

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, 15 AUGUST 2023
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 Graham Nitschke of Thebarton Ward.

"West Torrens City Council acknowledges that we are meeting on the traditional Country of the Kaurna 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 Kaurna 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 Kaurna 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, K McKay, D Huggett, Z Papafilopoulos, G Nitschke, C O'Rielly, S Whiting, S Pal, L Gelonese, A McKay, S Comrie, J Wood

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 L Gilmartin	(Manager Financial Services)
Ms L Johnson	(Manager Governance Risk and Business)
Mr G Andersen	(Manager Strategy and Business)
Ms R Butterfield	(Manager Compliance and Waste)
Mr R Gascoigne	(Manager Community Services - Acting)
Mr J Ielasi	(Manager City Assets)
Ms A Christopoulos	(Business Lead Community Partnerships)
Ms B Dzalto	(Secretariat)
Mr M Cole	(Secretariat)
Ms G Capurso	(Secretariat)

3 APOLOGIES

Apologies

Council Member:

Cr George Demetriou

Mayor Michael Coxon noted that Cr Surender Pal had advised that he would retire from the meeting prior to the conclusion of Council proceedings.

4 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Item 16.2 - Kings Reserve Masterplan Community Reference Group Establishment	General	Cr Graham Nitschke
Item 16.14 - Waste Expo Australia Conference 2023	Material	Cr Elisabeth Papanikolaou
Item 16.2 - Kings Reserve Masterplan Community Reference Group Establishment	General	Cr Zoi Papafilopoulos
Item 16.1 - Behavioural Standards Report - Cr K McKay	General	Cr Anne McKay
Item 16.14 - Waste Expo Australia Conference 2023	General	Cr Anne McKay
Item 16.1 - Behavioural Standards Report - Cr K McKay	General	Cr Kym McKay
Item 16.14 - Waste Expo Australia Conference 2023	Material	Cr Kym McKay

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council held on 18 July 2023 be confirmed as a true and correct record.

RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Lana Gelonese

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT

Mayor Michael Coxon invited the Chief Executive Officer, Terry Buss PSM, to draw Member's attention to a recent email update received from Solo Resource Recovery regarding Hydrogen Fuel Cells (HFC) and electrical collection vehicles.

Mayor Coxon elaborated on his attendance at the Indian Independence Day Celebration 'Azadi Ka Amrit Mahotsav' Special Dawn Flag Raising Ceremony in recognition of the 76th Anniversary of Indian Independence, held at Thebarton Community Centre earlier that morning. Mayor Coxon noted the attendance of Mr Kashmiri Lal, Vice-Consul from the Consulate-General of India in Sydney and also Lt. Gen. (Dr) D.P. Vats (Retd.) and his wife Mrs Geeda Vats.

Mayor Coxon also noted the attendance of Lt. Gen. (Dr) D.P. Vats (Retd.) and his wife Mrs Vats in the gallery and invited them to come forward to receive a gift from the City of West Torrens. Mayor Coxon read out a personal statement thanking the special guests for their attendance and exchanged gifts with Lt. Gen. (Dr) D.P. Vats (Retd.), who thanked Council for the recognition of India's 76th Anniversary of Independence.

RECOMMENDATION

That the Mayor's Report be noted.

RESOLUTION

Moved: Cr Lana Gelonese

Seconded: Cr Zoi Papafilopoulos

That the recommendation be adopted.

CARRIED

7 ELECTED MEMBERS REPORTS

Cr Daniel Huggett advised of his attendance at Lockleys Oval on Friday 28 July 2023 for the Division 5 D-Grade football game organised by the Marmalade group, where around 4,000 spectators were in attendance. Cr Huggett acknowledged the Lockleys Football Club for the incredible night and celebrated the efforts of the players involved.

Cr Jassmine Wood noted that the Australian Women's National Soccer Team, the Matildas, would be playing against England in the 2023 FIFA Women's World Cup on Wednesday 16 August 2023 and spoke on the positive cultural impact the Matildas have had on the younger generations. Cr Wood wished the Matildas all the best.

