

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, 18 APRIL 2023

at 7.00pm

Terry Buss PSM
Chief Executive Officer

Index

1	Meeting Opened.....	1
1.1	Acknowledgement of Country	
1.2	Evacuation Procedures	
1.3	Meeting Livestream	
2	Present	1
3	Apologies	1
4	Disclosure Statements	2
5	Confirmation of Minutes.....	2
6	Mayors Report.....	2
7	Elected Members Reports	3
8	Petitions	6
9	Deputations	6
9.1	Reduction of Maximum Speed Limit in Residential Streets to 40km/hr	6
9.1.1	Item 16.3 - Reduction of Maximum Speed Limit in Residential Streets to 40 km/hr Brought Forward for Consideration at this Point in the Meeting	7
10	Adoption of Standing Committee Recommendations.....	8
10.1	City Services and Climate Adaptation Standing Committee Meeting	8
10.2	City Facilities and Waste Recovery Standing Committee Meeting.....	8
11	Adoption of General Committee Recommendations.....	9
12	Questions with Notice	9
13	Questions without Notice.....	9
14	Motions with Notice	9
14.1	Tree Strategy	9
15	Motions without Notice.....	10
15.1	Establishment of a Community Reference Group for Kings Reserve.....	10
16	Reports of the Chief Executive Officer.....	10
16.1	107 Port Road Thebarton (Thebarton Brewery Precinct) Code Amendment Consultation Response	10
16.2	Flood Hazards Mapping Update Code Amendment	10
16.3	Reduction of Maximum Speed Limit in Residential Streets to 40km/hr	11
16.4	Attendance at Elected Member Mandatory Training - Legal and Civic Modules	11
16.5	Thebarton Oval Precinct Masterplan Advisory Group Meetings.....	12
16.6	Creditor Payments	12
16.7	Property Leases	12
16.8	Mendelson Financial Report March 2023	13
16.9	Council Budget Report - NINE Months to 31 March 2023.....	13
16.10	Rates Agreement - Adelaide Airport - Confidential Order Review.....	13
16.11	Waste Recycling Options Assessment - Confidential Order Review.....	14

16.12	Thebarton Theatre Complex - Update - Confidential Order Review.....	15
16.13	Possible Acquisition of Land - Confidential Order Review	15
17	Local Government Business.....	16
18	Member's Bookshelf	16
19	Correspondence	16
20	Confidential	17
21	Meeting Close	17

1 MEETING OPENED

The Presiding Member declared the meeting open at 7.04pm.

1.1 Acknowledgement of Country

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

"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 Acting 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, G Nitschke, Z Papafilopoulos, S Pal, L Gelonese (7.30pm), S Whiting, G Demetriou, A McKay, J Wood, S Comrie

Officers:

Mr T Buss	(Chief Executive Officer)
Mr A Catinari	(Deputy Chief Executive Officer)
Ms P Koritsa	(General Manager Business and Community)
Mr C James	(General Manager Corporate and Compliance - Acting)
Mr L Gilmartin	(Manager Financial Services)
Mr J Ielasi	(Manager City Assets)
Ms C Rorke-Wickins	(Team Leader Strategic Planning)

3 APOLOGIES

Apologies

Council Members:

Cr Daniel Huggett

Cr Cindy O'Rielley

Officer:

Mr P Della (General Manager Corporate and Compliance)

Lateness**Council Member:**

Cr Lana Gelonese (7.30pm)

4 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Item 16.4 - Attendance at Elected Member Mandatory Training - Legal and Civic Modules	Material	Cr Sam Whiting

5 CONFIRMATION OF MINUTES

RECOMMENDATION

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

RESOLUTION

Moved: Cr Zoi Papafilopoulos

Seconded: Cr George Demetriou

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT

Mayor Coxon advised that correspondence was received from the Minister for Tourism and Multicultural Affairs, Hon. Zoe Bettison MP, in relation to the FIFA Women's World Cup 2023 as the State Government was considering declaring it a major event pursuant to Section 6B(3) of the *Major Events Act*. Council was notified of this and in applying for the declaration of major events status, the organisers would be seeking to declare prohibitions against the sale and distribution of prescribed articles, ambush marketing, unauthorised broadcasts, use of the official logo, the control of airspace and certain aerial advertising for the event. Mayor Coxon advised that the CEO responded to the Minister and advised that Council had no issues of concern with the State Government declaring the FIFA Women's World Cup 2023 a major event.

