

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, 5 JULY 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 7.00pm.

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 taken as read.

1.3 Electronic Platform Meeting

The Presiding Member advised the meeting was being livestreamed via a Zoom public link available on the City of West Torrens website.

2 PRESENT

Council Members:

Mayor M Coxon (Presiding Member)

Councillors: E Papanikolaou, D Huggett, 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 S Curran	(Manager Strategy and Business)
Ms H Bateman	(Manager City Development)
Mr D Ottanelli	(Manager City Property)
Ms C Luya	(Manager Community Services)
Mr J Ielasi	(Manager City Assets)
Ms L Gilmartin	(Manager Financial Services)
Ms S Finn	(Management Lead - LG Reform and Integrity - Acting)

3 APOLOGIES

Leave of Absence:**Council Member:**

Cr John Woodward

Apologies**Council Members:**

Cr Jassmine Wood

Cr David Wilton

4 DISCLOSURE STATEMENTS

Nil

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council held on 7 June 2022 be confirmed as a true and correct record.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr George Vlahos

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT

RECOMMENDATION

That the Mayor's Report be noted.

RESOLUTION

Moved: Cr George Vlahos

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

7 ELECTED MEMBERS REPORTS

Cr Graham Nitschke advised of his attendance at the following:

- Council Assessment Panel meeting on Tuesday 14 June 2022;
- Arbor Day Community Planting event at the River Torrens (Karrawirra Parri) in Lockleys on Sunday 19 June 2022, along with the Hon. Dr Susan Close, Deputy Premier and Matt Cowdrey OAM MP. Cr Nitschke also assisted the hundreds of other volunteers who planted 3,000 seedlings next to the river. Cr Nitschke acknowledged the work of the staff who attended the event and thanked them for their efforts; and
- Meeting of the West Torrens Historical Society on Monday 27 June 2022 regarding the latest information on the remains of Colonel William Light and Maria Gandy's cottage as well as its Stage Heritage listing and that of the Walkerville Brewery Tower, the copper kettle, the Brewery Gardens and the Theberton Cottage plaque. Cr Nitschke addressed the meeting and also discussed the latest information regarding the Torrens to Darlington (South Road) Project.

Cr Surrender Pal advised of his attendance at the following:

- International Jat Parliament as a Guest of Honour and Speaker at Birla Auditorium, Jaipur (Rajasthan), India on Sunday 12 June 2022; and
- Rath Yatra (Cultural Parade) from Hurtle Square to Hindmarsh Square, Adelaide, organised by the BAPS Shriswaminarayan Temple on Saturday 2 July 2022.

Mayor Coxon acknowledged Cr Pal's attendance at these events and thanked him for representing the Indian Community of the City of West Torrens.

Cr Daniel Huggett advised that he was invited to speak at the Fulham Men's Shed Community Group meeting. The Group expressed interest in establishing another Men's Shed within the City of West Torrens. Cr Huggett elaborated on the group's activities and noted the ongoing efforts of the Administration to investigate possible locations for new Men's/Community Sheds.

Cr Elisabeth Papanikolaou advised of her attendance at the West Adelaide Football Club vs Adelaide Football Club match at Hisense Stadium on Saturday 18 June 2022. Mayor Coxon thanked Cr Papanikolaou for staffing the Council room that day.

RESOLUTION

Moved: Cr George Vlahos

Seconded: Cr Surrender Pal

That the reports from Members be noted.

CARRIED

8 PETITIONS

Nil

9 DEPUTATIONS

Nil

10 ADJOURN TO STANDING COMMITTEE

RECOMMENDATION

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

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

CARRIED

7.09pm the meeting adjourned into Committee.

7.29pm 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 5 July 2022 be adopted.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS

12.1 Audit General Committee Meeting

RECOMMENDATION

That the Minutes of the Audit General Committee held on 14 June 2022 be noted and the recommendations adopted.

RESOLUTION

Moved: Cr Cindy O'Rielly

Seconded: Cr George Vlahos

That the recommendation be adopted.