Cr Surender Pal elaborated on his attendance at the Indian Independence Day Celebration 'Azadi Ka Amrit Mahotsav' Special Dawn Flag Raising Ceremony in recognition of the 76th Anniversary of Indian Independence. Also in attendance were Mayor Coxon and the Deputy CEO, Angelo Catinari. Cr Pal spoke on the importance of the event and congratulated the Indian community on their 76th Independence Day. Cr Pal also thanked the City of West Torrens Events Team and Office of the Mayor and CEO for their assistance in organising the event, as well as, Mayor Coxon and Cr George Demetriou for attending the special dinner function. Cr Pal thanked the Plympton Ward residents for their support and the City of West Torrens for putting on the event.

Cr Kym McKay advised that he had met with residents of Fulham in regard to stormwater control and ongoing flooding issues in Fulham. Cr McKay noted that he had submitted his written apology to the Chief Executive Officer in relation to Item 16.1 - Behavioural Standards Report - Cr K McKay.

Cr Lana Gelonese elaborated on her attendance at the Malaya & Borneo Veterans Day Commemoration held in the West Torrens Memorial Gardens on Friday 11 August 2023 along with Cr Kym McKay, noting the attendance of Her Excellency the Honourable Frances Adamson AC, Governor of South Australia and Senator Andrew McLachlan CSC.

Cr Sam Whiting noted his recent work to promote the Yes23 campaign in regard to the upcoming 2023 Australian Indigenous Voice referendum and encouraged anyone who may be interested to volunteer.

RESOLUTION

Moved: Cr Surrender Pal

Seconded: Cr Zoi Papafilopoulos

That the reports from Members be noted.

CARRIED

7.21pm Cr Surrender Pal retired from the meeting.

8 PETITIONS

8.1 Non-Compliant petition objecting to vehicles advertised for sale on Davenport Terrace, Hill Place and Ellen Street, Richmond

This report presented a non-compliant petition objecting to parked vehicles for sale on Davenport Terrace, Hill Place and Ellen Street, Richmond.

RECOMMENDATION

It is recommended to Council that:

1. The non-compliant petition objecting to parked vehicles for sale on Davenport Terrace, Hill Place and Ellen Street, Richmond, be noted.
2. The Administration follow up on the matter raised in the non-compliant petition and take appropriate and necessary action to address the parking of vehicles in Richmond streets for the purposes of sale.

RESOLUTION

Moved: Cr Cindy O'Rielley

Seconded: Cr Sam Whiting

That the recommendation be adopted.

CARRIED

9 DEPUTATIONS

Nil

10 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS**10.1 City Services and Climate Adaptation Standing Committee Meeting****RECOMMENDATION**

That the recommendations of the City Services and Climate Adaptation Standing Committee held on 1 August 2023 be adopted.

RESOLUTION

Moved: Cr Daniel Huggett

Seconded: Cr Sara Comrie

That the recommendation be adopted.

CARRIED

10.2 City Facilities and Waste Recovery Standing Committee Meeting**RECOMMENDATION**

That the recommendations of the City Facilities and Waste Recovery Standing Committee held on 1 August 2023 be adopted.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Elisabeth Papanikolaou

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 8 August 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

Questions were asked and responses provided by the Administration.

14 MOTIONS WITH NOTICE

Nil

15 MOTIONS WITHOUT NOTICE

Nil

16 REPORTS OF THE CHIEF EXECUTIVE OFFICER**16.1 Behavioural Standards Report - Cr K McKay**

7.31pm *Cr Kym McKay declared a general conflict of interest in relation to this matter as he is the subject of Item 16.1 - Behavioural Standards Report - Cr K McKay, and left the meeting for the discussion and vote on the item.*

7.31pm *Cr Anne McKay declared a general conflict of interest in relation to this matter as her partner, Cr Kym McKay is the subject of Item 16.1 - Behavioural Standards Report - Cr K McKay, and left the meeting for the discussion and vote on the item.*

The purpose of this report was for Council to consider the outcome of a report prepared by an independent third party (Norman Waterhouse Lawyers) regarding complaints made against Cr Kym McKay under the Behavioural Standards for Council Members.