Cr Anne McKay queried the meeting with the Principal of Immanuel College, Kevin Richardson, on Friday 31 March 2023. Mayor Coxon advised that the meeting was in relation to the reestablishment of a fence on the northern boundary of Immanuel College. Mayor Coxon explained that this would be replaced with blade fencing in certain parts and that landscaping would occur. Previously, the aim was to extend the fence further, however the land in question is privately owned land and this would not be possible. Mayor Coxon advised that Immanuel College had distributed an information flyer via letterbox drop to inform the community of this.

RECOMMENDATION

That the Mayor's Report be noted.

RESOLUTION

Moved: Cr Zoi Papafilopoulos

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

7 ELECTED MEMBERS REPORTS

Cr Surrender Pal advised of his attendance at the following:

- State/Local Government Economic Partnership Forum and Civic Reception at Adelaide Town Hall on Thursday 23 March 2023;
- State/Local Government Economic Partnership Forum at the Adelaide Convention Centre and the unveiling of the Rotaract Peace Pole, which is located within the West Torrens Memorial Gardens, on Friday 24 March 2023;
- 2023 Thai Festival at Kings Reserve on Saturday 25 March 2023;
- History is Calling; A Smoking Ceremony the First Nations Voice to Parliament became law in South Australia to the front steps of Parliament and the Greek Orthodox Archdiocese Greek National Independence Day Memorial at the State War Memorial, Adelaide, on Sunday 26 March 2023;
- Mandatory Elected Member training, (Module 2 – Civic), conducted by Kelledy Jones Lawyers dealing with effective Council meetings, Council meeting procedures and the representation of Council decisions, on Thursday 30 March 2023;
- City of West Torrens Fire and Spice Festival held at Lockleys Oval and the 8th Anniversary of BAPS Shri Swaminarayan Temple - Mandir in Green Fields as a special guest and representing Mayor Michael Coxon, on Sunday 2 April 2023;
- City Services and Climate Adaptation and City Facilities and Waste Recovery Standing Committee Meetings, held in the Civic Centre on Tuesday 4 April 2023;
- Site visit and discussion with local residents in relation to kerbing and tree issues in Bransby Avenue, North Plympton on Tuesday 11 April 2023 along with the Manager City Assets and the Coordinator Horticulture Services; and
- Bloom Block Party at Winwood Street, Thebarton on Sunday 16 April 2023.

Cr Pal also advised of his attendance at a number of events over the past four weeks involving the Indian community in South Australia.

Cr Graham Nitschke advised of his attendance at the following:

- Harmony Week Rotaract Peace Pole unveiling event in the West Torrens Memorial Gardens on Friday 24 March 2023;
- 2023 Thai Festival at Kings Reserve on Saturday 25 March 2023;
- West Torrens Historical Society meeting on Monday 27 March 2023;
- Along with Cr Papafilopoulos, Senior Constables Brett Massey and Leonie Ware, organised and attended the inaugural local Neighbourhood Watch meeting at the Panrhodian Hall, Torrensville on Tuesday 28 March 2023 with approximately 70 residents in attendance;
- Mandatory Elected Member training, (Module 2 – Civic) at the George Robertson Room on Thursday 30 March 2023;
- Budget and Annual Business Plan 2023/24 information session at the George Robertson Room and the City and Climate Adaption and City Facilities and Waste Recovery Standing Committee Meetings on Tuesday 4 April 2023;
- Council Assessment Panel Meeting, held in the George Robertson Room on Tuesday 11 April 2023;
- Bloom Block Party 2023 at Winwood Street Thebarton on Sunday 16 April 2023; and
- Webinar regarding Grant Funding for Community Solar Batteries, which local councils are eligible to apply for, and the April Council Meeting, held in the Civic Centre on Tuesday 18 April 2023.

