

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, 21 MARCH 2023**

**at 7.00pm**

**Angelo Catinari**  
**Chief Executive Officer (Acting)**

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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 Sam Whiting.

*"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 Compliance.

### 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, Z Papafilopoulos, G Nitschke, S Pal, L Gelonese, S Whiting, C O'Rielly, G Demetriou, J Wood, S Comrie

### Officers:

Mr T Buss	(Chief Executive Officer)
Mr A Catinari	(Deputy Chief Executive Officer)
Ms C Luya	(General Manager Business and Community Services - Acting)
Mr P Della	(General Manager Corporate and Compliance)
Mr G Andersen	(Manager Strategy and Business - Acting)
Mr K Newton	(Manager City Property - Acting)
Ms L Gilmartin	(Manager Financial Services)
Ms R Butterfield	(Manager Compliance and Waste)
Ms C Rorke-Wickins	(Team Leader Strategic Planning)
Ms T Desteno	(Community Planner)

### In attendance:

Ms S Ditter (Council Assessment Panel Presiding Member)

### 3 APOLOGIES

#### Apologies

#### Council Member:

Cr Anne McKay

#### Officer:

Ms P Koritsa (General Manager Business and Community Services)

### 4 DISCLOSURE STATEMENTS

Nil

### 5 CONFIRMATION OF MINUTES

#### RECOMMENDATION

That the Minutes of the meeting of the Council held on 21 February 2023 be confirmed as a true and correct record.

#### RESOLUTION

Moved: Cr Lana Gelonese

Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

### 6 MAYORS REPORT

In addition to the Mayor's report listed in the agenda, Mayor Coxon advised of the following:

- The sad passing of former Airport Ward Councillor, Garth Robert Palmer. Mr Palmer served as a Councillor with the City of West Torrens for 43 years. Mayor Coxon called for a minute's silence to be observed in his honour. A minute's silence was held.
- The recent passing of the President of the National Servicemen's Association SA/NT Branch, Mr Barry Presgrave.
- That Tuesday 21 March 2023 was the United Nations International Day for the Elimination of Racial Discrimination and that Harmony Week had commenced on Monday 20 March 2023.
- On Tuesday 21 March 2023 he was pleased to attend a special community event to meet the Ambassador for the Philippines to Australia, Her Excellency Ma. Hellen De La Vega, where attendees learnt of the Ambassador's vision for the State in bilateral relations and discussed opportunities for Filipinos to thrive in South Australia.
- He had received an email from former Mayor of the City of West Torrens, the Hon. John Trainer OAM, in response to comments made in the petition regarding traffic concerns in Formby and Pearson Streets Hilton, (Item 8.1 within the agenda), and read out a personal statement supplied by Mr Trainer.

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

- *100 Years of Kooyonga* Gala Dinner at Kooyonga Golf Club on Saturday 18 March 2023, noting that he had been presented with a commemorative flag and golf ball celebrating the Club's 100 years of their establishment .
- Embroiderers' Guild of South Australia's Exhibition Opening '*It Starts with a Stitch*' on Friday 3 March 2023 and spoke on the impressive activities of the group.
- Pakistani Australia Association of South Australia Harmony Day Celebration on Sunday 5 March 2023 where he received a report regarding the arrival and experiences of the Pakistani Community in South Australia, which he provided to Members for their information.
- Book launch of Valerie Volk's new novel *Witnesses* at Thebarton Community Centre on Sunday 16 March 2023.

Mayor Coxon also made mention of the upcoming City of West Torrens Fire and Spice festival on Sunday 2 April 2023 at Lockleys Oval and encouraged everyone to attend.

## RECOMMENDATION

That the Mayor's Report be noted.

## RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

**CARRIED**

## 7 ELECTED MEMBERS REPORTS

Cr Jassmine Wood advised the following:

- Attended a meeting of the West Beach Neighbourhood Watch, along with Cr Sara Comrie.
- Attended a meeting with the Airport Over 50s Club and a tour of their facilities along with Cr Comrie.
- Attended the funeral of former Airport Ward Councillor Garth Palmer. Cr Wood extended her condolences to Mr Palmer's family.
- Read out a personal statement to officially acknowledge and congratulate the West Beach Nippers who competed in the State Championships at Port Noarlunga on the weekend:

*"Every single West Beach Nipper from Under 8s through to Under 13s put in a truly amazing effort in sprints, boards, flags, swimming and relays. Some won medals, some didn't, but if there were medals for positive attitudes and team spirit, every single West Beach Nipper would have received one. Well done guys, you've made your community proud!"*

- Cr Wood extended her personal congratulations to Cr Daniel Huggett on his recent marriage.

