

## RECOMMENDATION

It is recommended to Council that:

1. It appoints the following Elected Members to the Max and Bette Mendelson Foundation Management Committee for the term commencing 1 January 2023 and ending 30 November 2024:
  - Cr ..... and
  - Cr .....
2. It appoints the following Elected Members to the Max and Bette Mendelson Foundation Management Committee for the term commencing 1 December 2024 to the conclusion of the 2026 Local Government periodic elections:
  - Cr ..... and
  - Cr .....
3. All four members (2 Elected Members and 2 independent members) appointed to the Max and Bette Mendelson Foundation Management Committee, be paid an annual allowance of \$5,707 to be increased annually by the same percentage as Elected Member allowances, as defined in s76(9) of the *Local Government Act 1999* for the term commencing 1 January 2023 to the conclusion of the 2026 Local Government periodic elections
4. The ordinary meetings of the Max and Bette Mendelson Foundation Management Committee be held on the fourth Wednesday of each month via electronic platform (Zoom) at 2pm.

## RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Graham Nitschke

That:

1. It appoints the following Elected Members to the Max and Bette Mendelson Foundation Management Committee for the term commencing 1 January 2023 and ending 30 November 2024:
  - Cr George Demetriou and
  - Cr Daniel Huggett
2. It appoints the following Elected Members to the Max and Bette Mendelson Foundation Management Committee for the term commencing 1 December 2024 to the conclusion of the 2026 Local Government periodic elections:
  - Cr Surender Pal and
  - Cr Sam Whiting
3. All four members (2 Elected Members and 2 independent members) appointed to the Max and Bette Mendelson Foundation Management Committee, be paid an annual allowance of \$5,707 to be increased annually by the same percentage as Elected Member allowances, as defined in s76(9) of the *Local Government Act 1999* for the term commencing 1 January 2023 to the conclusion of the 2026 Local Government periodic elections

4. The ordinary meetings of the Max and Bette Mendelson Foundation Management Committee be held on the fourth Wednesday of each month via electronic platform (Zoom) at 2pm.

**CARRIED**

**10.42pm** Cr/s Daniel Huggett, Sam Whiting, George Demetriou and Surender Pal returned to the meeting.

### **17.9 Nominations to External Bodies**

*Mayor Michael Coxon declared a general conflict of interest in this item as he is nominated to the Adelaide Airport Consultative Committee, however as the position is not remunerated, he remained in the meeting for the discussion and vote on the item.*

*Cr Graham Nitschke declared a general conflict of interest in this item as he wishes to be appointed to the West Torrens Historical Society Committee and as the position is not remunerated, he remained in the meeting for the discussion and vote on the item.*

*Cr Kym McKay declared a general conflict of interest in this item as he wishes to be appointed to the West Torrens Historical Society Committee as Proxy and as the position is not remunerated, he remained in the meeting for the discussion and vote on the item.*

*Cr Sara Comrie declared a general conflict of interest in this item as she wishes to be appointed to the Adelaide Airport Consultative Committee as Proxy and as the position is not remunerated, she remained in the meeting for the discussion and vote on the item.*

This report sought the nomination of Council representatives to external bodies.

### **RECOMMENDATION**

It is recommended to Council that:

1. Cr ..... and Cr ..... (Proxy) be nominated to the West Torrens Historical Society Committee.
2. Mayor Coxon, Cr ..... (Proxy) and the Chief Executive Officer or his delegate be nominated to the Adelaide Airport Consultative Committee.

### **RESOLUTION**

Moved: Cr Zoi Papafilopoulos

Seconded: Cr Cindy O'Rielley

That:

1. Cr Graham Nitschke and Cr Kym McKay (Proxy) be nominated to the West Torrens Historical Society Committee.
2. Mayor Coxon, Cr Sara Comrie (Proxy) and the Chief Executive Officer or his delegate be nominated to the Adelaide Airport Consultative Committee.

**CARRIED**

*Cr/s Graham Nitschke, Kym McKay and Sara Comrie all voted in favour of the motion moved by Cr Zoi Papafilopoulos and seconded by Cr Cindy O'Rielley.*

**17.10 Nominations for the West Beach Trust Board of Management**

**10.46pm** Cr Cindy O'Rielley declared a material conflict of interest in this item as she wishes to be nominated for the West Beach Trust Board of Management and as the position is remunerated, she left the meeting for the discussion and vote on the item.

**10.48pm** Cr John Woodward declared a material conflict of interest in this item as he wishes to be nominated for the West Beach Trust Board of Management and as the position is remunerated, he left the meeting for the discussion and vote on the item.

**10.48pm** Cr Elisabeth Papanikolaou declared a material conflict of interest in this item as she wishes to be nominated for the West Beach Trust Board of Management and as the position is remunerated, she left the meeting for the discussion and vote on the item.

**10.48pm** Cr Lana Gelonese declared a material conflict of interest in this item as she wishes to be nominated for the West Beach Trust Board of Management and as the position is remunerated, she left the meeting for the discussion and vote on the item.