Cr Nitschke elaborated on the inaugural local Neighbourhood Watch meeting on Tuesday 28 March 2023 and advised that there were approximately 70 residents in attendance and that due to the size of the area, the Neighbourhood Watch group would be required to split into three separate groups. Mayor Coxon advised that he had met with representatives of Crime Stoppers SA and encouraged Cr Nitschke to make contact to discuss matters relating to the Neighbourhood Watch Group.

Cr Kym McKay advised of his attendance at the following:

- City of West Torrens 2023 Fire and Spice Festival at Lockleys Oval on Sunday 2 April 2023 noting that the event was a great success with more than 3,000 people in attendance and commended the Council Administration for their role in success of the event; and
- Various training sessions and Council Assessment Panel interview selection meetings.

Cr McKay also elaborated on his greening activities in Hayward Avenue, Torrensville over the past year that were undertaken in conjunction with neighbourhood residents. Mayor Coxon thanked Cr McKay for his beautification efforts in Torrensville.

Cr Sam Whiting advised of his attendance at the 2023 Local Government Association of South Australia Ordinary General Meeting on Friday 14 April 2023, along with Mayor Coxon. Cr Whiting was pleased to see the LGA vote to declare a Climate Emergency. Cr Whiting also noted the keynote address received from the President of the Tasmanian LGA in regard to their transition to mandatory voting in Council Elections.

Cr Whiting spoke on the address by the President of the South Australian LGA regarding the recent South Australian Council Elections and the issue of mandatory voting in SA Council Elections.

Cr George Demetriou advised of his attendance at the following:

- Greek Independence Day commemorations and the wreath laying Ceremony for the 202nd anniversary of the Liberation of Kalamata held in the West Torrens Memorial Gardens, along with the Messinian Association and the official reception at Adelaide Pavilion celebrating the National Day of Greece on Saturday 25 March 2023. Also in attendance was the Consul-General of Greece for South Australia, Mr George Psiachas;
- Greek Orthodox Community of South Australia Church Service and wreath laying ceremony and the Greek National Day Celebration at the Messinian Association in Stephens Avenue, Torrensville on Sunday 26 March 2023;
- Official opening of the Unley Oval Community Hub, Grandstand and Members' facilities and, as guest of the Mayor of Prospect, the Prospect Oval Football Match between West Adelaide Football Club and North Adelaide Football Club on Saturday 1 April 2023;
- City of West Torrens 2023 Fire and Spice Festival at Lockleys Oval on Sunday 2 April 2023. Cr Demetriou noted the excellent crowd and that it was a terrific day;
- West Adelaide Football Club vs Adelaide Football Club match at Richmond Oval on Friday 7 April 2023;
- Opening of the International Pétanque Competition of some 200 competitors, both national and international, at the Novar Gardens Pétanque Club on Saturday 8 April 2023; and
- St Nicholas Orthodox Church Greek Easter Good Friday events including the procession through the streets of Thebarton with the Tomb of Christ on Friday 14 April 2023.

Cr Elisabeth Papanikolaou tabled a copy of an email she had received from Mr David Potts on behalf of the Richmond Baptist Church, thanking Council for resolving to provide a letter of support in regard to their relocation efforts.

Cr Papanikolaou advised of her attendance at the following:

- Greek Independence Day commemorations and the wreath laying Ceremony for the 202nd anniversary of the Liberation of Kalamata held in the West Torrens Memorial Gardens on Saturday 25 March 2023;
- City of West Torrens 2023 Fire and Spice Festival at Lockleys Oval on Sunday 2 April; and
- Together with Cr Demetriou, the St Nicholas Orthodox Church Greek Easter Good Friday events including the procession through the streets of Thebarton with the Tomb of Christ on Friday 14 April 2023.

