

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 JULY 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 7.05pm.

### 1.1 Acknowledgement of Country

The Presiding Member called for the Acknowledgment of Country to be read out by Cr Kym McKay of Lockleys Ward.

*"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: E Papanikolaou, D Huggett, K McKay, G Nitschke, Z Papafilopoulos, S Pal, L Gelonese, 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 Services)
Mr P Della	(General Manager Corporate and Compliance)
Mr L Gilmartin	(Manager Financial Services)
Ms L Johnson	(Manager Governance and Risk)
Ms R Butterfield	(Manager Compliance and Waste)
Mr G Andersen	(Manager Strategy and Business)
Ms C Luya	(Manager Community Services)
Mr D Ottanelli	(Manager City Property)
Ms A Christopoulos	(Business Lead Community Partnerships)
Ms J Kappler	(Team Leader Community Safety)
Mr R Gascoigne	(Community Centres Coordinator)
Ms M Hamilton	(Events and Media Officer)
Ms K Allen	(Secretariat)
Ms B Dzalto	(Secretariat)
Mr M Cole	(Secretariat)
Ms G Capurso	(Secretariat)

**In attendance:**

The Hon Tom Koutsantonis MP - Member for West Torrens, Minister for Infrastructure and Transport and Minister for Energy and Mining.

**3 APOLOGIES****Leave of Absence****Council Members:**

Cr John Woodward

Cr Cindy O'Rielley

**4 DISCLOSURE STATEMENTS**

The following disclosures of interest were made:

<b>Item</b>	<b>Type of Conflict</b>	<b>Elected Member</b>
Item 14.1 - Assistance to Seniors Card Holders	Material	Cr Graham Nitschke
Item 16.14 - 2023 Local Government Association SA Roads and Works Conference	Material	Cr Elisabeth Papanikolaou
Item 16.14 - 2023 Local Government Association SA Roads and Works Conference	Material	Cr George Demetriou
Item 16.15 - 2023 Local Government Association National Local Roads, Transport and Infrastructure Congress	Material	Cr George Demetriou
Item 16.17 - Australian Airports Association National Conference and Industry Expo 2023	Material	Cr George Demetriou
Item 16.14 - 2023 Local Government Association SA Roads and Works Conference	Material	Cr Surender Pal
Item 16.17 - Australian Airports Association National Conference and Industry Expo 2023	Material	Cr Surender Pal

**5 CONFIRMATION OF MINUTES****RECOMMENDATION**

That the Minutes of the meeting of the Council held on 20 June 2023 be confirmed as a true and correct record.

**RESOLUTION**

Moved: Cr Surender Pal

Seconded: Cr Kym McKay

That the recommendation be adopted.

**CARRIED**

## 6 MAYORS REPORT

Mayor Michael Coxon advised that, as part of his Mayor's Report, it was his intention to present Council's highest honour, being the City of West Torrens Civic Award, to the Hon Anastasios (Tom) Koutsantonis MP, Minister for Infrastructure, Transport, Energy and Mining. Mayor Coxon invited Minister Koutsantonis to come forward and accept the Civic Award.

Mayor Coxon noted that, as this Award was in recognition of 25 years of service to the City of West Torrens, he would also invite Mayor Emeritus the Hon John Trainer OAM, to present the Civic Award as he was Mayor of the City of West Torrens for 18½ years.

The Chief Executive Officer, Terry Buss, read out the following statement:

*"Tom has just completed 25 years of service to the community of the City of West Torrens as their local MP, first as the Member for Peake when elected in 1997 and the Member for West Torrens from 2002 onwards. Tom was raised in the western suburbs and attended Cowandilla and Netley Primary Schools before attending Adelaide High School and going on to study at the University of Adelaide. The son of Greek migrants, Anthony and Dimitra, Tom joined the Australian Labor Party at a young age with the encouragement of Labor stalwart and former SA Deputy Premier, the late Jack Wright. Tom first volunteered in Jack Wright's office when he was 14. Tom is married to Anthea and they have two young daughters, Tia and Helena. They live in Torrensville and he is a tragic Liverpool and Port Adelaide supporter. Tom was elected to the South Australian State Parliament on 11 October 1997, at age 26. Tom was elevated to the Ministry on 3 March 2009 and remained in Cabinet until the 2018 State election. Over this period, he served as Minister for Correctional Services, Youth and Volunteers, Gambling, Small Business, Transport, Planning and Infrastructure, Mining and Energy, State Development and as Treasurer. He is SA Labor's longest serving MP, and following the retirement of The Hon Rob Lucas at the 2022 Elections, Tom became the longest serving member of the South Australian Parliament. Tom is an outstanding West Torrens resident and supporter and is deserving of this honour."*

Mayor Michael Coxon congratulated the Hon Anastasios (Tom) Koutsantonis MP on receiving the City of West Torrens Civic Award.