As five (5) nominations were received for the West Beach Trust Board of Management, a secret ballot was conducted to identify the three preferred candidates for the panel of nominations. The Presiding Member declared that Mr George Vlahos, Cr Cindy O'Rielley and Cr John Woodward were successful in the ballot.

The Minister for Planning wrote to the City of West Torrens seeking a panel of nominations for a Board position on the West Beach Trust.

**RECOMMENDATION**

It is recommended to Council that the following persons comprise the panel of nominees for the Minister's consideration for appointment to the Board of Management of the West Beach Trust:

- 1. Cr.....;
- 2. Cr.....;
- 3. Cr.....;

**RESOLUTION**

Moved: Cr Daniel Huggett

Seconded: Cr Anne McKay

That the following persons comprise the panel of nominees for the Minister's consideration for appointment to the Board of Management of the West Beach Trust:

- 1. Mr George Vlahos;
- 2. Cr Cindy O'Rielley;
- 3. Cr John Woodward.

**CARRIED**

**11.02pm** Cr/s Cindy O'Rielley, Elisabeth Papanikolaou, Lana Gelonese and John Woodward returned to the meeting.

### 17.11 Nominations Sought to the State Bushfire Coordination Committee

This report sought nominations to the State Bushfire Coordination Committee.

#### RECOMMENDATION

It is recommended to Council that:

1. .... be nominated for the State Bushfire Coordination Committee.

#### OR

2. The *Nominations Sought to the State Bushfire Coordination Committee* report be received.

#### RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Kym McKay

That the *Nominations Sought to the State Bushfire Coordination Committee* report be received.

**CARRIED**

### 17.12 City of West Torrens Awards Nominations - Australia Day 2023

This report presented nominations received for Australia Day Council of SA Awards and City of West Torrens Awards for Council's consideration. If approved the successful nominees would be presented with their Awards at Council's Australia Day Awards and Citizenship Ceremony to be held on 26 January 2023.

#### RECOMMENDATION

It is recommended to Council that:

1. It endorses the nominations listed in Attachment 1 of the Agenda report provided under separate cover.
2. The media, Council Members and the Administration refrain from publicly discussing or publishing the names of recommended Award recipients as detailed in Attachment 1 of the Agenda report, until the Administration has advised the successful Award nominees and their nominator/s of Council's decision.
3. The Administration, as soon as practicably possible following the date of this meeting and before 23 December 2022, contact the successful Award nominees and their nominator/s to advise them of Council's decision and invite them to receive their Award at Council's Australia Day Awards and Citizenship Ceremony on 26 January 2023.
4. The Administration make arrangements for Council's Australia Day Awards and Citizenship Ceremony to be held on 26 January 2023 including sending official invitations to successful Award recipients, their nominator/s, citizenship applicants, Council Members, local MPs and other special guests as soon as practical once details of the event have been finalised.

**RESOLUTION**

Moved: Cr Kym McKay  
Seconded: Cr John Woodward

That the recommendation be adopted.

**CARRIED**

**17.13 2023 Local Government Association Ordinary General Meeting - Proposed Items of Business**

Mayor Coxon advised that he is a member of the Local Government Association of South Australia Board and a member of the Greater Adelaide Regional Organisation of Councils (GAROC) and as such, did not have a conflict of interest in relation to this item and remained in the meeting for the discussion and vote.

This report sought proposed items of business for the 2023 Local Government Association Ordinary General Meeting to be held in April.

**RECOMMENDATION**

It is recommended to Council that:

1. The recommended process for the lodgement of Proposed Items of Business for the 2023 Local Government Association Ordinary General Meeting, contained within this report, be approved.
2. Council authorises the Chief Executive Officer to finalise the wording of any Item of Business and submit them to the Greater Adelaide Region of Councils (GAROC) or the Local Government Association Board of Directors.

**RESOLUTION**

Moved: Cr George Demetriou  
Seconded: Cr John Woodward

That the recommendation be adopted.

**CARRIED**

**17.14 Budget Review - September 2022**

This report provided details of changes proposed to the 2022/23 budget, following completion of the budget review for September 2022.

**RECOMMENDATION**

It is recommended to Council that the budget review changes for September 2022 be adopted pursuant to Regulation 9 of the *Local Government (Financial Management) Regulations 2011*.

**RESOLUTION**

Moved: Cr Jassmine Wood  
Seconded: Cr Kym McKay

That the recommendation be adopted.

**CARRIED**

**17.15 Creditor Payments**

This report tabled a schedule of creditor payments for October and November 2022.

**RECOMMENDATION**

It is recommended to Council that the schedule of creditor payments for October and November 2022 be received.

**RESOLUTION**

Moved: Cr John Woodward  
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

**CARRIED**

**17.16 Credit Card Purchases - July to September 2022**

This report tabled a schedule of credit card payments for the September quarter of 2022.

**RECOMMENDATION**

It is recommended to Council that:

1. The schedule of credit card payments for the September quarter of 2022 be received.
2. No future schedules be provided in a report to Council as this information is now provided on Council's website on a quarterly basis.