CARRIED

13 QUESTIONS WITH NOTICE

Nil

14 QUESTIONS WITHOUT NOTICE

Questions were asked and responses provided by the Administration.

15 MOTIONS WITH NOTICE**15.1 QR codes on Council assets****RESOLUTION**

Moved: Cr Daniel Huggett

Seconded: Cr Kym McKay

That Council provide a report on the possible introduction of QR code stickers to be placed on Council assets to assist in monitoring damaged assets, overflowing bins and illegal dumping.

CARRIED

16 MOTIONS WITHOUT NOTICE**16.1 Leave of Absence - Cr Daniel Huggett****RESOLUTION**

Moved: Cr Daniel Huggett

Seconded: Cr Kym McKay

That Cr Daniel Huggett be granted leave of absence for the Council and Committee meeting on 19 July 2022.

CARRIED

16.2 Leave of Absence - Cr Simon Tsiaparis**RESOLUTION**

Moved: Cr Simon Tsiaparis

Seconded: Cr Surender Pal

That Cr Simon Tsiaparis be granted leave of absence for the Council and Committee meetings from 6 September 2022 to 12 November 2022.

CARRIED

17 REPORTS OF THE CHIEF EXECUTIVE OFFICER

Due to the lack of a quorum, the Council and Standing Committee meeting scheduled for 21 June 2022, and the City Advancement and Prosperity General Committee meeting scheduled for 28 June 2022, were adjourned and the business items deferred for consideration to the Council meeting on 5 July 2022.

BUSINESS ITEMS DEFERRED FROM COUNCIL MEETING 21 JUNE 2022**17.1 LGA Climate Change Policy Review**

This report presented the proposed changes to the Local Government Association's Climate Change Policy.

RECOMMENDATION

It is recommended to Council that the feedback contained in the body of the LGA Climate Change Policy Review report be provided to the Local Government Association in response to its request for feedback on its Climate Change Policy.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Graham Nitschke

That the feedback contained in the body of the LGA Climate Change Policy Review report be provided to the Local Government Association in response to its request for feedback on its Climate Change Policy, subject to an addition of an elected member comment to the proposed feedback for the ***Overarching Policy Statement*** to be:

Elected Member Comments

Supporting net zero by 2050 brings LGA policy in line with both state and federal governments and will allow local government to work collaboratively with the other levels to ensure that these goals are achieved both efficiently and equitably, with all levels of government playing an appropriate role.

The impacts of climate change will put significant pressures on infrastructure and services provided by local governments, and this disproportionate burden needs to be recognised by state and federal governments through appropriate funding mechanisms.

The City of West Torrens is open to working with the LGA, state government, and other councils to share our experiences and initiatives to reduce council-related emissions, to encourage others to lower their emissions, and in recognising the climate impacts of council decisions.

Elected Member Recommendation

It is recommended to Council that it advises the LGA that this amendment is supported.

CARRIED

17.2 Prescribed Officers 2022 Register of Interest

The *Local Government Act 1999* required Council to declare, on an annual basis, which officers are 'prescribed officer' positions for the purposes of completing a return to be included in the 'Officers Register of Interests'.

RECOMMENDATION

It is recommended to Council that:

1. On the basis that they have a level of financial sub-delegation of \$30,000 or above, which may be in addition to other delegations or authorisations to make decisions on behalf of Council or the Chief Executive Officer, the following positions be declared as 'prescribed officer' positions in accordance with section 111 of the *Local Government Act 1999*:
 - Chief Executive Officer
 - Deputy Chief Executive Officer
 - General Manager Business and Community Services
 - General Manager Corporate and Regulatory Services
 - General Manager Urban Services
 - Manager City Assets
 - Manager City Development
 - Manager City Operations
 - Manager City Property
 - Manager Community Services
 - Manager Financial Services
 - Manager Information Services
 - Manager People and Culture
 - Manager Regulatory Services
 - Manager Strategy and Business
 - Management Lead - LG Reform and Integrity