RECOMMENDATION

It is recommended to Council that:

1. The final report by Norman Waterhouse Lawyers dated 21 July 2023 prepared in accordance with the South Australian Model Behavioural Management policy regarding complaints made against Cr Kym McKay for alleged conduct during a Council meeting on 13 December 2022, be received noting that Cr Kym McKay has, on the balance of probabilities, breached clauses 1.4, 1.5, and 2.5 of the Behavioural Standards.
2. Cr Kym McKay be required to issue a public apology to the Council and the four anonymous complainants in respect of his conduct generally at the Council meeting held 13 December 2022 with the public apology being given at a Council meeting, in writing or in person, by no later than 19 September 2023 with the wording of the apology to be included in the Council Minutes.
3. Council resolve to censure Cr Kym McKay in respect of his conduct which is the subject of findings of breaches of the Behavioural Standards as set out in the Norman Waterhouse Lawyers final report.

Discussion took place in relation to Point 3 of the recommendation, with Cr/s Elisabeth Papanikolaou and Jassmine Wood suggesting the removal of Point 3 of the recommendation. Further discussion took place, with Cr/s Jassmine Wood, John Woodward and Lana Gelonese speaking in favour of the proposed removal of Point 3 of the recommendation. Accordingly, the following motion was considered:

RESOLUTION

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Jassmine Wood

That:

1. The final report by Norman Waterhouse Lawyers dated 21 July 2023 prepared in accordance with the South Australian Model Behavioural Management policy regarding complaints made against Cr Kym McKay for alleged conduct during a Council meeting on 13 December 2022, be received noting that Cr Kym McKay has, on the balance of probabilities, breached clauses 1.4, 1.5, and 2.5 of the Behavioural Standards.
2. Cr Kym McKay be required to issue a public apology to the Council and the four anonymous complainants in respect of his conduct generally at the Council meeting held 13 December 2022 with the public apology being given at a Council meeting, in writing or in person, by no later than 19 September 2023 with the wording of the apology to be included in the Council Minutes.

CARRIED

7.41pm Cr Elisabeth Papanikolaou left the meeting.

7.42pm Cr/s Kym McKay, Anne McKay and Elisabeth Papanikolaou returned to the meeting.

As per Point 2 of the Council Resolution, Cr Kym McKay provided the following statement:

Dear Members of Council and Complainants,

Subject: Public Apology for Breaches of Behavioural Standards

I am writing to address the recent concerns raised regarding my conduct as an Elected Member of Council. The Council has received complaints, from four anonymous individuals, alleging breaches of the Behavioural Standards for Council Members.

An investigation was undertaken and as a result it was found that on the balance of probabilities, I breached three clauses of the behavioural standards.

In light of these complaints, I acknowledge that my conduct at the Council meeting on the 13 December 2022 fell short of the Behavioural Standards expected from someone in my position, and for that, I extend my apologies to the Council and the four anonymous complainants.

I regret that my behaviour may have impacted on the reputation of Council and the assurance placed in me by the community. As an elected public officer, I have a responsibility to uphold the highest ethical standards and to act in the best interests of those I represent.

Upon reflection, I acknowledge that I may have allowed personal frustrations to unintentionally affect my interactions within the Council Chamber that night. It was never my intention to cause harm or discord and I acknowledge that my actions have attracted some criticism.

As for my breaches of the Behavioural Standards, I believe it is all a matter of perspective. People interpret actions differently, and sometimes, they misconstrue the intentions behind them. I have always acted with the best interests of the community in mind, but I do understand that the optics of my actions on the night may not have been ideal. So, to those who took offense, I offer my sincere apologies. My focus remains on serving the community diligently, and I will continue to work towards that goal.

In conclusion, I would like to thank the Council for giving me the opportunity to address this matter publicly. As an elected representative, I will always remain accountable to the community that has elected me. I do not lose sight of the fact that we are all here to make a difference and contribute to the betterment of the City of West Torrens.