Cr Surender Pal advised of his attendance at a number of events over the past four weeks involving the Indian community in South Australia and also noted his attendance at the following:

- City Finance and Governance and City Advancement and Prosperity Standing Committee meeting on Tuesday 7 March 2023 in the Civic Centre; and
- Community Clean Up Aus Day' organised by the BAPS Shri Swaminarayan Temple - Mandir, Adelaide at Michael Reserve, Lockleys along with Mayor Michael Coxon and Cr George Demetriou on Saturday 18 March 2023. Cr Pal noted that the BAPS had presented Council with a commemorative statue which represents the values of strength, loyalty and unity.

Cr Graham Nitschke advised of his attendance at the following:

- Public meeting at Colossus Hall, Torrensville on Wednesday 22 February 2023 organised by concerned residents regarding the Adelaide Football Club proposal to lease the Thebarton Oval Precinct and Kings Reserve;
- Meeting of the West Torrens Historical Society on Monday 27 February 2023;
- Information session at Thebarton Community Centre regarding the proposed Code Amendment for the former SA Brewery site on Thursday 2 March 2023;
- Clean Up Australia event at Linear Park Torrensville with local residents on Sunday 5 March 2023;
- Tour of the Thebarton Police Barracks with members of the West Torrens Historical Society;
- The City Finance and Governance and City Advancement and Prosperity Standing Committee meeting on Tuesday 7 March 2023;
- Meeting of the Masterplan Advisory Group at the Thebarton Community Centre and Kings Reserve on Wednesday 8 March 2023;
- Webinar training session by the LGA for members of Council Assessment Panels on Friday 17 March 2023;
- Family fun day at Kings Reserve for the Messinian Association Hawks Football Club on Saturday 18 March 2023 along with Cr Zoi Papafilopoulos; and
- March Council meeting in the Civic Centre on Tuesday 21 March 2023.

In relation to the MA Hawks use of Kings Reserve, Mayor Coxon indicated that Council and the Department of Infrastructure and Transport would be committed to finding a positive solution for the Club's future.

Cr George Demetriou advised of his attendance at the following:

- VIP Opening Ceremony of the 57<sup>th</sup> Adelaide Schützenfest at Ellis Park on Friday 24 February 2023, along with Mayor Coxon and Cr Sara Comrie;
- Panrhodian Society's Ensomatosi Celebration at Colossus Hall on Sunday 5 March 2023;
- Former Airport Ward Councillor Garth Palmer's funeral on Thursday 9 March 2023; and
- 'Community Clean Up Aus Day' organised by the BAPS Shri Swaminarayan Temple - Mandir, Adelaide at Michael Reserve, Lockleys along with Mayor Michael Coxon and Cr Surender Pal on Saturday 18 March 2023.

Cr Daniel Huggett advised that he had recently met with a Lockleys resident in regard to their concerns in the area.

Cr Sara Comrie advised of her attendance at the VIP Opening Ceremony of the 57<sup>th</sup> Adelaide Schützenfest at Ellis Park on Friday 24 February 2023. Cr Comrie noted that the Association is always looking for volunteers and encouraged anyone interested in volunteering to speak with the South Australian German Association.

Cr Lana Gelonese advised of her attendance at the following:

- International Women's Day high tea event on Sunday 5 March 2023 held by the Organisation of Hellene & Hellene-Cypriot Women of Australia SA Inc. South Australian division to raise funds for Kickstart for Kids, which is a charity organisation located within the City of West Torrens; and
- Met with the President of the Messinian Association Hawks Football Club, Peter Bouras, along with Council's Chief Executive Officer, Deputy Chief Executive Officer and Mayor Coxon on Wednesday 1 March 2023.

## RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Zoi Papafilopoulos

That the reports from Members be noted.

**CARRIED**

### 7.1 Leave of Absence - Cr Daniel Huggett

Cr Daniel Huggett sought a leave of absence for the Council and Standing Committee meetings from 10 May 2023 to 10 June 2023.

## MOTION

Moved: Cr Kym McKay

Seconded: Cr Jassmine Wood

That Cr Daniel Huggett be granted a leave of absence for the Council, Standing Committee and General Committee meetings from 10 May 2023 to 10 June 2023.

**CARRIED**

## 8 PETITIONS

### 8.1 Petition advising of traffic concerns in Formby Street and Pearson Street, Hilton

This report presented a petition advising concerns and request for Council to develop a plan to ease the volume of traffic in Formby Street and Pearson Street, Hilton.