2. On the basis that they have delegation to make a significant decision on behalf of the Council, the Chief Executive Officer, the Council Assessment Panel, the Assessment Manager, or any other legal instruments, the following positions be declared as 'prescribed officer' positions in accordance with section 111 of the *Local Government Act 1999*:
 - Assessment Manager
 - Team Leader Building
 - Team Leader Community Safety
 - Team Leader Environmental Health
 - Team Leader Planning
 - Coordinator Civil Works and Services
 - Coordinator Engineering Services
 - Coordinator Fleet and Facility Support
 - Coordinator Horticulture Services
 - Coordinator Property Services
 - Senior Community Safety Officer
 - Senior Development Officer - Planning
 - Senior Development Officer - Building
 - Development Officer - Planning
 - Development Officer - Building
 - Community Safety Officer
 - Environmental Health Officer
 - Freedom of Information Officer

3. On the basis that they have significant involvement in the procurement/tender process the following positions be declared as a 'prescribed officer' position in accordance with section 111 of the *Local Government Act 1999*:
 - Team Leader Asset and Project Management
 - Team Leader Procurement
 - Project Engineer
 - Asset and Projects Engineer

4. On the basis that they have a significant access to corporate systems and information the following positions be declared as a 'prescribed officer' position in accordance with section 111 of the *Local Government Act 1999*:
 - Executive Coordinator Office of the Mayor and CEO
 - Senior Network Administrator
 - Team Leader Information Management
 - Executive Assistant Urban Services
 - People and Culture Business Partner
 - Team Leader Work Health and Safety
 - Economic Development Planner

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

CARRIED

17.3 Rate Equivalent Payments by Adelaide Airport Limited - Confidential Order Review

This report presented the annual review of the confidential order applied to confidential report Item 21.1 - Rate Equivalent Payments by Adelaide Airport Limited, at the 7 July 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 Section 91(9)(a), having reviewed the confidentiality order made on 7 July 2020 and reviewed at Council's 6 July 2021 meeting, in respect of the confidential Agenda report relating to rate equivalent payments by Adelaide Airport Limited, 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),(b)(ii) and (g) of the *Local Government Act 1999*, and not available for public inspection for a further 12 month period, on the basis that disclosure of the information received, discussed and considered could reasonably be expected to severely prejudice Council's ability to achieve the best possible outcome relating to the rate equivalent payments and would, on balance, be contrary to the public interest. Council also needs to ensure that it does not breach any duty of confidence owed to Adelaide Airport Limited.

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 Graham Nitschke

That the recommendation be adopted.

CARRIED

17.4 Weslo Holdings Pty Ltd - Thebarton Theatre Complex - Confidential Order Review

This report presented the annual review of the confidential orders applied to confidential reports relating to the Weslo Holdings and Thebarton Theatre Complex 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 orders at Council meetings on 23 July 2019, 7 July 2020 and 6 July 2021, in respect of reports relating to Weslo Holdings and the Thebarton Theatre Complex, Council orders that the following confidential Agenda reports, the Minutes arising, attachments and any associated documentation:
 - Item 11.1 - Weslo Holdings Pty Ltd - Thebarton Theatre Complex, Project and Business Plan, Lease Update and Air-conditioning Upgrade, presented to the City Facilities and Waste Recovery General Committee at its 23 July 2019 Meeting; and
 - Item 21.1 - Weslo Holdings and Thebarton Theatre - Update, presented to Council at its 7 July 2020 Meeting;

continue to be retained in confidence in accordance with Sections 90(3)(b)(i) and (ii) and 90(3)(d)(i) and (ii) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period on the basis that the information could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party which may subsequently seek to enter into negotiations with Weslo Holdings Pty Ltd for a similar arrangement, either at the expiry of this agreement, or should this agreement not be entered into. In addition, it may also 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 Anne McKay

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

BUSINESS ITEMS DEFERRED FROM CITY FINANCE AND GOVERNANCE STANDING COMMITTEE MEETING 21 JUNE 2022**17.5 Creditor Payments**

This report tabled a schedule of creditor payments for May 2022.