Cr Kym McKay

16.2 Kings Reserve Masterplan Community Reference Group Establishment

7.43pm *Cr Graham Nitschke declared a general conflict of interest in relation to this matter as he wished to be nominated for membership on the Kings Reserve Masterplan Community Reference Group in his role as an Elected Member. Cr Nitschke advised he would remain in the meeting for the discussion and vote on the item.*

7.44pm *Cr Zoi Papafilopoulos declared a general conflict of interest in relation to this matter as she wished to be nominated for membership on the Kings Reserve Masterplan Community Reference Group in her role as an Elected Member. Cr Papafilopoulos advised she would remain in the meeting for the discussion and vote on the item.*

Mayor Michael Coxon noted that, as per Point 3 of the Recommendation, he would be appointed to the Kings Reserve Masterplan Community Reference Group as Chairperson, however as this formed part of his duties as Mayor, he did not believe himself to have a conflict of interest in relation to the matter.

This report sought the establishment of the Kings Reserve Masterplan Community Reference Group.

RECOMMENDATION

It is recommended to Council that:

1. The Kings Reserve Masterplan Community Reference Group be established.
2. The Kings Reserve Masterplan Community Reference Group Terms of Reference attached to this report be approved.
3. It appoints Mayor Coxon to the Kings Reserve Masterplan Community Reference Group as Chairperson.
4. It appoints the following two (2) Elected Members to the Kings Reserve Masterplan Community Reference Group as follows:
 - Cr
 - Cr

5. It approves the process for the appointment of six (6) community representatives to the Kings Reserve Masterplan Community Reference Group; four (4) via an open Expression of Interest process.
6. The Administration approach the 5031 Community Facilities and Green Space Action Group seeking their two (2) nominees who meet the Kings Reserve Masterplan Community Reference Group membership criteria as per the Kings Reserve Masterplan Community Reference Group Terms of Reference.
7. A report be presented to an appropriate meeting of Council recommending the appointment of the community representatives to the Kings Reserve Masterplan Community Reference Group.
8. There are no sitting fees or reimbursements to be paid to any member of the Kings Reserve Masterplan Community Reference Group.
9. The first meeting of the Kings Reserve Masterplan Community Reference Group will be arranged as soon as practicably possible taking account of the availability of its membership.
10. The ordinary meetings of the Kings Reserve Masterplan Community Reference Group be held on the fourth Thursday of each month following completion of the first meeting referred to in point 9 above.
11. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the Kings Reserve Masterplan Community Reference Group in consultation with the Chairperson.
12. The Chief Executive Officer be delegated authority to make amendments of a formatting and/or minor technical nature to the Kings Reserve Masterplan Community Reference Group Terms of Reference.

Mayor Coxon advised that the Chief Executive Officer wished to correct an error found on Page 100 of the Agenda report, under Point c) of the Discussion, which states *"four (4) members of the community, appointed by the Council and AFC by mutual agreement and meeting all of the following criteria..."* however the four (4) members of the community would be appointed by the Council and not AFC.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Sam Whiting

That:

1. The Kings Reserve Masterplan Community Reference Group be established.
2. The Kings Reserve Masterplan Community Reference Group Terms of Reference attached to this report be approved.
3. It appoints Mayor Coxon to the Kings Reserve Masterplan Community Reference Group as Chairperson.
4. It appoints the following two (2) Elected Members to the Kings Reserve Masterplan Community Reference Group as follows:
 - Cr Graham Nitschke of Thebarton Ward
 - Cr Zoi Papafilopoulos of Thebarton Ward