**RESOLUTION**

Moved: Cr John Woodward  
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

**CARRIED**

**17.17 Register of Allowances and Benefits - 3 Months to 30 September 2022**

This report tabled the register of allowances and benefits for Elected Members for the 3 months to 30 September 2022, prepared pursuant to the requirements of Section 79 of the *Local Government Act 1999*.

**RECOMMENDATION**

That Council receives the register of allowances and benefits for Elected Members for the 3 months to 30 September 2022, prepared pursuant to the requirements of Section 79 of the *Local Government Act 1999*.

**RESOLUTION**

Moved: Cr John Woodward  
Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

**17.18 Community Services Activity Report - November 2022**

This report detailed the activities of the Community Services Department for November 2022.

**RECOMMENDATION**

It is recommended to Council that the Community Services Activity Report - November 2022 be received.

**RESOLUTION**

Moved: Cr Surender Pal  
Seconded: Cr John Woodward

That the recommendation be adopted.

**CARRIED**

**17.19 Urban Services Activities Report - December 2022**

This report provided Elected Members with information on activities within the Urban Services Division.

**RECOMMENDATION**

It is recommended to Council that the Urban Services Activities Report for November 2022 be received.

**RESOLUTION**

Moved: Cr Graham Nitschke  
Seconded: Cr John Woodward

That the recommendation be adopted.

**CARRIED**

**17.20 Legislative Progress Report - December 2022**

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 City Finance and Governance Standing Committee and 2 December 2022.

**RECOMMENDATION**

It is recommended to Council that the *Legislative Progress Report - December 2022* be received.

**RESOLUTION**

Moved: Cr Surender Pal  
Seconded: Cr John Woodward

That the recommendation be adopted.

**CARRIED**

### **17.21 Thebarton Theatre Redevelopment Update - Confidential Order Review**

This report presented the annual review of the confidential order applied to confidential report Item 21.1 - Thebarton Theatre Redevelopment - Update, at the 14 December 2021 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 Section 91(9)(a), having reviewed the confidentiality order made on 14 December 2021, in respect of the confidential Agenda report relating to the Thebarton Theatre Redevelopment, Council orders that the Item 21.1 - Thebarton Theatre Redevelopment - Update, 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), of the *Local Government Act 1999*, 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.
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 John Woodward  
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

**CARRIED**

### **17.22 Weslo Request for New Lease - Confidential Order Review**

This report presented the annual review of the confidential order applied to confidential report Item 21.1 - Weslo - Request for New Lease, at the 17 November 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 November 2020 and reviewed at Council's 2 November 2021 meeting, in respect of report Item 21.1 - Weslo - Request for New Lease, Council orders that the confidential Agenda report, the Minutes arising, attachments and any associated documentation, continue 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, Council is satisfied that the principle of the meeting being conducted in a place open to the public has been outweighed in this circumstance because 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 this 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 Graham Nitschke

Seconded: Cr John Woodward

That the recommendation be adopted.

**CARRIED**

## 18 LOCAL GOVERNMENT BUSINESS

Nil

## 19 MEMBER'S BOOKSHELF

Nil

## 20 CORRESPONDENCE

The Presiding Member advised that following discussion with the Chief Executive Officer he wished to amend the process for the consideration of the correspondence report and sought a motion for the items of correspondence to be received, and then for Council to discuss each correspondence item separately prior to voting on the motion.

### 20.1 Mayors for Peace News Flash - October 2022

Correspondence was received from the Mayors for Peace, providing the October 2022 No. 154 Newsletter.

### 20.2 Observation Post - November 2022

Correspondence was received from the President of the National Malaya & Borneo Veterans Association Australia Inc. South Australia & Northern Territory Branch, Paul Rosenzweig OAM, providing the November edition of 'The Observation Post' newsletter.

### 20.3 Thebarton Brewery Precinct Code Amendment

Correspondence was received from the Hon Nick Champion MP, Minister for Trade and Investment, Minister for Housing and Urban Development and Minister for Planning, acknowledging Council's letter dated 30 September 2022 in relation to the Thebarton Brewery Precinct Code Amendment.

Cr Graham Nitschke requested further information on this matter and the General Manager Business and Community Services provided an explanation on the reasoning behind the Code Amendment advised Cr Nitschke of the outcome as per the letter provided in correspondence. The Deputy Chief Executive Officer explained that the land in question was currently for sale on the market and noted that it was possible that the land could be sold to another interested party prior to the release of the Code Amendment.

**20.4 Mayors for Peace Newsletter - November 2022**

Correspondence was received from the Mayors for Peace, providing the November 2022 No. 155 Newsletter.

**20.5 Observation Post - December 2022**

Correspondence was received from the National Malaya & Borneo Veterans Association Australia Inc, South Australia & Northern Territory Branch, providing the December edition of the Observation Post Newsletter.

**20.6 Positive feedback regarding Weigall Oval**

Correspondence was received from West Torrens resident Wendy, aka 'Gran' providing some positive feedback regarding Weigall Oval.

**RECOMMENDATION**

That the correspondence be received.

**RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

**21 CONFIDENTIAL**

Nil

**22 MEETING CLOSE**

The Presiding Member declared the meeting closed at 11.22pm.