## RECOMMENDATION

That the Mayor's Report be noted.

Cr George Demetriou advised that he sought to change the wording of the recommendation as follows:

## MOTION

Moved: Cr George Demetriou

Seconded: Cr Surrender Pal

That:

1. The Mayor's Report be noted.
2. The City of West Torrens confer a Civic Award on Council's retiring CEO, Mr Terry Buss PSM, in recognition of his 38 years of service to the City of West Torrens including 15 years as CEO.

**CARRIED**

Mayor Coxon invited Cr George Demetriou to read out the following personal statement:

*"I have a great honour in nominating the Chief Executive Officer, Terry Buss, for the City of West Torrens Civic Award because of his devotion, dedication and achievement for the benefits of the*

*City of West Torrens and the many times where he goes beyond the call of duty for the betterment of our City, hence being awarded the highest honour in Local Government, being equivalent to the OAM, which is a great honour for Terry. Terry was, I believe, the first of the CEOs to reach an agreement with Adelaide Airport for rate equivalent payments, who are now our largest ratepayer and one of the largest employers in the State. Terry set up and arranged the purchase of our new Council Depot at a very low purchase cost, that was amazing.*

*I have personally found Terry to be very approachable, the door is always open, and to listen to our request and demands, giving advice back to us to guide us in making our decisions. There are many other excellent decisions and efforts of Terry's doings. To Terry, I say thank you very much for the years of support, because I've been with this Council since 1989, guidance and friendship over the past years. My request is for all to support this Motion, thank you."*

Cr/s Jassmine Wood and Kym McKay thanked the Chief Executive Officer for his service to the City of West Torrens and extended their congratulations on receiving the City of West Torrens Civic Award.

Mayor Coxon called Mr Buss forward to receive his Award and invited Mayor Emeritus the Hon John Trainer OAM to assist in the presentation.

Mayor Coxon invited Mayor Emeritus the Hon John Trainer OAM to read out the following personal statement:

*"I knew Terry way back in 1967, prior to going into Parliament and becoming Mayor, I was a High School teacher for 14 years at Brighton High School in the 60s and 70s, and Terry Buss was one of my students, he was a great guy even then. I am very proud with the way that he has developed, of all the students that I had custody of in a short period of their lives, Terry is the one that I am most proud of. I will mention, by way of comparison, that my father was a Primary School Principal, and when I was in Grade 7 at his little two teacher school at Robe in 1955, someone named Trevor Starr was in Grade 4, and a student of my father's, and he was the immediate predecessor of Terry as the CEO, so we have two CEOs in a row that have been a student of John Trainer, as that was my father's name also. I like to think that I did a much better job of education than my father did, as Terry has turned out wonderful, he has been someone who you never have to worry about having a hidden agenda. What you see with Terry is what you get, no fear or favour, and he did something that I thought was almost impossible, and that was to get the Airport to finally pay their rates, or rather not quite their full rates, we ended up coming up with a compromise whereby the Council forgave them about \$100,000 a year but they paid back a couple of years of the \$100,000 that they owed us, and what they paid us in contributions to drainage, roads and being a very good corporate citizen more than made up for the \$100,000 which was disappearing into insignificance as the amount of rates the Council paid went up. Terry was the genius behind working this out, and also he was the one who did all the work with mediating the Brown Hill Keswick Creeks Stormwater Management Project, which was a very difficult project indeed as you had five councils involved and whatever solution came up with, one council would not be happy with this and Terry navigated his way through that, so there are two great achievements in Terry's time that he can be very proud of. I am so proud to have worked alongside Terry in my previous role as Mayor and so proud of having a part earlier in his life. Terry has had some incredibly tough setbacks in his life but he is really made of steel, underneath that gentlemanly character he is as tough as nails. Congratulations Terry."*

The Chief Executive Officer, Mr Terry Buss PSM, thanked Council for awarding him with the City of West Torrens Civic Award, and spoke on his career and many years of service to the City of West Torrens.

Mayor Coxon thanked the Chief Executive Officer, Mr Terry Buss PSM for his contributions to Council and the City of West Torrens.