RESOLUTION

Moved: Cr Surrender Pal

Seconded: Cr Kym McKay

That the reports from Members be noted.

CARRIED

8 PETITIONS

Nil

9 DEPUTATIONS

The Presiding Member advised that whilst the Council Agenda had nil listed for Deputations, Ashford resident Ms Jessie MacGillivray, on behalf of Kidical Mass Adelaide, had written to Mayor Coxon requesting to make a deputation in relation to Item 16.3 - Reduction of Maximum Speed Limit in Residential Streets to 40km/hr.

The Presiding Member decided to put the deputation request to a vote of Council and sought a motion that Council approve or decline the deputation request.

MOTION

Moved: Cr Sam Whiting

Seconded: Cr John Woodward

That Council give permission to Ms Jessie MacGillivray to make a deputation in relation to Item 16.3 - Reduction of Maximum Speed Limit in Residential Streets to 40km/hr.

CARRIED

9.1 Reduction of Maximum Speed Limit in Residential Streets to 40km/hr

The Presiding Member invited Ashford resident Ms Jessie MacGillivray, on behalf of Kidical Mass Adelaide, to address Council in relation to Item 16.3 - Reduction of Maximum Speed Limit in Residential Streets to 40km/hr.

7.26pm Ms MacGillivray commenced her Deputation.

7.30pm Cr Lana Gelonese entered the meeting.

7.32pm the time limit of five minutes for the deputation was reached. The Presiding Member sought for an extension of time for this deputation.

MOTION

Moved: Cr Zoi Papafilopoulos

Seconded: Cr John Woodward

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

CARRIED

7.33pm Ms MacGillivray continued the Deputation.

7.37pm Ms MacGillivray concluded the Deputation.

The Presiding Member thanked Ms MacGillivray for her deputation and attendance.

The Presiding Member suggested that, as the Deputee was in attendance, consideration of Item 16.3 - Reduction of Maximum Speed Limit in Residential Streets to 40km/hr, be brought forward for consideration at this point in the meeting, and sought for a mover and seconder.

MOTION

Moved: Cr John Woodward
Seconded: Cr Graham Nitschke

That Item 16.3 - Reduction of Maximum Speed Limit in Residential Streets to 40km/hr, be brought forward for consideration at this point in the meeting.

CARRIED

9.1.1 Item 16.3 - Reduction of Maximum Speed Limit in Residential Streets to 40 km/hr Brought Forward for Consideration at this Point in the Meeting

This report discussed the 40 km/hr speed limit for residential streets and the process to initiate and select locations for a trial following a resolution of Council.

RECOMMENDATION

It is recommended to Council that the report be received.

Prior to the consideration of this item, the Presiding Member invited the Chief Executive Officer, Terry Buss, to address the Elected Members in relation to the matter. The CEO provided an amended recommendation for Item 16.3 - Reduction of Maximum Speed Limit in Residential Streets to 40km/hr.

AMENDED RECOMMENDATION

It is recommended to Council that:

1. The report be received.
2. The matter of 40km/hr speed limits for residential streets within West Torrens be referred as an item for discussion at the upcoming Elected Member Strategic Workshop to be held mid-year in 2023.

RESOLUTION

Moved: Cr John Woodward
Seconded: Cr Graham Nitschke

That the amended recommendation be adopted.

CARRIED

10 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS

10.1 City Services and Climate Adaptation Standing Committee Meeting

7.42pm Mayor Michael Coxon declared a material conflict of interest in this item specifically Committee Item 11.3 - Henley Beach Road to Hardys Road Left Turn Restriction, as he lives in Ashley Street, Torrensville and that the deliberation of that matter may mean that he would be subject to either a material benefit or detriment, and advised that he would leave the meeting for the discussion and vote on the item.