5. It approves the process for the appointment of six (6) community representatives to the Kings Reserve Masterplan Community Reference Group; four (4) via an open Expression of Interest process.
6. The Administration approach the 5031 Community Facilities and Green Space Action Group seeking their two (2) nominees who meet the Kings Reserve Masterplan Community Reference Group membership criteria as per the Kings Reserve Masterplan Community Reference Group Terms of Reference.
7. A report be presented to an appropriate meeting of Council recommending the appointment of the community representatives to the Kings Reserve Masterplan Community Reference Group.
8. There are no sitting fees or reimbursements to be paid to any member of the Kings Reserve Masterplan Community Reference Group.
9. The first meeting of the Kings Reserve Masterplan Community Reference Group will be arranged as soon as practicably possible taking account of the availability of its membership.
10. The ordinary meetings of the Kings Reserve Masterplan Community Reference Group be held on the fourth Thursday of each month following completion of the first meeting referred to in point 9 above.
11. The Chief Executive Officer be delegated authority to vary the meeting date, time and place of the Kings Reserve Masterplan Community Reference Group in consultation with the Chairperson.
12. The Chief Executive Officer be delegated authority to make amendments of a formatting and/or minor technical nature to the Kings Reserve Masterplan Community Reference Group Terms of Reference.

CARRIED

Cr/s Graham Nitschke and Zoi Papafilopoulos voted in favour of the recommendation moved by Cr John Woodward and seconded by Cr Sam Whiting.

16.3 Community Grant Application - Arjun Entertainment

This report presented to Council, a Community Grant application from Arjun Entertainment who is requesting \$32,000 from Council to fund a musical event to be held at AFL Max on 25 August 2023. Given this request for financial support exceeds the financial limit allocated for Community Grant applications, this request is being presented to Council for its consideration.

RECOMMENDATION

It is recommended to Council that it supports the event to be run by Arjun Entertainment with a \$2,000 contribution.

Discussion took place in relation to the motion, particularly in relation to the contribution of \$2,000 requested from Council, with Cr John Woodward suggesting that Council should not contribute any funds toward the event as the organisers advised that the event would be ticketed and costs would be charged for entry into the event. Accordingly, the motion was changed as follows:

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Jassmine Wood

That the report be received.

CARRIED

16.4 Public Consultation - Renaming of Admella Place Thebarton to Inparri Wama

This report presented the outcomes of the public consultation undertaken with regard to the proposal to rename Admella Place, Thebarton to Inparri Wama.

RECOMMENDATION

It is recommended to Council that:

1. The feedback from public consultation, on the proposal to rename Admella Place, Thebarton to Inparri Wama, be received.
2. The majority of responders favour the proposed renaming be noted.
3. Having considered the responses to the public consultation, the proposed renaming of Admella Place, Thebarton to Inparri Wama be approved.
4. The Chief Executive Officer be authorised to proceed with any action required to effect this change.
5. Mr Lauro Martire be advised of the outcome following public consultation and approval to rename Admella Place, Thebarton to Inparri Wama.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Zoi Papafilopoulos

That the recommendation be adopted.

CARRIED

16.5 Public Consultation - Renaming of Sanders Lane Richmond to Rebecca Lane Richmond

This report presented the outcomes of the public consultation undertaken with regard to the proposal to rename Sanders Lane, Richmond, to Rebecca Lane.

RECOMMENDATION

It is recommended to Council that:

1. The feedback from public consultation on the proposal to rename Sanders Lane, Richmond, to Rebecca Lane, be received.
2. The majority of responders favour the proposed renaming be noted.

3. Having considered the responses to the public consultation, the proposed renaming of Sanders Lane, Richmond to Rebecca Lane be approved.
4. The Chief Executive Officer be authorised to proceed with any actions required to effect this change.
5. Mr Vasilios Droulias be advised of the outcome following public consultation and approval to rename Sanders Lane, Richmond to Rebecca Lane, Richmond.

RESOLUTION

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED

16.6 Code of Practice - Access to Meetings and Documents

This report presented the reviewed *Code of Practice - Access to Meetings and Documents*.

RECOMMENDATION

It is recommended to Council that:

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

RESOLUTION

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

16.7 Appointment of Independent Members to the Audit and Risk General Committee

This report advised of the proposed recruitment process to appoint independent members to the Audit and Risk General Committee for a three (3) year period from 1 December 2023 to the conclusion of the 2026 Local Government elections.

RECOMMENDATION

It is recommended to Council that:

1. It approves the proposed recruitment and selection process for the appointment of independent members to Council's Audit and Risk General Committee for a three (3) year period from 1 December 2023 to the conclusion of the 2026 Local Government elections.