## 7 ELECTED MEMBERS REPORTS

Cr Surender Pal advised of his attendance at the following:

- City of West Torrens Refugee Week Citizenship Ceremony at the Thebarton Community Centre on Thursday 22 June 2023;
- Special Council Meeting in regard to the CEO Recruitment process and the Elected Member Training - Module 3 (Legal) at the Civic Centre on Tuesday 27 June 2023;
- Elected Member Strategic Workshop at the Civic Centre and City of West Torrens facilities and assets city wide Bus Tour on Saturday 1 July 2023;
- City Finance and Governance and City Advancement and Prosperity Standing Committee Meetings held in the Council Chamber on Tuesday 4 July 2023;
- West Adelaide Football Club vs Sturt Football Club SANFL league match at Hisense Stadium on Saturday 8 July 2023; and
- West Adelaide Football Club vs Central District Football Club SANFL league match at Hisense Stadium, Richmond on Saturday 15 July 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 Daniel Huggett advised of his attendance at the following:

- Elected Member Strategic Workshop at the Civic Centre on Saturday 1 July 2023; and
- West Adelaide Football Club vs Sturt Football Club SANFL league match at Hisense Stadium on Saturday 8 July 2023.

Cr Huggett congratulated the Chief Executive Officer, Terry Buss, on being awarded the City of West Torrens Civic Award and thanked him for his service. Cr Huggett also thanked the General Manager Business and Community, Ms Pauline Koritsa for her service.

Cr George Demetriou advised of his attendance at the following:

- City of West Torrens Refugee Week Citizenship Ceremony at the Thebarton Community Centre on Thursday 22 June 2023;
- Special Council Meeting in regard to the CEO Recruitment process and the Elected Member Training - Module 3 (Legal) at the Civic Centre on Tuesday 27 June 2023;
- Camden Community Centre Board meeting on Thursday 29 June 2023; and
- Elected Member Strategic Workshop at the Civic Centre on Saturday 1 July 2023;

Cr Graham Nitschke advised that he had received an email from City of West Torrens resident, Ms Mariella Hocking, and tabled it for Members' information.

*"Dear Councillor, Mr Graham Nitschke,*

*My family would like to thank and commend you and the staff at The Hamra Centre Library for the initiative and support for 'The Preserving Memories' project. We learned of the project being promoted by the City of West Torrens and the West Torrens Historical Society and are so impressed by the booklet we have received about our mother, Catherina van der Linden.*

*Catherina is currently the oldest living person in Australia, plus the oldest living Dutch person in the world. Catherina will be 111 years old on 26th August.*

*Lynette Bacchus, a Hamra Centre Library Officer, has been an enthusiastic leader and manager in the whole process of gathering and collating Mum's experiences. Together with illustrations, vignettes, quotes and photographs, she has been pivotal to creating a delightful memory for Mum and her extended family, both here in Australia as well as The Netherlands.*

*Lynette's commitment to the project was quite inspiring, her patient and persistent research unearthed information none of us knew about.*

*Thank you again, to the West Torrens Historical Society and the staff at the City of West Torrens, especially Lynette Bacchus, it has been a pleasure to be associated with the City of West Torrens."*

Cr Nitschke foreshadowed that he would move a Motion without Notice at Item 15 - Motions without Notice in regard to issuing a letter of thanks to Lynette Bacchus on behalf of Council.

Cr Lana Gelonese advised of her attendance at the following:

- City of West Torrens Refugee Week Citizenship Ceremony at the Thebarton Community Centre on Thursday 22 June 2023.

Cr Elisabeth Papanikolaou advised of her attendance at the following:

- Attended the Memorial Service for the 49<sup>th</sup> Anniversary of the Turkish Invasion of Cyprus at Saint Sophia reek Orthodox Church on Sunday 16 July 2023.  
Cr Papanikolaou spoke on the experiences of both herself and her family in regard to the Invasion and its impact.

## RESOLUTION

Moved: Cr Lana Gelonese

Seconded: Cr Daniel Huggett

That the reports from Members be noted.

**CARRIED**

## 8 PETITIONS

Nil

## 9 DEPUTATIONS

### 9.1 South Australian Youth Forum

The Presiding Member invited Abbey Wilkinson, on behalf of the South Australian Youth Forum to address Council in relation to a proposal for Council to establish a Youth Advisory Council (YAC).

**7.41pm** Ms Wilkinson commenced her Deputation.

**7.46pm** Ms Wilkinson concluded the Deputation.

Following the deputation Elected Members were invited to ask questions which were responded to by Ms Wilkinson.