## RECOMMENDATION(S)

It is recommended to Council that:

1. The Petition be received.
2. A report be presented to a future meeting of the City Services and Climate Adaptation Standing Committee and the Head Petitioner be notified accordingly.



**RESOLUTION**

Moved: Cr Cindy O'Rielley

Seconded: Cr Sam Whiting

That the recommendation be adopted.

**CARRIED**

**8.2 Non-Compliant Petition Objecting to a Public Toilet at Frank Norton Reserve, Mile End**

This report presented a non-compliant petition objecting to the placement of a public toilet, specifically on Rankine Road or Torrens Road, at Frank Norton Reserve Mile End.

**RECOMMENDATION**

It is recommended to Council that the Non-Compliant Petition - Objecting to a Public Toilet at Frank Norton Reserve, Mile End be noted.

**RESOLUTION**

Moved: Cr Sam Whiting

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

**CARRIED**

**8.3 Petition objecting to proposed location of toilet at Frank Norton Reserve**

This report presented a petition objecting to the proposed location of a public toilet at Frank Norton Reserve Mile End.

**RECOMMENDATION**

It is recommended to Council that:

1. The Petition be received.
2. A report be presented to a future meeting of the City Services and Climate Adaptation Standing Committee and the Head Petitioner be notified accordingly.

**RESOLUTION**

Moved: Cr Sam Whiting

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

**CARRIED**

**9 DEPUTATIONS****9.1 Richmond Baptist Church - Request for Support**

The Presiding Member invited Pastor Nate Vawser, Mr Mark Le Cornu, and Mr David Potts of the Richmond Baptist Church to address Council in relation to the proposed acquisition of the Richmond Baptist Church at 141 Richmond Road, Richmond, as part of the Torrens to Darlington (T2D) Project.

**7.38pm** Pastor Nate Vawser, Mr Mark Le Cornu and Mr David Potts commenced their Deputation.

**7.42pm** Pastor Vawser concluded the Deputation.

Following the deputation Elected Members were invited to ask questions which were responded to by Pastor Vawser.

The Presiding Member thanked Pastor Vawser, Mr Le Cornu and Mr Potts for their deputation and attendance.

The Presiding Member advised that Cr Elisabeth Papanikolaou had indicated her intention to bring forward consideration of Item 14.1 - Council support for the Richmond Baptist Church at this point in the meeting, and sought for a mover and seconder.

#### **MOTION**

Moved: Cr John Woodward

Seconded: Cr Elisabeth Papanikolaou

That Item 14.1 - Council support for the Richmond Baptist Church, be brought forward for consideration at this point in the meeting.

**CARRIED**

#### **9.1.1 Item 14.1 - Council support for the Richmond Baptist Church Brought Forward for Consideration at this Point in the Meeting**

#### **MOTION**

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr John Woodward

That a letter be provided to the Richmond Baptist Church stating that Council both recognises and supports the Church in its continuation to build on a longstanding foundation of community service within the local West Torrens area noting that their current premises at 141 Richmond Road, Richmond will be acquired as part of the Torrens to Darlington project.

**CARRIED**

#### **9.2 BAPS Shri Swaminarayan Temple**

The Presiding Member advised that whilst the Council Agenda had only one Deputation listed, a representative from the BAPS (Bochasanwasi Akshar Purushottam Swaminarayan Sanstha) Shri Swaminarayan Temple had spoken with him at the Community Clean Up Aus Day event held on Saturday 18 March 2023 requesting to make a deputation in relation to their group.

The Presiding Member decided to put the deputation request to a vote of Council and Council determined to give permission to the representatives from BAPS to make a deputation.

The Presiding Member invited Mr Himanshu Jani, Mr Dharav Brahmbhatt and Miss Tulsi Patel to address Council.

**7.48pm** Mr Jani, Mr. Brahmbhatt and Miss Patel commenced their Deputation.

**7.55pm** Mr Jani, Mr Brahmbhatt and Miss Patel concluded their Deputation.

The Presiding Member thanked Mr Jani, Mr Brahmbhatt and Miss Patel for their deputation and attendance.

Following the conclusion of the Deputation, the Presiding Member advised that the representatives from BAPS sought permission to show a short video about the group and Council determined to grant its approval.

**10 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS****10.1 City Finance and Governance Standing Committee Meeting****RECOMMENDATION**

That the recommendations of the City Finance and Governance Standing Committee held on 7 March 2023 be adopted.

**RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

**CARRIED**

**10.2 City Advancement and Prosperity Standing Committee Meeting****RECOMMENDATION**

That the recommendations of the City Advancement and Prosperity Standing Committee held on 7 March 2023 be adopted.

**RESOLUTION**

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr John Woodward

That the recommendation be adopted.

**CARRIED**

**11 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS****11.1 Audit General Committee Meeting****RECOMMENDATION**

That the Minutes of the Audit General Committee held on 28 February 2023 be noted and the recommendations adopted.

**RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

**CARRIED**

**12 QUESTIONS WITH NOTICE**

Nil

**13 QUESTIONS WITHOUT NOTICE**

**8.01pm** Cr Jassmine Wood left the meeting.

**8.01pm** Cr Surrender Pal left the meeting.

Questions were asked and responses provided by the Administration.

**8.04pm** Cr Surrender Pal returned to the meeting.

**14 MOTIONS WITH NOTICE****14.1 Council support for the Richmond Baptist Church**

This item was considered following Item 9.1 - Richmond Baptist Church - Request for Support.

**14.2 Mile End Railway Station****RESOLUTION**

Moved: Cr Sam Whiting

Seconded: Cr John Woodward

That the Chief Executive Officer write to the Department for Infrastructure and Transport requesting a review and appraisal of Mile End Station with a view to upgrading the train station and surrounding area.

**8.08pm** Cr Jassmine Wood returned to the meeting.

**CARRIED**

**14.3 Relocation of the Thebarton Community Centre****MOTION**

That in order to decrease traffic volumes and to create additional open space at the Thebarton Oval/Kings Reserve Precinct, Council commits to relocating the Thebarton Community Centre, that is required to be demolished as part of the T2D South Road upgrade project, to Council owned land on the northern side of the Brickworks Marketplace adjacent the River Torrens.

Mayor Michael Coxon sought and was granted leave of the meeting to vary the motion to read as follows:

**MOTION**

Moved: Mayor Michael Coxon

Seconded: Cr John Woodward

That in order to decrease traffic volumes and to create additional open space at the Thebarton Oval/Kings Reserve Precinct, Council commits, subject to appropriate due diligence being undertaken, to relocating the Thebarton Community Centre, that is required to be demolished as part of the T2D South Road upgrade project, to Council owned land on the northern side of the Brickworks Marketplace adjacent the River Torrens.

**CARRIED**

#### 14.4 Kings Reserve Land and playspace elements of the 2018 Kings Reserve Masterplan

##### MOTION

Moved: Mayor Michael Coxon

Seconded: Cr John Woodward

That:

1. Any land west of the Adelaide Football Club's proposed training ground at Kings Reserve be excised from any potential lease to the Adelaide Football Club and;
2. Council further commits to providing play-space design elements of the 2018 Kings Reserve Masterplan on such land including but not limited to a playground, picnic shelter with BBQ, cricket nets, skate bowl upgrade, and drink fountains.

Discussion took place in relation to the motion, with Cr Sam Whiting advising of his intention to vary the wording of the motion to read as follows:

That:

1. Any land west of the Adelaide Football Club's proposed training ground at Kings Reserve be excised from any potential lease to the Adelaide Football Club and;
2. Council further commits to retaining majority of the mature trees and providing play-space design elements of the 2018 Kings Reserve Masterplan on such land including but not limited to a playground, picnic shelter with BBQ, cricket nets; skate bowl upgrade, and drink fountains.

Cr Whiting withdrew his request to amend the motion following additional clarification provided by Mayor Coxon.

The original motion as moved by Mayor Michael Coxon and seconded by Cr John Woodward was Put and **CARRIED**

#### 15 MOTIONS WITHOUT NOTICE

Nil

**8.21pm** Cr John Woodward left the meeting.

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

#### 16 REPORTS OF THE CHIEF EXECUTIVE OFFICER

##### 16.1 Council Assessment Panel Annual Report 2022

This report provided Council with information on the activities of, and feedback from, the Council Assessment Panel (CAP) from 1 January 2022 until 31 December 2022.

Mayor Michael Coxon invited the Presiding Member of the Council Assessment Panel, Ms Shanti Ditter to address Council in relation to the Council Assessment Panel Annual Report 2022.

##### RECOMMENDATION

It is recommended to Council that the Council Assessment Panel Annual Report 2022 be received.

**RESOLUTION**

Moved: Cr Kym McKay  
Seconded: Cr Lana Gelonese

That the recommendation be adopted.

**8.23pm** Cr John Woodward returned to the meeting.

**CARRIED**

**16.2 Council Policy - Behavioural Management**

This report presented the *Council Policy - Behavioural Management* to Council for its consideration and approval.