2. The General Manager Business and Community (Acting), the General Manager Corporate and Compliance and Cr/s be appointed to the selection panel for the independent members of the Audit and Risk General Committee.
3. The Audit and Risk General Committee be comprised of two (2) independent members and one (1) Elected Member for a three (3) year period from 1 December 2023 to the conclusion of the 2026 Local Government elections.
4. A report be presented to an appropriate meeting of Council recommending the appointment of the independent members and re-establishing the Audit and Risk General Committee.

RESOLUTION

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Anne McKay

That:

1. It approves the proposed recruitment and selection process for the appointment of independent members to Council's Audit and Risk General Committee for a three (3) year period from 1 December 2023 to the conclusion of the 2026 Local Government elections.
2. The General Manager Business and Community (Acting), the General Manager Corporate and Compliance and Cr John Woodward be appointed to the selection panel for the independent members of the Audit and Risk General Committee.
3. The Audit and Risk General Committee be comprised of two (2) independent members and one (1) Elected Member for a three (3) year period from 1 December 2023 to the conclusion of the 2026 Local Government elections.
4. A report be presented to an appropriate meeting of Council recommending the appointment of the independent members and re-establishing the Audit and Risk General Committee.

CARRIED

16.8 Revision of the 2023/24 Budget

This report proposed revision of the 2023/24 budget, and for this revision to be adopted by the Council.

RECOMMENDATION

It is recommended to Council that unspent funds from the 2022/23 budget totalling \$32,120,244 net of income yet to be received be incorporated in the 2023/24 budget.

RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Sara Comrie

That the recommendation be adopted.

7.52pm Cr Daniel Huggett left the meeting.

7.55pm Cr Daniel Huggett returned to the meeting.

CARRIED

16.9 Creditor Payments

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

RECOMMENDATION

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

RESOLUTION

Moved: Cr Jassmine Wood
Seconded: Cr Zoi Papafilopoulos

That the recommendation be adopted.

CARRIED

16.10 Property Leases

This report provided information on overdue property lease payments that are greater than \$2,000.

RECOMMENDATION

It is recommended to Council that the report be received.

RESOLUTION

Moved: Cr Elisabeth Papanikolaou
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

16.11 Register of Allowances and Benefits - 12 Months to 30 June 2023

This report tabled the register of allowances and benefits for Elected Members for the 12 months to 30 June 2023, prepared pursuant to the requirements of Section 79 of the *Local Government Act 1999*.

RECOMMENDATION

It is recommended to Council that the register of allowances and benefits for Elected Members for the 12 months to 30 June 2023 be received.

RESOLUTION

Moved: Cr Graham Nitschke
Seconded: Cr Jassmine Wood

That the recommendation be adopted.

CARRIED

16.12 Investment Review 2022/23

This report provided a review of Council investments for 2022/23, pursuant to the requirements of Section 140 of the *Local Government Act 1999*.

RECOMMENDATION

It is recommended to Council that the report be received.

RESOLUTION

Moved: Cr Lana Gelonese

Seconded: Cr Zoi Papafilopoulos

That the recommendation be adopted.

CARRIED

16.13 Mendelson Foundation Investment Performance 2022/23

This report provided information on the investment performance of the Mendelson Foundation for the 12 months ending 30 June 2023, pursuant to the requirements of Section 140 of the *Local Government Act 1999*.

RECOMMENDATION

It is recommended to Council that the report be received.

RESOLUTION

Moved: Cr Daniel Huggett

Seconded: Cr John Woodward

That the recommendation be adopted.

CARRIED

16.14 Waste Expo Australia Conference 2023

8.01pm *Cr Kym McKay declared a material conflict of interest in this item as he wishes to attend the conference in his role as Presiding Member of the City Facilities and Waste Recovery Standing Committee, and by attending will be the beneficiary of a financial benefit from the Council. Cr Kym McKay left the meeting for the discussion and vote on the item.*

8.02pm *Cr Elisabeth Papanikolaou declared a material conflict of interest in this item as she wishes to attend the conference and by attending will be the beneficiary of a financial benefit from the Council. Cr Papanikolaou left the meeting for the discussion and vote on the item.*

8.02pm *Cr Anne McKay declared a general conflict of interest in this item as her partner, Cr Kym McKay, wishes to attend the conference and by attending, Cr Kym McKay will be the beneficiary of a financial benefit from the Council. Cr Anne McKay left the meeting for the discussion and vote on the item.*

This report provided notice of the 2023 Waste Expo Australia Conference to be held at the Melbourne Convention and Exhibition Centre from Wednesday 25 October to Thursday 26 October 2023.