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

The Presiding Member suggested that Item 16.1 - Establishment of the City of West Torrens Youth Advisory Council, be brought forward for consideration at this point in the meeting, and sought for a mover and seconder.

### **MOTION**

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Sam Whiting

That Item 16.1 - Establishment of the City of West Torrens Youth Advisory Council, be brought forward for consideration at this point in the meeting.

**CARRIED**

#### **9.1.1 Item 16.1 - Establishment of the City of West Torrens Youth Advisory Council Brought Forward for Consideration at this Point in the Meeting**

This report sought Council's support for the establishment of a City of West Torrens Youth Advisory Council.

### **RECOMMENDATION**

It is recommended to Council that:

1. It approves the establishment of a City of West Torrens Youth Advisory Council (YAC) with membership comprising young people who are in either Years 11, 12 or 13 from local high schools who are nominated and supported by the principals from those schools.
2. The Youth Advisory Council to commence following the commencement of the new school year 2024.
3. SA Youth Forum be engaged to assist the Administration and Mayor Coxon in the development of the Terms of Reference and other associated processes for the City of West Torrens Youth Advisory Council.
4. Mayor Coxon be appointed as the Chair of the City of West Torrens Youth Advisory Council.
5. Once finalised, the Terms of Reference for the Youth Advisory Council be presented to Council for approval which will include membership size and composition, meeting schedule, objectives and any other requirements as per the City of West Torrens Terms of Reference template.

### **RESOLUTION**

Moved: Cr Anne McKay

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

**CARRIED**

#### **9.2 Financial Support for the Australian Masters Games**

The Presiding Member invited Jane Woodlands-Thompson, General Manager of the Australian Masters Games to address Council in relation to financial support for the Australian Masters Games.

**7.53pm** Ms Woodlands-Thompson commenced her Deputation.

**7.56pm** Ms Woodlands-Thompson concluded the Deputation.

Following the deputation Elected Members were invited to ask questions which were responded to by Ms Woodlands-Thompson.

The Presiding Member thanked Ms Woodlands-Thompson for her deputation and attendance.

The Presiding Member suggested that Item 16.2 - The Australian Masters Games 2023 Partnership Proposal for the City of West Torrens, be brought forward for consideration at this point in the meeting, and sought for a mover and seconder.

### **MOTION**

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Graham Nitschke

That Item 16.2 - The Australian Masters Games 2023 Partnership Proposal for the City of West Torrens, be brought forward for consideration at this point in the meeting.

**CARRIED**

### **9.2.1 Item 16.2 - The Australian Masters Games 2023 Partnership Proposal for the City of West Torrens Brought Forward for Consideration at this Point in the Meeting**

This report presented a request from the Australian Masters Games to partner with the City of West Torrens Council as a Key Partner for the Australian Masters Games Adelaide 7-14 October 2023. As the amount requested is in excess of the \$5,000 limit contained in the Council Policy - Grants, Sponsorship and Donations Program, the request was presented directly to Council for its consideration.

### **RECOMMENDATION**

It is recommended to Council that it approves \$15,000 to partner with the Australian Masters Games Adelaide with funding from unexpended Small Business Grant funding carried forward from 2022-2023.

### **RESOLUTION**

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

### **9.3 Operation Flinders Exercise**

The Presiding Member invited Jonathon Robran, Business Development Manager of Operation Flinders to address Council in relation to a funding request for their Operation Flinders Exercise.

**8.01pm** Mr Robran commenced his Deputation.

**8.05pm** Mr Robran concluded the Deputation.

Following the deputation Elected Members were invited to ask questions which were responded to by Mr Robran.

The Presiding Member suggested that Item 16.3 - Operation Flinders Request to Support Thebarton Senior College Operation Flinders Exercise for the City of West Torrens, be brought forward for consideration at this point in the meeting, and sought for a mover and seconder.

## MOTION

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Sam Whiting

That Item 16.3 - Operation Flinders Request to Support Thebarton Senior College Operation Flinders Exercise, be brought forward for consideration at this point in the meeting.

**CARRIED**

### 9.3.1 Item 16.3 - Operation Flinders Request to Support Thebarton Senior College Operation Flinders Exercise Brought Forward for Consideration at this Point in the Meeting

**8.11pm** Mayor Michael Coxon advised that he had a general conflict of interest in relation to this item as he is a member of the Thebarton Senior College Governing Council. Mayor Coxon left the meeting for the discussion and vote on the item.