Mayor Michael Coxon also declared a material conflict of interest in relation to Council Item 10.2 - Adoption of the City Facilities and Waste Recovery Standing Committee Meeting Recommendations, specifically Committee Item 8.2 - Request for Council to enter into a Joint Use Agreement - Department for Education (Torrensville Primary School) as he lives in Ashley Street, Torrensville and that the deliberation of that matter may mean that he would be subject to either a material benefit or detriment and left the meeting for the discussion and vote on the item.

As Mayor Michael Coxon, Presiding Member, left the meeting, and Cr Cindy O'Rielley, Deputy Mayor was an apology, Cr Elisabeth Papanikolaou assumed the chair as Presiding Member for the conduct of Items 10.1 - Adoption of City Services and Climate Adaptation Standing Committee Meeting Recommendations and 10.2 - Adoption of City Facilities and Waste Recovery Standing Committee Meeting Recommendations.

RECOMMENDATION

That the recommendations of the City Services and Climate Adaptation Standing Committee held on 4 April 2023 be adopted.

RESOLUTION

Moved: Cr Jassmine Wood

Seconded: Cr Sam Whiting

That the recommendation be adopted.

CARRIED

10.2 City Facilities and Waste Recovery Standing Committee Meeting

7.46pm Cr Anne McKay declared a material conflict of interest in this item specifically Committee Item 8.2 - Request for Council to enter into a Joint Use Agreement - Department for Education (Torrensville Primary School) as she abstained from the discussion and vote at the Committee meeting, and left the meeting for the discussion and vote on the item.

RECOMMENDATION

That the recommendations of the City Facilities and Waste Recovery Standing Committee held on 4 April 2023 be adopted.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

CARRIED

7.47pm Mayor Michael Coxon returned to the meeting and assumed the Chair.

11 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS

Nil

12 QUESTIONS WITH NOTICE

Nil

13 QUESTIONS WITHOUT NOTICE

Questions were asked and responses provided by the Administration.

14 MOTIONS WITH NOTICE

14.1 Tree Strategy

MOTION

Moved: Cr Sam Whiting

That a report on potential initiatives, policies, and strategies designed to encourage the increase and uptake of tree canopy and “green cover” on private property and non-council land be presented to Council.

The report may also include recommendations for specific goals for future ‘Green cover’ and “Green space” across the City of West Torrens (For example, “CWT aims to reach 15% green cover by 20xx and 20% green space by 20xx.”), and objectives and performance measures that will support the achievement of these goals.

Cr Sam Whiting sought and was granted leave of the meeting to withdraw his motion, noting that he had already received a response to his motion from the General Manager Business and Community. Cr Sam Whiting then sought to move the following motion:

MOTION

Moved: Cr Sam Whiting

Seconded: Cr Elisabeth Papanikolaou

That the response received from the Administration in relation to the matter of tree strategy designed to encourage the increase and uptake of tree canopy and 'green cover' on private property and non-council land be posted on our website and socials for our Community to be made aware of.

CARRIED

15 MOTIONS WITHOUT NOTICE

15.1 Establishment of a Community Reference Group for Kings Reserve

RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Surrender Pal

That a report be brought forward on the Terms of Reference for the establishment of a Community Reference Group for the implementation of the Community facilities on Kings Reserve so that Council can deliver the western half of the 2018 Kings Reserve Masterplan now.

CARRIED

16 REPORTS OF THE CHIEF EXECUTIVE OFFICER

16.1 107 Port Road Thebarton (Thebarton Brewery Precinct) Code Amendment Consultation Response

This report presented the feedback provided by the proponent's consultants regarding submissions received for the 107 Port Road, Thebarton (Thebarton Brewery Precinct) Code Amendment and the recommended submission to be submitted to support the proposed Code Amendment.