RECOMMENDATION

It is recommended to Council that:

1. Council approves the attendance of Cr/sat the 2023 Waste Expo Australia Conference to be held at the Melbourne Convention and Exhibition Centre from Wednesday 25 October to Thursday 26 October 2023.
2. Expenses be reimbursed in accordance with Council policy.

Or

3. The report be received.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Jassmine Wood

That:

1. Council approves the attendance of Cr/s Kym McKay and Elisabeth Papanikolaou at the 2023 Waste Expo Australia Conference to be held at the Melbourne Convention and Exhibition Centre from Wednesday 25 October to Thursday 26 October 2023.
2. Expenses be reimbursed in accordance with Council policy.

CARRIED

8.04pm Cr Sam Whiting left the meeting.

8.05pm Cr/s Kym McKay, Elisabeth Papanikolaou, Anne McKay and Sam Whiting returned to the meeting.

16.15 State Planning Commission Consultation on Outline Consent

The State Planning Commission (the Commission) undertook consultation on a new planning assessment pathway, known as outline consent. This report presents the Administration's response to the proposed assessment pathway.

RECOMMENDATION

It is recommended to Council that the State Planning Commission Consultation on Outline Consent report be received.

RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Sam Whiting

That the recommendation be adopted.

CARRIED

16.16 Possible Acquisition of Land - Update - Confidential Order Review

This report presented the annual review of the confidential order applied to confidential report Item 21.2 - Possible Acquisition of Land - Update, at the 18 August 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 18 August 2020 and reviewed at Council's 17 August 2021 and 16 August 2022 meetings, in respect of the confidential Agenda report relating to the possible acquisition of land, Council orders that the Item 21.2 - Possible Acquisition of Land - Update, the Minutes arising, attachments and any associated documentation, continue to be retained in confidence in accordance with Section 90(3)(b)(i) and (b)(ii) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period on the basis that the information received, discussed and considered in relation to this agenda item is information, the disclosure of which could reasonably be expected to severely prejudice Council's ability to achieve the best possible outcome relating to the acquisition of the property in Richmond and would, on balance, be contrary to the public interest.
2. 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 Jassmine Wood

Seconded: Cr Sara Comrie

That the recommendation be adopted.

CARRIED

16.17 Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board - Confidential Order Review

This report presented the annual review of the confidential order applied to confidential report Item 21.2 - Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board, at the 3 August 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 at the 3 August 2021 meeting of Council, and reviewed at Council's 2 August 2022 meeting, in respect of the confidential Agenda report relating to the Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board, Council orders that the confidential Agenda report, the Minutes arising, and any associated documentation, continue to be retained in confidence in accordance with Section 90(3)(a) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period, 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. 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 Sara Comrie

Seconded: Cr John Woodward

That the recommendation be adopted.

CARRIED

16.18 Thebarton Theatre Complex and Weslo Holdings Pty Ltd Negotiations - Update - Confidential Order Review

This report presented the annual review of the confidential order applied to confidential report Item 21.1 - Thebarton Theatre Complex and Weslo Holdings Pty Ltd Negotiations - Update 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 at Council's 16 August 2022 meeting, 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(b)(i) and (b)(ii) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period on the basis that 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 under the lease of the Theatre.
2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to review the confidentiality order on a monthly basis and to revoke but not extend it.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