As Mayor Michael Coxon, Presiding Member, left the meeting for the discussion and vote on the item and Cr Cindy O'Rielly, Deputy Mayor was an apology, Cr Elisabeth Papanikolaou assumed the chair as Presiding Member for the conduct of this item.

**8.12pm** Cr Zoi Papafilopoulos advised that she had a general conflict of interest in relation to this item as she is a member of the Thebarton Senior College Governing Council. Cr Papafilopoulos left the meeting for the discussion and vote on the item.

This report presented correspondence from Operation Flinders to support the Thebarton Senior College to participate in the Operation Flinders Exercise from 8 August to 15 August 2023.

## RECOMMENDATION

It is recommended to Council that:

1. The request from Operation Flinders for \$5,000 to support up to ten (10) young people from Thebarton Senior College to participate in the Operation Flinders Exercise from 8 August to 15 August 2023, be approved.
2. Council resolves to make a budget allocation of \$5,000 from the unspent 2022-23 Small Business Grants Program to fund this request from Operation Flinders.
3. The City of West Torrens hosts a post-exercise event later in the year providing an opportunity for participants to have their achievements recognised and to receive a certificate of achievement which provides credit towards their SACE outcomes.

## RESOLUTION

Moved: Cr Anne McKay

Seconded: Cr Lana Gelonese

That the recommendation be adopted.

**CARRIED**

**8.14pm** Cr Zoi Papafilopoulos returned to the meeting.

**8.15pm** Mayor Michael Coxon returned to the meeting and assumed the Chair.

The Presiding Member advised that whilst the matter was not listed in the Council Agenda, the Former Chairperson and current Advisor of the South Australian Bangladeshi Community Association (SABCA), Mr Mahbub Siraz, had written to him requesting to make a deputation relating to Item 16.4 - International Mother Language Day Monument.

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 Surender Pal  
Seconded: Cr Lana Gelonese

That Council give permission to the Former Chairperson and current Advisor, SABCA, Mr Mahbub Siraz, to make a deputation in relation to Item 16.4 - International Mother Language Day Monument.

**CARRIED**

**8.15pm** Cr Sam Whiting left the meeting.

**8.15pm** Cr Kym McKay left the meeting.

**8.16pm** Cr Kym McKay returned to the meeting.

**8.17pm** Cr Sam Whiting returned to the meeting.

### **9.4 Council support for the installation of the International Mother Language Day Monument**

The Presiding Member invited Mr Mahbub Siraz, Former Chairperson and current Advisor, SABCA, to address Council in relation to the International Mother Language Day Monument.

**8.17pm** Mr Siraz commenced his Deputation.

**8.23pm** Mr Siraz concluded the Deputation.

The Presiding Member thanked Mr Siraz for his deputation and attendance.

The Presiding Member suggested that Item 16.4 - International Mother Language Day Monument, be brought forward for consideration at this point in the meeting, and sought for a mover and seconder.

### **MOTION**

Moved: Cr Elisabeth Papanikolaou  
Seconded: Cr Surender Pal

That Item 16.4 - International Mother Language Day Monument, be brought forward for consideration at this point in the meeting.

**CARRIED**

### **9.4.1 Item 16.4 - International Mother Language Day Monument Brought Forward for Consideration at this Point in the Meeting**

This report presented a proposal from the South Australian Bangladeshi Community Association (SABCA) to install an International Mother Language Day monument on Dew Street Reserve, Thebarton to recognise all mother languages across the world.

### **RECOMMENDATION**

It is recommended to Council that:

1. The request from the South Australian Bangladeshi Association (SABCA) to install an International Mother Language Monument, to recognise all mother languages across the world, be received.

2. Council approves, in principle, the installation of an International Mother Language Day Monument on Dew Street Reserve, subject to SABCA obtaining sufficient funding to cover the cost of installation.
3. In the event the required funding is obtained, a report be brought back to Committee detailing the preferred monument(s) for its consideration and recommendation to Council.
4. Once Council approves the preferred monument, it commences a reserve renaming process for Dew Street Reserve with the following two naming options to be subjected to public consultation being:
  - a. Barbara Hanrahan Park
  - b. An appropriate Kaurna name identified by Kaurna Warra Karrpanthi

## RESOLUTION

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Sam Whiting

That the recommendation be adopted.