RECOMMENDATION

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

RESOLUTION

Moved: Cr Anne McKay
Seconded: Cr Surrender Pal

That the recommendation be adopted.

7.45pm Cr Dominic Mugavin left the meeting.

7.46pm Cr Dominic Mugavin returned to the meeting.

CARRIED

17.6 Council Budget Report - ELEVEN Months to 31 May 2022

This report provided information to Council on budget results for the eleven months ended 31 May 2022.

RECOMMENDATION

It is recommended to Council that the report be received.

RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

17.7 Proposal to Rename Sanders Lane, Richmond

This report presented a request to rename Sanders Lane, Richmond.

RECOMMENDATION

It is recommended to Council that, in light of the current overall review of asset naming conventions currently in train, the request to rename Sanders Lane in Richmond be referred to the asset naming conventions review.

RESOLUTION

Moved: Cr Elisabeth Papanikolaou
Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

17.8 Legislative Progress Report - June 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 6 June 2022.

RECOMMENDATION

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

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

BUSINESS ITEMS DEFERRED FROM CITY ADVANCEMENT AND PROSPERITY GENERAL COMMITTEE MEETING 28 JUNE 2022

17.9 Privately Funded Planning and Design Code Amendments Policy

This report presented the newly created Draft *Council Policy - Privately Funded Planning and Design Code Amendments* for Council's consideration.

RECOMMENDATION

It is recommended to Council that:

1. The *Council Policy - Privately Funded Planning and Design Code Amendments Policy* be approved.
2. The Chief Executive Officer be authorised to make amendments of a minor and/or technical nature to the *Council Policy - Privately Funded Planning and Design Code Amendments*.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

CARRIED

17.10 Review - Sale and Disposal of Assets Policy

This report presented the reviewed *Council Policy - Sale and Disposal of Assets*.

RECOMMENDATION

It is recommended to Council that:

1. The reviewed *Council Policy - Sale and Disposal of Assets* be approved.
2. The Chief Executive Officer be authorised to make amendments of a minor and/or technical nature to the *Council Policy - Sale and Disposal of Assets*.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

17.11 Guidelines for Tree Incentive Rebate, and Significant and Regulated Tree Assistance Rebate

This report provided draft guidelines for two new rebate programs: *Tree Incentive Rebate*, and *Significant and Regulated Tree Assistance Rebate*, which form part of Council's overarching *Green Initiatives Program*.

RECOMMENDATION

It is recommended to Council that:

1. It approves the draft Tree Incentive Rebate Guidelines.
2. It approves the draft Significant and Regulated Tree Assistance Rebate Guidelines.
3. The Chief Executive Officer be authorised to make amendments of a minor and/or technical nature to both the Tree Incentive Rebate Guidelines and the Significant and Regulated Tree Assistance Rebate Guidelines.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

CARRIED

17.12 2022/23 Organisational Annual Service Plan

This report presented the 2022/23 Organisational Annual Service Plan.

RECOMMENDATION

It is recommended to Council that the 2022/23 Organisational Annual Service Plan be noted.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Dominic Mugavin

That the recommendation be adopted.

CARRIED

17.13 Strategy Unit Activity Report: 1 April to 15 June 2022

This report presented the Strategy Unit's Activity Report for the period 1 April to 15 June 2022.

RECOMMENDATION

It is recommended to Council that the Strategy Unit Activity Report for the period 1 April to 15 June 2022 be received.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

17.14 Progress on Implementing Council Decisions

This report provided an update on completed and outstanding Council and Committee resolution actions.

RECOMMENDATION

It is recommended to Council that the report be received.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

BUSINESS ITEMS FOR COUNCIL MEETING 5 JULY 2022**17.15 Adoption of the Budget and Annual Business Plan and Declaration of the Rates for 2022/23**

This report proposed adoption of the annual business plan and the budget, in that order, along with the Long Term Financial Plan which forms a part of the budget, and the declaration of the rates for 2022/23.

Council needed to adopt each numbered recommendation in A separately, along with recommendations in B and C separately.