16.19 Information Services Security Audit - Confidential Order Review

This report presented the annual review of the confidential order applied to report *Item 10.1 - Information Services Security Audit* at the 17 October 2016 Meeting of the Audit and Risk 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 at the 17 October 2016 meeting of the Audit and Risk Committee and reviewed at Council's 3 October 2017, 18 September 2018, 6 August 2019, 4 August 2020, 17 August 2021 and 16 August 2022 meetings, in respect of the confidential Agenda report relating to the Information Services Security Audit, Council orders that the confidential Agenda report, the Minutes arising, and any associated documentation, continue to be retained in confidence in accordance with Section 90(3)(e) 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 deals with matters affecting the security of Council as the information related to an audit of the level of vulnerability within Council's public internet perimeter and disclosure would severely expose and subsequently compromise the security of information contained in Council's information technology networks to the detriment of both Council and the public and, as such, is 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 John Woodward

Seconded: Cr Anne McKay

That the recommendation be adopted.

CARRIED

17 LOCAL GOVERNMENT BUSINESS

Nil

18 MEMBER'S BOOKSHELF

Nil

19 CORRESPONDENCE

19.1 Horses at Breakout Creek

Correspondence was received from the Member for Colton, Matt Cowdrey OAM MP regarding the future of the horses at Breakout Creek.

Cr Cindy O'Rielley sought comment from the Administration in regard to the matter and whether there was a potential lack of support for the provision of horses within the Breakout Creek program. Cr O'Rielley also sought an update on the current status of the new lease agreement. The Administration advised there was total support for the horses within the Breakout Creek program and that facilities were currently under construction. In terms of the lease agreement, this was in relation to the Lockleys Riding Club signing a lease with SA Water and the payment of ongoing water supply costs.

Cr O'Rielley requested that Mayor Coxon write in support of the horses at Breakout Creek and advised that she would move a motion to this effect.

19.2 Response from the Minister regarding Mile End Railway Station

Correspondence was received from the Chief Executive of the Department for Infrastructure and Transport, Jon Whelan, acknowledging Council's letter dated 5 April 2023 in relation to its request for a review and appraisal of the Mile End Railway Station, with a view to upgrade the train station and surrounding area.

Cr Sam Whiting asked whether a response had been authored in response to the Chief Executive of the Department for Infrastructure and Transport, Jon Whelan's letter. Cr Whiting sought for the Council to seek a review of the current train scheduling communication systems at Mile End Railway Station as the current equipment at the station was limited to a speaker box rather than an audio and visual display which would be better suited for accessibility purposes. The Administration advised that they would take Cr Whiting's concerns on board and action them accordingly.

19.3 Mayors for Peace News Flash - July 2023 (No. 163)

Correspondence was received from the Mayors for Peace, providing a copy of their July 2023 Newsletter.

19.4 Hiroshima Peace Declaration 2023

Correspondence was received from the Mayors for Peace, providing a copy of the Hiroshima Peace Declaration for 2023.

19.5 The Observation Post - August 2023 Edition

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

RECOMMENDATION

That the correspondence be received.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Cindy O'Rielley

That the recommendation be adopted.

CARRIED

19.1.1 Council support for the Lockleys Riding Club to secure the future of the horses at Breakout Creek**MOTION**

Moved: Cr Cindy O'Rielley

Seconded: Cr Daniel Huggett

That Mayor Michael Coxon write to the relevant Minister indicating Council's support for the State Government to provide financial assistance to the Lockleys Riding Club to secure the future of the horses at Breakout Creek.

Discussion took place in relation to the motion and Mayor Michael Coxon suggested a refinement to the wording of the motion to seek an update from the relevant Minister on the matter and voice Council's support for the Lockleys Riding Club. The mover, Cr Cindy O'Rielley, and seconder, Cr Daniel Huggett, agreed to the change and accordingly the motion was changed as follows:

RESOLUTION

Moved: Cr Cindy O'Rielley

Seconded: Cr Daniel Huggett

That Mayor Michael Coxon write to the relevant Minister requesting an update on the status of current negotiations with the Lockleys Riding Club and voicing Council's support for the Lockleys Riding Club to secure the future of their horses at Breakout Creek.

CARRIED

20 CONFIDENTIAL

Nil

21 MEETING CLOSE

The Presiding Member declared the meeting closed at 8.20pm.