

CITY OF WEST TORRENS



**MINUTES**

**of the**

**Council & Committee Meetings**

- **City Services and Climate Adaptation Standing Committee**

**of the**

**CITY OF WEST TORRENS**

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

**on**

**TUESDAY, 1 NOVEMBER 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 7.02pm.

### 1.1 Acknowledgement of Country

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

*"West Torrens City Council acknowledges that we are meeting on the traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past, present, and emerging.*

*We recognise and respect their cultural heritage, beliefs and spiritual relationship with the land, sea, waterways and sky.*

*We acknowledge that they are of continuing importance to the Kurna people living today.*

*We have built a beautiful city. However, we further recognise that the process of settlement resulted in the dispossession and dislocation of the Kurna people and that we are always mindful of this."*

### 1.2 Evacuation Procedures

The 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, K McKay, D Mugavin, G Nitschke, S Pal, S Tsiaparis, G Vlahos, C O'Rielley, A McKay, B Reynolds

### Officers:

Mr T Buss	(Chief Executive Officer)
Mr A Catinari	(Deputy Chief Executive Officer)
Ms P Koritsa	(General Manager Business and Community Services)
Mr P Della	(General Manager Corporate and Regulatory Services)
Ms L Gilmartin	(Manager Financial Services)
Ms R Butterfield	(Manager Regulatory Services)
Mr J Ielasi	(Manager City Assets)
Mr D Ottanelli	(Manager City Property)

## 3 APOLOGIES

### Apologies

#### Council Member:

Cr David Wilton

Cr Daniel Huggett

Cr Jassmine Wood

#### **4 DISCLOSURE STATEMENTS**

Nil

#### **5 CONFIRMATION OF MINUTES**

##### **RECOMMENDATION**

That the Minutes of the meeting of the Council held on 18 October 2022 be confirmed as a true and correct record.

##### **RESOLUTION**

Moved: Cr Surender Pal

Seconded: Cr Anne McKay

That the recommendation be adopted.

**CARRIED**

#### **6 MAYORS REPORT**

Mayor Coxon thanked Deputy Mayor George Vlahos for attending the Paraplegic and Quadriplegic Association of South Australia event at West Beach Parks on his behalf.

Further to the report listed in the Agenda, Mayor Coxon elaborated on his attendance at the following:

- Down Under London to Brighton Run as the 'Mayor of London' on Sunday 30 October 2022;
- Greek Orthodox Church of St George Thebarton Doxology and Unveiling of Monument event commemorating 'OXI' Day on Friday 28 October 2022. Mayor Coxon advised that he had received an award on the day from the Hon. Tom Koutsantonis MP; and
- City of West Torrens Civic Reception in honour of the Mayor of Kalamata, Athanasios Vasilopoulos, at the Civic Centre on Monday 24 October 2022, where Mayor Vasilopoulos presented Council with a commemorative plaque.

Mayor Coxon acknowledged the birthday of the Deputy CEO and thanked him for his 23 years of service to the City of West Torrens.

Cr Dominic Mugavin requested that Mayor Coxon provide further information on the meeting with the Adelaide Football Club Chair and CEO on Thursday 20 October 2022. Mayor Coxon advised that the purpose of the meeting was to continue his advocacy for the West Torrens community and seek community representation on the project in a formal sense.

##### **RECOMMENDATION**

That the Mayor's Report be noted.

##### **RESOLUTION**

Moved: Cr Anne McKay

Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

**CARRIED**

## 7 ELECTED MEMBERS REPORTS

Cr Graham Nitschke advised of his attendance at the following:

- Civic Reception in honour of the Mayor of Kalamata on Monday 24 October 2022;
- City Advancement and Prosperity General Committee Meeting on Tuesday 25 October 2022; and
- Unveiling of the Memorial to honour the 200th anniversary of Greek Independence at St George Church, Mile End on Friday 28 October (Ohi Day).

Cr Nitschke also read out a personal statement:

*"Last week the State Government announced they were reversing the decision from 2019 that restricted many of our residents' children from attending Botanic High School and Adelaide High School.*

*This is something that our council voted unanimously against at the time and we wrote to the Minister to express this in 2019.*

*Also many of us in this chamber, along with many 100s of our residents, walked from Thebarton Theatre to Adelaide High School in protest.*

*The reversal of this decision from 2019 is a wonderful outcome that benefits our residents and their children here in the inner west."*

Cr Kym McKay advised of his attendance at the 2022 Waste Expo Australia event in Melbourne from Tuesday 25 October 2022 to Friday 28 October 2022 and provided a summary of several new innovations in the waste management and energy sectors. Mayor Coxon commended Cr Kym McKay for his dedication and service to the Council over the last four years.