RECOMMENDATION(S)

It is recommended to Council that:

A. Rates

The following recommendations be adopted in exercise of the powers contained in Chapters 8, 9 and 10 of the *Local Government Act 1999* (the **Act**) for the financial year ending on 30th June 2023:

1. Adoption of the Annual Business Plan

Pursuant to and in accordance with section 123 of the Act and regulation 6 of the *Local Government (Financial Management) Regulations 2011*, having considered all relevant submissions in accordance with section 123(6) of the Act, the Annual Business Plan for 2022/23, included as a part of the Budget and Annual Business Plan 2022/23, is adopted.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

2. Adoption of the Budget

The budget for 2022/23, included as a part of the Budget and Annual Business Plan 2022/23, and prepared in accordance with section 123 of the Act and regulation 7 of the *Local Government (Financial Management) Regulations 2011*, as detailed in the budget papers laid before the Council at this meeting, including:

- the budgeted statement of comprehensive income;
- the budgeted statement of financial position;
- the budgeted statement of cash flows; and
- the budgeted statement of changes in equity;

is adopted.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

3. Adoption of the Valuations

Pursuant to section 167(2)(a) of the Act, the most recent valuations of the Valuer-General available to the Council of the capital value of land within the Council area, totalling \$23,493,168,460, are adopted for rating purposes.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

4. Declaration of General Rates

Having considered the general principles of rating in section 150 and the requirements of section 153(2) of the Act, the Council determines that:

- (1) Differential general rates are declared pursuant to and in accordance with sections 153(1)(b) and 156(1)(a) of the Act on the capital value of all rateable land within the Council area according to the use of the land as per the permissible differentiating factors set out in regulation 14 of the *Local Government (General) Regulations 2013* as follows:
 - (a) 0.197953 cents in the dollar on rateable land use of the permissible differing category (a);
 - (b) 0.576352 cents in the dollar on any rateable land use of the permissible differing categories (b) to (i) inclusive.
- (2) Pursuant to section 158(1)(a) of the Act, a minimum amount is payable by way of general rates of \$989 in respect of rateable land within the Council's area.
- (3) Pursuant to section 153(3) of the Act, there will not be a fixed maximum increase in the general rate to be charged on a principal place of residence of a principal ratepayer.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

5. Declaration of Separate Rate - Regional Landscape Levy

In accordance with section 69 of the *Landscape South Australia Act 2019* and section 154 of the Act, in order to reimburse the Council for an amount of \$1,620,352 contributed to the Green Adelaide Board, a separate rate of 0.007535 cents in the dollar is declared on all rateable land in the area of the Council and the Board based on the capital value of that land.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

6. Payment of Rates

Pursuant to section 181(1) and (2) of the Act, all rates are payable in four equal or approximately equal instalments on the day on which each of the four instalments falls due as follows:

- (i) 1st September 2022 in respect of the first instalment;
- (ii) 1st December 2022 in respect of the second instalment;
- (iii) 1st March 2023 in respect of the third instalment; and
- (iv) 1st June 2023 in respect of the fourth instalment.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

B. Adoption of the Long Term Financial Plan

Pursuant to section 122(1a)(a) of the *Local Government Act 1999*, the long term financial plan included in the 2022/23 Budget and Annual Business Plan be adopted (noting that the review by the CEO of the Council's Strategic Management Plans, indicate that the Council is financially sustainable having regard to its Long Term Financial Plan, the Annual Business Plan and strategic plans).

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

C. Budget Review

The Council be provided with reviews of its budgetary position throughout the year consistent with the requirements of regulation 9 of the *Local Government (Financial Management) Regulations 2011*, including a framework for development of the 2023/24 budget.

RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

8.18pm Cr Brandon Reynolds retired from the meeting.

17.16 Riverbank Christmas Display - Update

This report provided an update to Members on the Riverbank Christmas Lights Display.