RECOMMENDATION

It is recommended to Council that:

1. The Draft 107 Port Road, Thebarton (Thebarton Brewery Precinct) Code Amendment West Torrens Council Submission be approved and submitted as Council's submission; and
2. The Chief Executive Officer be authorised, to make any amendments of a formatting and/or minor technical nature in order to finalise the Draft 107 Port Road, Thebarton (Thebarton Brewery Precinct) Code Amendment West Torrens Council Submission.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Sam Whiting

That the recommendation be adopted.

CARRIED

16.2 Flood Hazards Mapping Update Code Amendment

This report presented feedback on the proposed Flood Hazards Mapping Update Code Amendment which seeks to alter the spatial application of existing policy contained within the Planning and Design Code (the Code).

RECOMMENDATION

It is recommended to Council that feedback contained in the body of the Agenda report be submitted to PlanSA as its formal response to the *Flood Hazards Mapping Update Code Amendment*.

RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

16.3 Reduction of Maximum Speed Limit in Residential Streets to 40km/hr

This item was considered following Item 9.1 - Reduction of Maximum Speed Limit in Residential Streets to 40km/hr.

16.4 Attendance at Elected Member Mandatory Training - Legal and Civic Modules

8.03pm *Cr Sam Whiting declared a material conflict of interest in relation to this item as he is the beneficiary of the funds being discussed as part of the consideration of Item 16.4 - Attendance at Elected Member Mandatory Training - Legal and Civic Modules. Cr Whiting left the meeting for the discussion and vote on the item.*

This report sought approval for an Elected Member to attend the Legal Module of the Elected Member Mandatory Training run by the Local Government Association of South Australia.

RECOMMENDATION

It is recommended to Council that:

1. It approves the attendance of Cr Sam Whiting at the Legal Module of the Elected Member Mandatory Training, hosted by the Local Government Association to be held on 22 May 2023 at a cost of \$385; and
2. It approves the attendance of Cr Sam Whiting at the Civic Module of the Elected Member Mandatory Training, hosted by the Local Government Association to be held on 22 May 2023 at a cost of \$385.

RESOLUTION

Moved: Cr Zoi Papafilopoulos

Seconded: Cr George Demetriou

That the recommendation be adopted.

Cr Elisabeth Papanikolaou noted a typographical error found on page 109 of the Agenda report, stating that "...Cr Sam Whiting was unavailable for the Civic Module training, held on 30 June 2023". Mayor Coxon clarified with the Administration that the date was incorrect and should read as 30 March 2023. The Presiding Member thanked Cr Papanikolaou for raising the error and advised that the Administration would update the Agenda papers accordingly.

CARRIED

8.05pm Cr Sam Whiting returned to the meeting.

16.5 Thebarton Oval Precinct Masterplan Advisory Group Meetings

This report provided the Thebarton Oval Precinct Masterplan Advisory Group (MAG) Meeting Notes as required under the MAG Terms of Reference.

RECOMMENDATION

It is recommended to Council that the Meeting Notes from the Thebarton Oval Precinct Masterplan Advisory Group (MAG) Meetings held to date be noted.

RESOLUTION

Moved: Cr Zoi Papafilopoulos

Seconded: Cr George Demetriou

That the recommendation be adopted.

The Presiding Member advised that he had received an enquiry seeking clarification as to why Meeting Notes were provided rather than formal Minutes and clarified that as the Masterplan Advisory Group was not a Section 41 Committee under Council, it was appropriate to provide Meeting Notes.

CARRIED

16.6 Creditor Payments

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

RECOMMENDATION

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

RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Surrender Pal

That the recommendation be adopted.

CARRIED

16.7 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 Jassmine Wood

Seconded: Cr George Demetriou

That the recommendation be adopted.

CARRIED

16.8 Mendelson Financial Report March 2023

This report provided information on the financial performance of the Mendelson Foundation as at 31 March 2023.

RECOMMENDATION

It is recommended to Council that the report be received.

RESOLUTION

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr George Demetriou

That the recommendation be adopted.