Cr Elisabeth Papanikolaou advised of her attendance at the following:

- Civic Reception in honour of the Mayor of Kalamata, Athanasios Vasilopoulos, at the Civic Centre, where she translated the Mayor's speech into Greek on Monday 24 October 2022;
- City Advancement and Prosperity General Committee meeting on Tuesday 25 October 2022; and
- Unveiling of Monument event commemorating 'OXI' Day on Friday 28 October 2022 at St George Church, Thebarton.

Cr Surender Pal advised of his participation in a number of events over the past two weeks involving the Indian community in South Australia.

Cr John Woodward advised that he was contacted by local resident Ian Pilkington in relation to wheelchair travel around the Kurralta Park and Ashford area.

## RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Simon Tsiaparis

That the reports from Members be noted.

**CARRIED**

## 8 PETITIONS

### 8.1 Petition seeking further consultation for Thebarton Oval Precinct

This report presented a petition which sought further public consultation in respect of the proposed grant of lease in respect of Thebarton Oval Precinct.

#### RECOMMENDATION

It is recommended to Council that the Petition be received.

#### RESOLUTION

Moved: Cr George Vlahos  
Seconded: Cr John Woodward

That the recommendation be adopted.

Cr Dominic Mugavin suggested for Item 8.1 - Petition seeking further consultation for Thebarton Oval Precinct to be deferred to the 7 November 2022 Special Meeting of Council as further signatures have been collected. Following further discussion on this motion and the suggestion from Cr Mugavin, the mover, Cr George Vlahos and seconder, Cr John Woodward did not consent to the proposed change and accordingly the original motion for the Petition to be received was Put and **CARRIED**

## 9 DEPUTATIONS

### 9.1 Adelaide Football Club Lease Proposal for Thebarton Oval Precinct

The Presiding Member invited Dr Ramesh Raja Segaran of Torrensville and Shannon Evenden of Richmond, to address Council and present points of view for their respective communities on the implications and opportunities of the Thebarton Oval Precinct Lease Agreement.

**7.44pm** Dr Ramesh Raja Segaran and Ms Shannon Evenden commenced their Deputation.

**7.49pm** 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 Kym McKay  
Seconded: Cr Graham Nitschke

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

**CARRIED**

**7.50pm** Ms Evenden and Dr Segaran continued their Deputation.

**7.55pm** the time limit of a further five minutes for the deputation was reached. The Presiding Member sought for a further extension of time for this deputation.

#### MOTION

Moved: Cr Dominic Mugavin  
Seconded: Cr Graham Nitschke

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

**CARRIED**

**7.56pm** Dr Segaran continued the Deputation.

**7.59pm** Dr Segaran concluded the Deputation.

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

The Presiding Member thanked Dr Segaran and Ms Evenden for their deputation and attendance.

Following the Deputation, Mayor Coxon read out a personal statement regarding the proposal from the Adelaide Football Club to lease the Thebarton Oval Precinct, where he provided further clarification on the matter. Mayor Coxon advised that his full statement would be available on the Council website as an open letter to the community.

## **10 ADJOURN TO STANDING COMMITTEE**

### **RECOMMENDATION**

That the meeting be adjourned, move into Standing Committee and reconvene at the conclusion of the City Services and Climate Adaptation Standing Committee.

### **MOTION**

Moved: Cr Surender Pal

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**8.20pm** the meeting adjourned into Committee.

**8.20pm** Mayor Michael Coxon left the meeting.

**8.35pm** Mayor Michael Coxon returned during the Committee meeting.

**8.48pm** the meeting reconvened. All those present prior to the adjournment of the meeting were present in the Chamber when the meeting reconvened.

## **11 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS**

### **11.1 City Services and Climate Adaptation Standing Committee Meeting**

#### **RECOMMENDATION**

That the recommendations of the City Services and Climate Adaptation Standing Committee held on 1 November 2022 be adopted.

#### **RESOLUTION**

Moved: Cr Simon Tsiaparis

Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

**CARRIED**

**12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS****12.1 City Advancement and Prosperity General Committee Meeting****RECOMMENDATION**

That the Minutes of the City Advancement and Prosperity General Committee held on 25 October 2022 be noted and the recommendations adopted.

**RESOLUTION**

Moved: Cr George Vlahos  
Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

**13 QUESTIONS WITH NOTICE**

Nil

**14 QUESTIONS WITHOUT NOTICE**

Nil

**15 MOTIONS WITH NOTICE**

Nil

**16 MOTIONS WITHOUT NOTICE**

Nil



## **17 REPORTS OF THE CHIEF EXECUTIVE OFFICER**

### **17.1 QR Codes on CWT Assets for Reporting Graffiti and Street Waste**

This report provided Members with information relating to the provision of QR codes on Council assets.

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

It is recommended to Council that:

1. QR coded stickers be applied to Council assets for the reporting of graffiti, damaged assets, overflowing bins and illegal dumping as per Option 1 of the Agenda report.