RECOMMENDATION(S)

It is recommended to Council that:

1. Council acknowledges receipt of the correspondence from Lion.
2. Lion be advised that Council is willing to enter into a licence agreement for the 2022 Christmas Display event.
3. Lion be advised that Council requires a commitment from Lion regarding the future ownership of the Riverbank land in order for Council to commit appropriate funds in future years to the running of the Christmas Display event beyond 2022.
4. Council agrees to hold three separate community events between 5pm to 10pm on Sunday 4, 11, and 18 December 2022 in association with the Riverbank Christmas Display.
5. The CEO be delegated the authority to undertake further negotiations, subject to budget approvals, to progress the project.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

17.17 Appointment of new Council Assessment Panel

This report advised of the proposed recruitment and selection process to appoint a new Council Assessment Panel at the conclusion of the current term of appointment on 31 December 2022.

RECOMMENDATION(S)

It is recommended to Council that:

1. It extends the appointment of the Council Assessment Panel independent members (including deputy independent member), pursuant to Section 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, for an additional 6-month term from 1 January 2023 to 30 June 2023 under their current arrangements and conditions as detailed in this report, to allow time to commence a recruitment and selection process to occur after the Council Election.
2. A report be presented to Council regarding the recruitment and selection process for the appointment of the new Council Assessment Panel, including both the independent members and Council member, in December 2022.

OR

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 two-year term from 1 January 2023 to 31 December 2024.

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
 - Cr
 - Cr
3. A report be presented to Council regarding the appointment of the new Council Assessment Panel, including the recommendations of the Selection Panel, in December 2022.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Kym McKay

That:

1. It extends the appointment of the Council Assessment Panel independent members (including deputy independent member), pursuant to Section 83(1)(b) of the *Planning, Development and Infrastructure Act 2016*, for an additional 6-month term from 1 January 2023 to 30 June 2023 under their current arrangements and conditions as detailed in this report, to allow time to commence a recruitment and selection process to occur after the Council Election.
2. A report be presented to Council regarding the recruitment and selection process for the appointment of the new Council Assessment Panel, including both the independent members and Council member, in December 2022.

CARRIED

17.18 Sponsorship Grant Application - The United Indians of SA

This report presented a sponsorship grant application from The United Indians of South Australia for funding towards the cost of the Australian Cha Raja - Multicultural Festival.

RECOMMENDATION

It is recommended to Council that it approves \$5,000 to The United Indians of South Australia for funding towards the cost of the Australian Cha Raja - Multicultural Festival.

RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Simon Tsiaparis

That Council approves \$10,000 to the United Indians of South Australia for funding towards the cost of the Australian Cha Raja - Multicultural Festival and that the Administration be authorised to negotiate a 'Partnership Agreement for future festivals'.

CARRIED

17.19 Review of Council Policy - Elections Period Caretaker

The *Council Policy - Elections Period Caretaker* had undergone a scheduled review and is presented to Council for its consideration and approval.

RECOMMENDATION

It is recommended to Council that:

1. The Reviewed *Council Policy - Elections Period Caretaker* be approved.
2. The Chief Executive Officer be authorised to make amendments of a minor and/or technical nature to the *Council Policy - Elections Period Caretaker*.

RESOLUTION

Moved: Cr Anne McKay

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

17.20 Kerbside Waste Management Services - Confidential Order Review

This report presented the annual review of the confidentiality order applied to confidential report Item 21.1 - Kerbside Waste Management Services, at the 6 July 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 6 July 2021, in respect of confidential Item 21.1 - Kerbside Waste Management Services, 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)(g) and (j)(i) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period, on the basis that [REDACTED] has directed that all communication regarding [REDACTED] (including email correspondence) be treated as confidential and not made publicly available or published (such as in the Council's meeting minutes) until the report is finalised.
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 Anne McKay

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED

17.21 Public Lighting Rebate Dispute - Confidential Order Review

This report presented the annual review of the confidential order applied to confidential report Item 21.2 - Public Lighting Debate Dispute, at the 6 July 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 6 July 2021, in respect of confidential Item 21.2 - Public Lighting Rebate Dispute, 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)(h) and (i) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period, on the basis that the report contains legal advice and relates to litigation that council believes on reasonable grounds will take place.
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

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 2022 West Torrens Historical Society May Open Days Feedback

Correspondence was received from the Project Officer of the West Torrens Historical Society, Mr Graham Parry, regarding the Society's two recent Open Days at Kandahar and their request for a local History Officer.