**RECOMMENDATION**

It is recommended to Council that:

1. The *Council Policy - Behavioural Management* be approved.
2. The Chief Executive Officer be delegated authority to make amendments of a formatting and/or minor technical nature to the *Council Policy - Behavioural Management*.

**RESOLUTION**

Moved: Cr Kym McKay  
Seconded: Cr Sara Comrie

That the recommendation be adopted.

**CARRIED**

**16.3 Code of Practice - Procedures at Meetings**

This report presented the reviewed the *Code of Practice - Procedures at Meetings*.

**RECOMMENDATION**

It is recommended to Council that:

1. The reviewed *Code of Practice - Procedures at Meetings* be approved.
2. The Chief Executive Officer be authorised to make amendments of a minor and/or technical nature to the *Code of Practice - Procedures at Meetings*.

**RESOLUTION**

Moved: Cr Jassmine Wood  
Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

#### **16.4 Brown Hill Keswick Creek Stormwater Project Capital and Operating Contributions**

This report, which was deferred from the Council meeting of 21 February 2023, provided updated budget information and seeks approval for the City of West Torrens' agreed contribution to the Project over the next five (5) financial years, 2023/24 through to 2027/28.

#### **RECOMMENDATION**

It is recommended to Council that:

1. Council approves the recommended operating and capital contributions for the next 5 financial years commencing 2023/24 through to 2027/28 as per the Brought Forward Payment summary set out in the table in this report for inclusion within the Council's and the Brown Hill Keswick Creek Stormwater Board's long-term financial plan; and
2. Further contributions to the Brown Hill Keswick Creek Stormwater Project beyond Council's already committed contribution of \$22.867M (being 49% of the local government one-third share) be further considered at the appropriate time when its commitment through to 2027/28 concludes.

#### **RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Sara Comrie

That the recommendation be adopted.

**8.29pm** Cr Daniel Huggett returned to the meeting.

**CARRIED**

#### **16.5 Local Government Advice Received from the Essential Services Commission of South Australia (ESCOSA) and the City of West Torrens response to the advice received**

The purpose of this report was to inform Elected Members about the Local Government Advice received from ESCOSA; the proposed response to the advice from the City of West Torrens; and to seek Council's endorsement for a further letter to be written to the Minister for Local Government reiterating council's objection to the Local Government Advice Scheme.

#### **RECOMMENDATION**

It is recommended to Council that:

1. The Local Government Advice Provided by the Essential Services Commission of South Australia in relation to the City of West Torrens be noted;
2. The proposed response from the City of West Torrens to the Local Government Advice be endorsed; and
3. That a further letter be prepared to the Minister for Local Government, co-signed by the Mayor and CEO reiterating Council's objection to the Local Government Advice Scheme.

#### **RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

**CARRIED**

## 16.6 Form of the Budget and Annual Business Plan 2023/24

This report proposed the form of the Budget and Annual Business Plan of Council for 2023/24.

### RECOMMENDATION

It is recommended to Council that the Budget and Annual Business Plan for 2023/24 be in a form incorporating:

- An introduction/message from the Mayor and Chief Executive Officer;
- The "Towards 2030" vision, listing the strategic fundamentals that underpin the budget, including information from Council's Community Plan re the objectives and activities for the 2022/23 financial year;
- Infographics summarising key demographics of the City of West Torrens;
- Operational budget information, including commentary, financial details and information on objectives, key activities, performance measures and budget highlights;
- Summary of our capital works program, including a list of our major works projects;
- Information on rates and rate modelling including a 'rates at a glance' infographic;
- Summary financial statements, including those required by Regulation 13 of the *Local Government (Financial Management) Regulations 2011* and associated key performance indicators; and
- Long Term Financial Plan including key assumptions and sources of funding.
- The Local Government Advice received from the Essential Services Commission of South Australia (ESCOSA) and the City of West Torrens response to the Advice.
- Other information as per the 2022/23 Budget and Annual Business Plan.

### RESOLUTION

Moved: Cr Lana Gelonese

Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

## 16.7 Creditor Payments

This report tabled a schedule of creditor payments for February 2023.

### RECOMMENDATION

It is recommended to Council that the schedule of creditor payments for February 2023 be received.

### RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

**CARRIED**



**16.8 Council Budget Report - EIGHT Months to 28 February 2023**

This report provided information to Council on budget results for the eight months ended 28 February 2023.

**RECOMMENDATION**

It is recommended to Council that the report be received.

**RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

**CARRIED**

**16.9 107 Port Road, Thebarton (Thebarton Brewery Precinct) Code Amendment Consultation Response**

This report presented the 107 Port Road, Thebarton (Thebarton Brewery Precinct) Code Amendment and the Administration's initial review of investigations submitted to support the proposed Code Amendment.

**RECOMMENDATION**

It is recommended to Council that the feedback contained in the body of this report be submitted to Lion (through their planning consultants) as its formal response to the 107 Port Road, Thebarton (Thebarton Brewery Precinct) Code Amendment, with a copy provided via the PlanSA Portal.

**RESOLUTION**

Moved: Cr Graham Nitschke

Seconded: Cr Zoi Papafilopoulos

That the recommendation be adopted.

**CARRIED**

**16.10 Private Proponent Code Amendment: Lots 51 and 52 (86-88) Morphett Road, Glengowrie Code Amendment**

This report presented the proposed feedback on the Glengowrie Code Amendment, which seeks to allow for medium/high density residential and mixed-use development at Lots 51 and 52 Morphett Road.

**RECOMMENDATION**

It is recommended to Council that the feedback contained in the body of the agenda report (Attachment 8) related to traffic and open space, be submitted to Future Urban (acting on the SAJCs behalf) as its formal response to the *Lots 51 and 52 (86-88) Morphett Road, Glengowrie Code Amendment*.

**RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Lana Gelonese

That the recommendation be adopted.

**CARRIED**

**16.11 Proposed Suburb Boundary Realignment - Mile End South and Keswick Terminal**

The Department for Trade and Investment (DTI) wrote to Council seeking comment to the Surveyor-General on a proposed suburb boundary realignment at Mile End South and Keswick Terminal.

**RECOMMENDATION**

It is recommended to Council that it advise the Surveyor-General that it has no objection to the proposed suburb boundary realignment at Mile End South and Keswick Terminal as depicted in Attachment 2 of the Agenda report.

**RESOLUTION**

Moved: Cr John Woodward

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

**CARRIED**

**16.12 Proposed Suburb Boundary Realignment - Lockleys and Underdale**

The Department for Trade and Investment (DTI) wrote to Council seeking comment on a proposed suburb boundary realignment at Lockleys and Underdale.

**RECOMMENDATION**

It is recommended to Council that the Surveyor-General be advised that it has no objection to the proposed suburb boundary realignment at Lockleys and Underdale at Allotment 268 in D43417 and Allotment 32 in D19172, which includes Underdale High School and Linear Park.

**RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

**CARRIED**

**16.13 Proposed Suburb Boundary Realignment - Camden Park and Plympton**

The Department for Trade and Investment (DTI) wrote to Council seeking comment to the Surveyor-General on a proposed suburb boundary realignment at Camden Park and Plympton.

**RECOMMENDATION**

It is recommended to Council that it advise the Surveyor-General that it raises no objection to the proposed suburb boundary realignment at Camden Park and Plympton as depicted in Attachment 2 of the Agenda report.

**RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

**16.14 ALGA National General Assembly of Local Government 2023 - Call for Motions**

This report advised the outcome of the call for notices of motion for the 2023 Australian Local Government Association National General Assembly to be held between 13 and 16 June 2023.

**RECOMMENDATION**

It is recommended to Council that the report be received.

**RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

**CARRIED**

**16.15 2023 Asia Pacific Cities Summit and Mayor's Forum**

**8.48pm** Mayor Michael Coxon declared a material conflict of interest in this item as he is nominated to attend the 2023 Asia Pacific Cities Summit and Mayor's Forum. Mayor Coxon left the meeting for the discussion and vote on the item.

As Mayor Michael Coxon, Presiding Member, left the meeting, Cr Cindy O'Rielley as Deputy Mayor, assumed the Chair as Presiding Member for the conduct of this item.

This report sought Council approval for Mayor Michael Coxon to attend the 2023 Asia Pacific Cities Summit and Mayor's Forum in Brisbane from Wednesday 11 October to Friday 13 October 2023.

**RECOMMENDATION**

It is recommended that:

1. Council approves the attendance of Mayor Michael Coxon at the 2023 Asia Pacific Cities Summit and Mayor's Forum in Brisbane from Wednesday 11 October to Friday 13 October 2023; and that
2. Expenses be reimbursed in accordance with the Elected Members Professional Development Policy.

**RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr George Demetriou

That the recommendation be adopted.