#### **OR**

2. QR coded stickers be applied to Council assets for the reporting of graffiti, damaged assets, overflowing bins and illegal dumping as per Option 2 of the Agenda report.

#### **OR**

3. That existing mechanisms for the reporting of graffiti, damaged assets, overflowing bins and illegal dumping be maintained and QR coded stickers not be applied to these Council assets.

#### **RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr Simon Tsiaparis

That the consideration of this matter be deferred to a future meeting of the new Council.

**CARRIED**

### **17.2 Financial Statements - Year Ending 30 June 2022**

This report presented the audited financial statements of the Council for the year ended 30 June 2022.

#### **RECOMMENDATION**

It is recommended to Council that the Chief Executive Officer and Principal Member be authorised to certify the annual financial statements for 2021/22 in their final form pursuant to the requirements of Regulation 14(g) of the *Local Government (Financial Management) Regulations 2011*.

#### **RESOLUTION**

Moved: Cr Brandon Reynolds

Seconded: Cr Anne McKay

That the recommendation be adopted.

**CARRIED**

### **17.3 Budget versus Actual - Year Ended 30 June 2022**

The budget was reviewed in this report for the year ended 30 June 2022 pursuant to the requirements of Regulation 10 of the *Local Government (Financial Management) Regulations 2011*.

#### **RECOMMENDATION**

It is recommended to Council that the report on the budget for the year ended 30 June 2022, made pursuant to the requirements of Regulation 10 of the *Local Government (Financial Management) Regulations 2011*, be received.

#### **RESOLUTION**

Moved: Cr Brandon Reynolds

Seconded: Cr Anne McKay

That the recommendation be adopted.

**CARRIED**

### **17.4 Interim Covid-19 Support Measures for Commercial Leases and Licences - Confidential Order Review**

This report presented the review of the confidential order applied to report Item 6.1 - Interim Covid-19 Support Measures for Commercial Leases and Licences, at the 31 March 2020 Special 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 31 March 2020 and reviewed at Council's 8 December 2020 and 16 November 2021 meetings, in respect of report Item 6.1 - Interim Covid-19 Support Measures for Commercial Leases and Licences, Council orders that the confidential Agenda report, the Council Resolution 1(c) and 1(d) of the Minutes, attachments and any associated documentation, continues to be retained in confidence in accordance with Section 90(3)(g) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period in order to ensure that Council does not breach any duty of confidence owed to the Commercial lessees and licensees.
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 Kym McKay

Seconded: Cr Anne McKay

That the recommendation be adopted.

**CARRIED**

### **17.5 Resignation and Appointment of Council Assessment Panel Deputy Independent Member - Confidential Order Review**

This report presented the review of the confidential order applied to Attachment 1 - Selection Panel Report, of report Item 17.1 - Resignation and Appointment of Council Assessment Panel Deputy Independent Member - Confidential Order Review, at the 16 November 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 16 November 2021, in respect of Attachment 1 - Selection Panel Report, the Council orders that Attachment 1 - Selection Panel Report, having been considered by the Council in confidence under Section 90(3)(a), 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 premature disclosure of this information would be unreasonable given it contains personal information relating to the applicant which could inadvertently prejudice their future career aspirations and breach any duty of confidentiality owed to them by Council.
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 Surender Pal

That the recommendation be adopted.

**CARRIED**

### **18 LOCAL GOVERNMENT BUSINESS**

Nil

### **19 MEMBER'S BOOKSHELF**

- City of West Torrens BDO Annual completion report

#### **RECOMMENDATION**

That the additions to Members' bookshelf be noted.

#### **RESOLUTION**

Moved: Cr Kym McKay  
Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

## 20 CORRESPONDENCE

### 20.1 Brown Hill Keswick Creek Stormwater Project Update - September 2022

Correspondence was received from the Brown Hill and Keswick Creek Stormwater Board, providing a project update for September 2022.

#### RECOMMENDATION

That the correspondence be received.

#### RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr George Vlahos

That the recommendation be adopted.

**CARRIED**

## 21 CONFIDENTIAL

### 21.1 Chief Executive Officer's Performance Review - 2022

#### Reason for Confidentiality

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

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

#### RECOMMENDATION

It is recommended to Council that:

1. pursuant to section 90(2) of the Act, Council orders, that the public, with the exception of the Chief Executive Officer and the appointed Qualified Independent Person, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 21.1 - Chief Executive Officer's Performance Review - 2022, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of section 90(3)(a) of the Act because the matter relates to the performance and negotiations and details of the contractual employment arrangements of an employee, the disclosure of which may breach a duty of confidence owed to the employee and result in the unreasonable disclosure of information concerning the personal affairs of the employee.
2. at the completion of the confidential session the meeting be re-opened to the public.