Cr Graham Nitschke asked the Administration if consideration had been given to providing a resource to the Society to assist with their request and was advised that this is currently being looked into utilising current staff.

20.2 SA Local Government Boundaries Commission - Update on Commission Activities

Correspondence was received from the Chair of the South Australian Local Government Boundaries Commission, Mr Rob Donaldson, providing an update on the Commission's recent work.

20.3 Industry and Local Government/Agency Forums - Summary of Feedback

Correspondence was received from the Presiding Member of the State Commission Assessment Panel (SCAP), Ms Rebecca Thomas, regarding the Industry and Local Government/Agency Forums and a summary of the feedback received.

20.4 South Australia Coastal Councils Alliance - June 2022 Update

Correspondence was received from the Executive Officer of the South Australia Coastal Councils Alliance, Mr Adam Gray, providing an update for June 2022.

20.5 65-73 Mooringe Avenue, Plympton Code Amendment by ACP Mooringe Pty Ltd

Correspondence was received from the Presiding Member of the Environment, Resources and Development Committee (ERDC), Ms Jayne Stinson MP, providing a copy of the letter sent to the Minister for Planning, the Hon Nick Champion MP, regarding the 65-73 Mooringe Avenue, Plympton Code Amendment.

Cr Simon Tsiaparis acknowledged the letter from Ms Stinson and thanked the Administration for their efforts with this Code Amendment and commended the outcomes to date.

8.30pm Cr Daniel Huggett left the meeting.

20.6 Outcome of Council's nomination to the Power Line Environment Committee

Correspondence was received from the Program Leader Governance of the Local Government Association of South Australia, Ms Tami Norman, regarding the outcome of Council's nomination of Cr John Woodward to the Power Line Environment Committee.

20.7 Mayors for Peace Newsletter - June 2022

Correspondence was been received from the Mayors for Peace, providing the June 2022 No. 150 Newsletter.

RECOMMENDATION

That the correspondence be received.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

21 CONFIDENTIAL

21.1 Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board

Reason for Confidentiality

The Council is satisfied that, pursuant to Section 90(3)(a) of the *Local Government Act 1999*, 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).

Prior to moving into Confidence, the Presiding Member advised the virtual attendees that the public portion of the Council meeting livestream would be locked during the discussion and consideration of the confidential Item 21.1 - Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board and that the meeting would be re-opened to the public at the completion of the confidential session.

RECOMMENDATION

It is recommended to Council that:

1. Pursuant to Section 90(2) of the *Local Government Act 1999*, Council orders, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams in attendance at the meeting, and meeting secretariat staff, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 21.1 - Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(a) because the premature disclosure of this information would be unreasonable given it contains personal information relating to the applicants which could inadvertently prejudice their future career aspirations and breach any duty of confidentiality owed to them by Council.
2. At the completion of the confidential session the meeting be re-opened to the public.

RESOLUTION

Moved: Cr Dominic Mugavin

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

8.34pm the meeting moved into Confidence and the confidential session commenced.

8.35pm Cr Anne McKay left the meeting during the confidential session.

8.38pm Cr Daniel Huggett returned to the meeting during the confidential session.

Council also resolved that:

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999*, the Council orders that the Item 21.1 - Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board, 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 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 applicants which could inadvertently prejudice their future career aspirations and breach any duty of confidentiality owed to them by Council.
2. Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

8.43pm the Confidential session closed and the meeting reopened to the public.

8.44pm Cr Anne McKay returned to the meeting.

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

21.2 Application for Ministerial Exemption to make Designated Decision during Caretaker Period**Reason for Confidentiality**

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

- (b)(i) information the disclosure of which - could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council.
- (b)(ii) information the disclosure of which - would, on balance, be contrary to the public interest.
- (d)(i) commercial information of a confidential nature (not being a trade secret) the disclosure of which - could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.
- (d)(ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which - would, on balance, be contrary to the public interest.
- (h) legal advice.