**CARRIED**

**8.48pm** Cr/s Surender Pal and Daniel Huggett left the meeting.

**8.49pm** Cr/s Daniel Huggett and Surender Pal returned to the meeting.

**8.49pm** Mayor Michael Coxon returned to the meeting and assumed the Chair.

### **16.16 Torrens to Darlington (T2D) Project update and Impacts to Council Facilities (Thebarton Oval and Kings Reserve Precinct) - Confidential Order Review**

This report presented the review of the confidential order applied to confidential report Item 10.1 - Torrens to Darlington (T2D) Project update and Impacts to Council Facilities (Thebarton Oval and Kings Reserve Precinct) at the 22 March 2022 meeting of the City Facilities and Waste Recovery General Committee 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 22 March 2022, in respect of confidential Item 10.1 - Torrens to Darlington (T2D) Project update and Impacts to Council Facilities (Thebarton Oval and Kings Reserve Precinct) - Confidential Order Review, Council orders that 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), 90(3)(d)(i) and 90(3)(j)(i) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period on the basis it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible outcome for the benefit of the Council and the community in regard to matters dealing with the Torrens to Darlington (T2D) Project. In addition, Council will also be considering information the disclosure of which could reasonably be expected to breach duty of confidence owed to the Department of Infrastructure and Transport.
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 Elisabeth Papanikolaou

Seconded: Cr George Demetriou

That the recommendation be adopted.

**CARRIED**

### **16.17 3RT Technologies Pty Ltd Lease - 240 Morphett Road, North Plympton - Confidential Order Review**

This report presented the review of the confidential order applied to confidential report Item 21.1 - 3RT Technologies Pty Ltd Lease - 240 Morphett Road, North Plympton at the 3 March 2020 meeting of Council in accordance with the provisions of Section 91(9)(a) of the *Local Government Act 1999*.

#### **RECOMMENDATION**

It is recommended to Council that:

1. In accordance with Section 91(9)(a), having reviewed the confidentiality order made on 3 March 2020 and reviewed at Council's 2 March 2021 and 15 February 2022 meetings, in respect of confidential Item 21.1 - 3RT Technologies Pty Ltd Lease - 240 Morphett Road, North Plympton, Council orders that 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 it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible outcome with 3RT Technologies Pty Ltd.

In addition, the disclosure of Council's commercial position may severely prejudice Council's ability to satisfactorily resolve the lease matter with 3RT Technologies Pty Ltd and consequently, Council considers the disclosure of this information would, on balance, be contrary to the public interest.

2. 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 Elisabeth Papanikolaou

Seconded: Cr George Demetriou

That the recommendation be adopted.

**CARRIED**

## 16.18 Thebarton Theatre Complex - Redevelopment Update

This report provided Council with an update regarding the masterplan and redevelopment of the Thebarton Theatre Complex.

## RECOMMENDATION

It is recommended to Council that:

1. It consider, note and acknowledge the contents of the Prudential Review Report prepared by UHY Haines Norton in regard to the Thebarton Theatre Redevelopment.
2. A copy of the Prudential Review report undertaken by UHY Haines Norton in regard to the Thebarton Theatre Redevelopment, be made available at Council's Civic Centre for public inspection.
3. The Administration be authorised to undertake a period of public information in regards to the redevelopment of Thebarton Theatre, including the information activities outlined within this report.
4. The Thebarton Theatre Complex Redevelopment Master Plan and Stage 1 Design Concept report (as provided in Attachment 2 of this report) be endorsed and the Administration proceed with Stage 1 works including detailed design documentation and construction contract procurement and securing all necessary approvals for the redevelopment to proceed.
5. Subject to the necessary approvals being granted, the cottage located at 164 South Road, Torrensville, be demolished in order to allow Stage 1 works to proceed.
6. The Administration provide a copy of the Thebarton Theatre Complex Redevelopment Master Plan and Stage 1 Design Concept Report (as provided in Attachment 2 of this report) to the State Government as part of the reporting requirements of the Funding Deed.

Prior to the consideration of Council Item 16.18 - Thebarton Theatre Complex - Redevelopment Update, the Presiding Member invited the Chief Executive Officer, Terry Buss, to advise Council of the reasoning behind the amended wording of the resolution, particularly the addition of a new point one.