#### RESOLUTION

Moved: Cr Anne McKay

Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

**CARRIED**

**8.55pm** the meeting moved into Confidence and the confidential session commenced.

**Council also resolved that:**

1. In accordance with sections 91(7) and 91(9) of the Act, the Council orders that the Item 21.1 - Chief Executive Officer's Performance Review - 2022, the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under section 90(3)(a), be kept confidential and not available for public inspection for a period of six (6) months from the date of this meeting, on the basis that the matter relates to the performance and negotiations and details of the contractual employment arrangements of an employee, the disclosure of which may breach a duty of confidence owed to the employee and result in the unreasonable disclosure of information concerning the personal affairs of the employee.
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 Act.

**9.13pm** the Confidential session closed and the meeting reopened to the public.

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

**22 MEETING CLOSE**

The Presiding Member declared the meeting closed at 9.14pm.

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## 1 MEETING OPENED

The Presiding Member declared the meeting open at 8.21pm.

## 2 PRESENT

### Council Members:

Cr D Mugavin (Presiding Member)

Mayor M Coxon (8.35pm)

Councillors: J Woodward, E Papanikolaou, K McKay, D Mugavin, G Nitschke, S Pal, S Tsiaparis, G Vlahos, C O'Rielly, A McKay, B Reynolds

### Officers:

Mr T Buss (Chief Executive Officer)

Mr A Catinari (Deputy Chief Executive Officer)

Ms P Koritsa (General Manager Business and Community Services)

Mr P Della (General Manager Corporate and Regulatory Services)

Ms L Gilmartin (Manager Financial Services)

Ms R Butterfield (Manager Regulatory Services)

Mr J Ielasi (Manager City Assets)

## 3 APOLOGIES

### Apologies

#### Committee Members:

Cr David Wilton

Cr Daniel Huggett

Cr Jassmine Wood

## RECOMMENDATION

That the apologies be received.

## COMMITTEE RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

**CARRIED**

## 4 DISCLOSURE STATEMENTS

Nil

## **5 CONFIRMATION OF MINUTES**

### **RECOMMENDATION**

That the Minutes of the meeting of the City Services and Climate Adaptation Standing Committee held on 4 October 2022 be confirmed as a true and correct record.

### **COMMITTEE RESOLUTION**

Moved: Cr Brandon Reynolds

Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

## **6 COMMUNICATION BY THE CHAIRPERSON**

The Presiding Member extended his thanks to the Administration for their efforts over the past 4 years.

**8.23pm** Cr Surender Pal left the meeting.

## **7 QUESTIONS WITH NOTICE**

Nil

## **8 QUESTIONS WITHOUT NOTICE**

Nil

## **9 MOTIONS WITH NOTICE**

Nil

## **10 MOTIONS WITHOUT NOTICE**

Nil



## **11 CITY SERVICES AND CLIMATE ADAPTATION REPORTS**

### **11.1 Regulatory Services Activities Report**

This report provided information on the activities of the Regulatory Services Department for the three months to 30 September 2022.

#### **RECOMMENDATION**

The Committee recommends to Council that the Regulatory Services Activities report be received.

#### **COMMITTEE RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr Brandon Reynolds

That the recommendation be adopted.

**8.25pm** Cr George Vlahos left the meeting.

**8.26pm** Cr George Vlahos returned to the meeting.

**8.27pm** Cr Surender Pal returned to the meeting.

**8.28pm** Cr Surender Pal left the meeting.

**8.29pm** Cr Brandon Reynolds left the meeting.

**8.31pm** Cr Brandon Reynolds returned to the meeting.

**8.31pm** Cr Surender Pal returned to the meeting.

**8.33pm** Cr Simon Tsiaparis left the meeting.

**8.35pm** Mayor Michael Coxon entered the meeting.

**8.35pm** Cr Simon Tsiaparis returned to the meeting.

**CARRIED**

### **11.2 Service Centre Activities Report - First Quarter 2022/23**

This report provided an overview of the key activities of the Service Centre for the first quarter of the 2022/23 financial year.

#### **RECOMMENDATION**

The Committee recommends to Council that the report be received.

#### **COMMITTEE RESOLUTION**

Moved: Cr Simon Tsiaparis

Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

### **11.3 Community Services Activity Report - October 2022**

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

#### **RECOMMENDATION**

The Committee recommends to Council that the Community Services Activity Report - October 2022 be received.

#### **COMMITTEE RESOLUTION**

Moved: Cr Kym McKay  
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

**CARRIED**

### **11.4 Urban Services Activities Report - November 2022**

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

#### **RECOMMENDATION**

The Committee recommends to Council that the Urban Services Activities Report for November 2022 be received.

#### **COMMITTEE RESOLUTION**

Moved: Cr Anne McKay  
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

**CARRIED**

## **12 MEETING CLOSE**

The Presiding Member declared the meeting closed at 8.47pm.