Prior to moving into Confidence, the Presiding Member advised the virtual attendees that the public portion of the Council meeting livestream would be locked during the discussion and consideration of the confidential Item 21.2 - Application for Ministerial Exemption to make Designated Decision during Caretaker Period and that the meeting would be re-opened to the public at the completion of the confidential session.

RECOMMENDATION

It is recommended to Council that:

1. Pursuant to Section 90(2) of the *Local Government Act 1999*, Council orders, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams in attendance at the meeting, and meeting secretariat staff, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 21.2 - Application for Ministerial Exemption to make Designated Decision during Caretaker Period, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(b)(i), (b)(ii), (d)(i), (d)(ii) and (h) because the information discussed and considered in relation to this agenda item is information, the disclosure of which could reasonably be expected to severely prejudice Council's ability to achieve the best possible outcome for the land under consideration and provide a commercial advantage to those with whom Council is in discussions with and would, on balance, be contrary to the public interest.
2. At the completion of the confidential session the meeting be re-opened to the public.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

8.45pm the meeting moved into Confidence and the confidential session commenced.

Council also resolved that:

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999*, the Council orders that the Item 21.2 - Application for Ministerial Exemption to make Designated Decision during Caretaker Period, the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(3)(b)(i), (b)(ii), (d)(i), (d)(ii) and (h), be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, on the basis that the information discussed and considered in relation to this agenda item is information, the disclosure of which could reasonably be expected to severely prejudice Council's ability to achieve the best possible outcome for the land under consideration and provide a commercial advantage to those with whom Council is in discussions with and would, on balance, be contrary to the public interest.
2. Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

8.49pm the Confidential session closed and the meeting reopened to the public.

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

22 MEETING CLOSE

The Presiding Member declared the meeting closed at 8.50pm.

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.10pm.

2 PRESENT

Council Members:

Cr D Mugavin (Presiding Member)

Mayor M Coxon

Councillors: E Papanikolaou, D Huggett, K McKay, 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 S Curran	(Manager Strategy and Business)
Ms H Bateman	(Manager City Development)
Mr D Ottanelli	(Manager City Property)
Ms C Luya	(Manager Community Services)
Mr J Ielasi	(Manager City Assets)
Ms L Gilmartin	(Manager Financial Services)
Ms S Finn	(Management Lead - LG Reform and Integrity - Acting)

3 APOLOGIES

Leave of Absence

Committee Member:

Cr John Woodward

Apologies

Committee Members:

Cr Jasmine Wood

Cr David Wilton

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr Elisabeth Papanikolaou

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 7 June 2022 be confirmed as a true and correct record.

COMMITTEE RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

6 COMMUNICATION BY THE CHAIRPERSON

Nil

7 QUESTIONS WITH NOTICE

Nil

8 QUESTIONS WITHOUT NOTICE

Nil

9 MOTIONS WITH NOTICE

Nil

10 MOTIONS WITHOUT NOTICE

Nil

11 CITY SERVICES AND CLIMATE ADAPTATION REPORTS

11.1 AdaptWest in Action - Program Update

This report provided an update on AdaptWest in Action, a climate adaptation program being implemented across the Western Adelaide Region in partnership with the Cities of Charles Sturt and Port Adelaide Enfield.

RECOMMENDATION

The Committee recommends to Council that the AdaptWest in Action report be received.

COMMITTEE RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

11.2 State Government Election Commitments - Community Infrastructure Grants Program

The purpose of this report was to advise Council on the receipt of three (3) grants under the State Governments Community Infrastructure Grants Program.

RECOMMENDATION

The Committee recommends to Council that the report be received.

COMMITTEE RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

CARRIED

11.3 Community Services Activity Report - June 2022

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

RECOMMENDATION

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

COMMITTEE RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

11.4 Urban Services Activities Report - June 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 be received.

COMMITTEE RESOLUTION

Moved: Cr Brandon Reynolds

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

12 MEETING CLOSE

The Presiding Member declared the meeting closed at 7.28pm.