CARRIED

16.9 Council Budget Report - NINE Months to 31 March 2023

This report provided information to Council on budget results for the nine months ended 31 March 2023.

RECOMMENDATION

It is recommended to Council that the report be received.

RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

CARRIED

16.10 Rates Agreement - Adelaide Airport - Confidential Order Review

This report presented the annual review of the confidential order applied to Item 21.1 - Rates Agreement - Adelaide Airport, at the 15 March 2016 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 15 March 2016 and reviewed at Council's 6 June 2017, 1 May 2018, 21 May 2019, 19 May 2020, 4 May 2021, and 19 April 2022 meetings, Council orders that the confidential Agenda report, attachments and any associated documentation but not the Minutes arising from the report, continue to be retained in confidence in accordance with in accordance with Section 90(3)(g) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period, on the basis that the subject of this report binds the parties to confidentiality provisions the disclosure of which in the public realm will constitute a breach of obligations and duty of confidence pursuant to the Rates Agreement.

2. Pursuant to s91(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

16.11 Waste Recycling Options Assessment - Confidential Order Review

This report presented a review of the confidential order applied to confidential report Item 21.1 - Waste Recycling Options Assessment at the 20 April 2021 meeting of Council in accordance with 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 20 April 2021, and reviewed at Council's 5 April 2022 meeting, in respect of report Item 21.1 - Waste Recycling Options Assessment, 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)(d)(i) and (d)(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 CAWRA offer has been provided in confidence and is not for public disclosure.
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 George Demetriou

That the recommendation be adopted.

CARRIED

16.12 Thebarton Theatre Complex - Update - Confidential Order Review

This report presented the annual review of the confidential order applied to confidential report Item 21.1 - Thebarton Theatre Complex - Update at the 4 May 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 4 May 2021, and reviewed at Council's 19 April 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 Graham Nitschke
Seconded: Cr Zoi Papafilopoulos

That the recommendation be adopted.

CARRIED

16.13 Possible Acquisition of Land - Confidential Order Review

This report presented the annual review of the confidential order applied to confidential reports relating to the Possible Acquisition of Land 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 made at Council's 5 May 2020, 4 May 2021, 18 May 2021, 19 April 2022 and 17 May 2022 meetings, in respect of reports relating to the Possible Acquisition of Land, Council orders that the following confidential reports, the Minutes arising, attachments and any associated documentation or recording:
 - Possible Acquisition of Property
 - Possible Acquisition of Land - Update
 - Confidential Motion with Notice - Possible Acquisition of Land
 - Possible Acquisition of Land - Update
 - Confidential Motion with Notice - Possible Acquisition of Land

continue to be retained in confidence in accordance with Sections 90(3)(b)(i) and 90(3)(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 under consideration 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 Sara Comrie

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

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 Mayors for Peace News Flash - March 2023 (No. 159)

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

19.2 Support to impacted councils during River Murray High-Flow Event 2023 - 2023

Correspondence was received from the Chief Executive Officer of the Local Government Association of South Australia, Clinton Jury, regarding thanking Council for its invaluable contribution supporting the River Murray Flood event.

19.3 The Observation Post - April 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 April edition of The Observation Post.

19.4 Committee for Adelaide new Chief Executive

Correspondence was received from the new Committee for Adelaide Chief Executive, Sam Dighton, regarding his appointment to the role.

19.5 Design Standard for Residential Driveway Crossovers

Correspondence was received from the Chair of the State Planning Commission, Craig Holden, regarding the Design Standard for Residential Driveway Crossovers.

19.6 Privately owned Personal Mobility Devices

Correspondence was received from the Minister for Police, Emergency Services and Correctional Services, the Hon. Joe Szakacs MP, regarding privately owned personal mobility devices.

RECOMMENDATION

That the correspondence be received.

RESOLUTION

Moved: Cr Lana Gelonese

Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

20 CONFIDENTIAL

Nil

21 MEETING CLOSE

The Presiding Member declared the meeting closed at 8.13pm.