**RESOLUTION**

Moved: Cr Graham Nitschke

Seconded: Cr Zoi Papafilopoulos

It is recommended to Council that:

1. That the Chief Executive Officer be authorised to write to the Minister for Planning to request that the State Planning Commission be declared as the relevant authority for the development application associated with the redevelopment of the Thebarton Theatre Complex (Stage 1) outlined in this report, in substitution for the Council Assessment Panel and/or Assessment Manager.
2. It consider, note and acknowledge the contents of the Prudential Review Report prepared by UHY Haines Norton in regard to the Thebarton Theatre Redevelopment.
3. A copy of the Prudential Review report undertaken by UHY Haines Norton in regard to the Thebarton Theatre Redevelopment, be made available at Council's Civic Centre for public inspection.
4. The Administration be authorised to undertake a period of public information in regards to the redevelopment of Thebarton Theatre, including the information activities outlined within this report.
5. The Thebarton Theatre Complex Redevelopment Master Plan and Stage 1 Design Concept report (as provided in Attachment 2 of the report) be endorsed and the Administration proceed with Stage 1 works including detailed design documentation and construction contract procurement and securing all necessary approvals for the redevelopment to proceed.
6. Subject to the necessary approvals being granted, the cottage located at 164 South Road, Torrensville, be demolished in order to allow Stage 1 works to proceed.
7. The Administration provide a copy of the Thebarton Theatre Complex Redevelopment Master Plan and Stage 1 Design Concept Report (as provided in Attachment 2 of this report) to the State Government as part of the reporting requirements of the Funding Deed.

**CARRIED**

**17 LOCAL GOVERNMENT BUSINESS**

Nil

**18 MEMBER'S BOOKSHELF**

Nil

**19 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.

### **19.1 The Observation Post - March 2023 Edition**

Correspondence was received from the President of the National Malaya & Borneo Veterans Association Australia Inc SA/NT Branch, providing a copy of the March edition of The Observation Post.

### **19.2 South Australia's Road Safety Action Plan 2023 - 2025**

Correspondence was received from the Hon Joe Szakacs MP, Minister for Police, Emergency Services and Correctional Services, regarding the release of South Australia's Road Safety Action Plan 2023 - 2025.

### **19.3 Development Applications at the Mile End Sports Precinct**

Correspondence was received from the Hon Nick Champion MP, Minister for Planning, regarding the proposed development of sports related facilities at the Mile End Sports Precinct at 145 Railway Terrace, Mile End.

### **19.4 Dog and Cat Management Plan - DCMB Feedback**

Correspondence was received from the Manager of the Dog and Cat Management Board, Gayle Grieger, regarding the City of West Torrens Dog and Cat Management Plan 2022-2027.

### **19.5 Thank you from the Mid Murray Council to City of West Torrens**

Correspondence was received from the Chief Executive Officer of the Mid Murray Council, Ben Scales, thanking the City of West Torrens for providing assistance during the recent floods.

## **RECOMMENDATION**

That the correspondence be received.

## **RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr Daniel Huggett

That the recommendation be adopted.

**CARRIED**

## **20 CONFIDENTIAL**

### **20.1 Thebarton Theatre Complex and Weslo Holdings Pty Ltd Negotiations - Update**

#### **Reason for Confidentiality**

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

- (b)(i) information the disclosure of which - could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council.
- (b)(ii) information the disclosure of which - would, on balance, be contrary to the public interest.

## RECOMMENDATION

It is recommended to Council that:

1. Pursuant to Section 90(2) of the *Local Government Act 1999*, Council orders, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams in attendance at the meeting, and meeting secretariat staff, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 20.1 - Thebarton Theatre Complex and Weslo Holdings Pty Ltd Negotiations - Update, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(b)(i) and (b)(ii) because Council considers that the disclosure of the information would, on balance, be contrary to the public interest on the basis that it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible outcome with regard to matters which may impact the proposed upgrade of the Thebarton Theatre Complex and actions required to secure a future lease for the Theatre. Therefore, Council is satisfied that the principle of the meeting being conducted in a place open to the public has been outweighed in this circumstance.
2. At the completion of the confidential session the meeting be re-opened to the public.

## RESOLUTION

Moved: Cr Lana Gelonese

Seconded: Cr Sam Whiting

That the recommendation be adopted.

**CARRIED**

**8.59pm** 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 20.1 - Thebarton Theatre Complex and Weslo Holdings Pty Ltd Negotiations - 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), 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 Council considers that the disclosure of the information would, on balance, be contrary to the public interest on the basis that it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible outcome with regard to matters which may impact the proposed upgrade of the Thebarton Theatre Complex and actions required to secure a future lease for the Theatre. Therefore, Council is satisfied that the principle of the meeting being conducted in a place open to the public has been outweighed in this circumstance.
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*.

**9.28pm** the Confidential session closed and the meeting reopened to the public.

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

## 21 MEETING CLOSE

The Presiding Member declared the meeting closed at 9.28pm.