**CARRIED**

## 10 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS

### 10.1 City Finance and Governance Standing Committee Meeting

**8.26pm** Cr Surrender Pal left the meeting.

## RECOMMENDATION

That the recommendations of the City Finance and Governance Standing Committee held on 4 July 2023 be adopted with the exception of Committee Item 11.3 - Council Policy - Flags, specifically Policy s5.7 - West Torrens Memorial Gardens - Commemorative flag flying, which should be amended to include Australia Day (26 January) in the list under s5.7.1 of the Policy as follows:

### **5.7 - West Torrens Memorial Gardens - Commemorative flag flying**

5.7.1 On the following days of commemoration, the Australian National Flag may be flown at the West Torrens Memorial Gardens:

- Australia Day (26 January)
- ANZAC Day (25 April)
- Remembrance Day (11 November)

## RESOLUTION

Moved: Cr Anne McKay

Seconded: Cr Elisabeth Papanikolaou

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 4 July 2023 be adopted.

### **RESOLUTION**

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Anne McKay

That the recommendation be adopted.

**CARRIED**

## **11 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS**

Nil

## **12 QUESTIONS WITH NOTICE**

Nil

## **13 QUESTIONS WITHOUT NOTICE**

Nil

## **14 MOTIONS WITH NOTICE**

### **14.1 Assistance to Seniors Card Holders**

**8.30pm** Cr Graham Nitschke declared a material conflict of interest in relation to this matter as he is a current holder of a Seniors Card. Cr Nitschke advised that he would leave the meeting for the discussion and vote on the item.

**8.31pm** Cr George Demetriou declared a conflict of interest in relation to this matter as he is a current holder of a Seniors Card. Cr Demetriou advised that he would remain in the meeting for the discussion but not participate in the vote.

Mayor Michael Coxon gave notice of his intention to move the following motion:

### **RESOLUTION**

Moved: Mayor Michael Coxon

Seconded: Cr Elisabeth Papanikolaou

That, noting the recent cost of living increases, a report be brought forward to Council investigating measures to assist Seniors Card Holders with the payment of residential rates (including, but not limited to a concession).

**8.34pm** Cr Surender Pal returned to the meeting.

**CARRIED**

Cr George Demetriou did not participate in the vote on the motion moved by Mayor Michael Coxon and seconded by Cr Elisabeth Papanikolaou.

**8.35pm** Cr Graham Nitschke returned to the meeting.

**15 MOTIONS WITHOUT NOTICE****15.1 Acknowledgement of thanks to Ms Lynette Bacchus****RESOLUTION**

Moved: Cr Graham Nitschke

Seconded: Cr Zoi Papafilopoulos

That Council extends an acknowledgment of thank you to Lynette Bacchus for her hard work in the Hamra Centre Library and the West Torrens Historical Society.

Discussion took place in relation to the motion and Mayor Michael Coxon suggested a refinement to the wording of the motion as follows in order to ensure that the intent of the motion was clear. The mover, Cr Graham Nitschke, and seconder, Cr Zoi Papafilopoulos, agreed to the change and accordingly the motion was changed as follows:

**MOTION**

Moved: Cr Graham Nitschke

Seconded: Cr Zoi Papafilopoulos

That the Mayor, on behalf of Council, writes to Hamra Library Officer, Lynette Bacchus, to extend Council's thanks and acknowledgement of the important work she is doing for the "Preserving Memories" project in conjunction with the West Torrens Historical Society.

**CARRIED**

**15.2 Letter concerning funding for South Australia's Public Libraries****RESOLUTION**

Moved: Cr Jassmine Wood

Seconded: Cr Sam Whiting

That, in response to Correspondence Item 19.3 - Letter concerning South Australia's Public Libraries, Council writes to the Hon Andrea Michaels MP, Minister for Arts and the Premier of South Australia, the Hon Peter Malinauskas MP, in regard to indexing funding for state public libraries over the next five years, as per the correspondence received from the President of Friends of Libraries Australia, Mr Jack Goodman.

**CARRIED**

**16 REPORTS OF THE CHIEF EXECUTIVE OFFICER****16.1 Establishment of the City of West Torrens Youth Advisory Council**

This item was considered following Item 9.1 - South Australian Youth Forum.

**16.2 The Australian Masters Games 2023 Partnership Proposal for the City of West Torrens**

This item was considered following Item 9.2 - Financial Support for the Australian Masters Games.

**16.3 Operation Flinders Request to Support Thebarton Senior College Operation Flinders Exercise**

This item was considered following Item 9.3 - Operation Flinders Exercise.

#### 16.4 International Mother Language Day Monument

This item was considered following Item 9.4 - Council support for the installation of the International Mother Language Day Monument.

#### 16.5 Adoption of the Annual Business Plan, Budget and Long Term Financial Plan 2023-24 and Declaration of the Rates for 2023-24

This report proposed adoption of the annual business plan and the budget, in that order, along with the Long Term Financial Plan which forms a part of the budget, and the declaration of the rates for 2023/24.

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

#### RECOMMENDATION(S)

It is recommended to Council that:

##### A. Rates

The following recommendations be adopted in exercise of the powers contained in Chapters 8, 9 and 10 of the *Local Government Act 1999* (the **Act**) for the financial year ending on 30th June 2024:

##### 1. Adoption of the Annual Business Plan

Pursuant to and in accordance with section 123 of the Act and regulation 6 of the *Local Government (Financial Management) Regulations 2011*, having considered all relevant submissions in accordance with section 123(6) of the Act, the Annual Business Plan for 2023/24, included as a part of the Budget and Annual Business Plan 2023/24, is adopted.

#### RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Sam Whiting

That the recommendation be adopted.

**CARRIED**

##### 2. Adoption of the Budget

The budget for 2023/24, included as a part of the Budget and Annual Business Plan 2023/24, and prepared in accordance with section 123 of the Act and regulation 7 of the *Local Government (Financial Management) Regulations 2011*, as detailed in the budget papers laid before the Council at this meeting, including:

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

is adopted.

#### RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Elisabeth Papanikolaou

That the recommendation be adopted.

**CARRIED**

### 3. Adoption of the Valuations

Pursuant to section 167(2)(a) of the Act, the most recent valuations of the Valuer-General available to the Council of the capital value of land within the Council area, totalling \$26,625,407,500, are adopted for rating purposes.

#### RESOLUTION

Moved: Cr Anne McKay

Seconded: Cr Sara Comrie

That the recommendation be adopted.

**CARRIED**

### 4. Declaration of General Rates

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

- (1) Differential general rates are declared pursuant to and in accordance with sections 153(1)(b) and 156(1)(a) of the Act on the capital value of all rateable land within the Council area according to the use of the land as per the permissible differentiating factors set out in regulation 14 of the *Local Government (General) Regulations 2013* as follows:
  - (a) 0.196158 cents in the dollar on rateable land use of the permissible differing category (a);
  - (b) 0.510026 cents in the dollar on any rateable land use of the permissible differing categories (b) to (i) inclusive.
- (2) Pursuant to section 158(1)(a) of the Act, a minimum amount is payable by way of general rates of \$1,066 in respect of rateable land within the Council's area.
- (3) Pursuant to section 153(3) of the Act, there will not be a fixed maximum increase in the general rate to be charged on a principal place of residence of a principal ratepayer.

#### RESOLUTION

Moved: Cr Sam Whiting

Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

### 5. Declaration of Separate Rate - Regional Landscape Levy

In accordance with section 69 of the *Landscape South Australia Act 2019* and section 154 of the Act, in order to reimburse the Council for an amount of \$1,794,519 contributed to the Green Adelaide Board, a separate rate of 0.007449 cents in the dollar is declared on all rateable land in the area of the Council and the Board based on the capital value of that land.

#### RESOLUTION

Moved: Cr Surender Pal

Seconded: Cr Sara Comrie

That the recommendation be adopted.

**CARRIED**

## 6. Payment of Rates

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

- (i) 1st September 2023 in respect of the first instalment;
- (ii) 1st December 2023 in respect of the second instalment;
- (iii) 1st March 2024 in respect of the third instalment; and
- (iv) 3rd June 2024 in respect of the fourth instalment.

### RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr George Demetriou

That the recommendation be adopted.

**CARRIED**

## B. Adoption of the Long Term Financial Plan

Pursuant to section 122(1a)(a) of the *Local Government Act 1999*, the long term financial plan included in the 2023/24 Budget and Annual Business Plan be adopted (noting that the review by the CEO of the Council's Strategic Management Plans, indicate that the Council is financially sustainable having regard to its Long Term Financial Plan, the Annual Business Plan and strategic plans).

### RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr George Demetriou

That the recommendation be adopted.

**CARRIED**

## C. Budget Review

The Council be provided with reviews of its budgetary position throughout the year consistent with the requirements of regulation 9 of the *Local Government (Financial Management) Regulations 2011*, including a framework for development of the 2024/25 budget.

### RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Anne McKay

That the recommendation be adopted.

**CARRIED**

## 16.6 City of West Torrens Festivals Program

This report presented a summary of outcomes for the Council's 2022-23 festivals program and details events proposed for Council's 2023-24 festivals program.

### RECOMMENDATION

It is recommended to Council that:

1. The report be received.
2. The Summer Festival 2024 program be held across 3 locations (West Torrens Memorial Gardens, Mellor Park and Kings Reserve) with a budget of \$140,000 + GST excluding administrative costs.
3. Fire & Spice be held at Lockleys Oval in April 2024 with a budget of \$55,000 + GST excluding administrative costs.
4. The Bloom Block Party grant is approved for a final year, with the event to be delivered in January 2024 as a component of Summer Festival 2024 at a cost of \$20,000 + GST.
5. Community festival Partnership Agreements for the 2023 Christmas Carols Festival, 2024 Thai Festival and 2024 Kodomo No Hi Japan Festival be extended for one year with existing contract conditions.

### MOTION

Moved: Cr George Demetriou

Seconded: Cr Kym McKay

That the recommendation be adopted.

Discussion took place in relation to the matter, with Cr Elisabeth Papanikolaou suggesting that the Bloom Block Party grant as found in Point 4 of the Recommendation not be funded. Accordingly, Cr Papanikolaou sought to move the following amendment:

### AMENDMENT

Moved: Cr Elisabeth Papanikolaou

Seconded: Cr Jassmine Wood

That:

1. The report be received.
2. The Summer Festival 2024 program be held across 3 locations (West Torrens Memorial Gardens, Mellor Park and Kings Reserve) with a budget of \$140,000 + GST excluding administrative costs.
3. Fire & Spice be held at Lockleys Oval in April 2024 with a budget of \$55,000 + GST excluding administrative costs.
4. Community festival Partnership Agreements for the 2023 Christmas Carols Festival, 2024 Thai Festival and 2024 Kodomo No Hi Japan Festival be extended for one year with existing contract conditions.

The Amendment was Put and **LOST**

The original motion as moved by Cr George Demetriou and seconded by Cr Kym McKay was Put and **CARRIED**

## 16.7 Business Breakfast Funding and Use of Unspent Business Grant Funds

8.58pm Cr Graham Nitschke left the meeting.

The purpose of this report was to reallocate unspent Business Grant funding to other Community Partnership and Business initiatives.

### RECOMMENDATION

It is recommended to Council that:

1. Costs of \$5,164 associated with CWT hosting a Community and Business Breakfast, featuring Grant Stevens, Commissioner for the South Australian Police as the Keynote Speaker, be funded from unspent funds from the 2022-23 Business Grant Program.
2. The balance of unspent funds from the 2022-23 Business Grants Program of \$26,749 be carried forward to 2023-24 to be applied to fund:
  - a. Future Business Breakfasts;
  - b. To partner with the Australian Masters Games Adelaide 7-14 October 2023 (the subject of a separate report); and
  - c. To fund an Operation Flinders Request to support Thebarton Senior College "Next Step Program" (the subject of a separate report).

### RESOLUTION

Moved: Cr Lana Gelonese

Seconded: Cr Sara Comrie

That the recommendation be adopted.

9.01pm Cr Graham Nitschke returned to the meeting.

**CARRIED**

## 16.8 Weigall Oval Sporting Facility, Proposed Changes - Update

This report provided Members with an update in regard to the two proposals relating to the use of Weigall Oval Sports Facility at Plympton, namely the installation of a perimeter (i.e. crowd control) fence around the soccer field and the extension of operating hours for the bar, dining and function area, (i.e. clubrooms).

### RECOMMENDATION

It is recommended to Council that:

1. The report be noted.
2. The Administration be authorised to advise the Adelaide Omonia Cobras Soccer Club that the proposed design (**Attachment 5 of the Agenda report**) for a permanent crowd control perimeter fence to the senior soccer pitch at Weigall Oval Sports Facility, to meet the requirements of the competition level (State League 1) from Football South Australia has been approved and the club can proceed with construction.
3. The Administration be authorised to amend and vary the existing licence agreement for the Adelaide Omonia Cobras Soccer Club at the Weigall Oval Sports Facility to reflect the installation and conditions of use of the perimeter fence for the soccer field. Noting that the closure of the perimeter fence be limited to competition or other soccer games sanctioned by Football South Australia.

4. The Administration be authorised to amend and vary the existing licences for the Adelaide Angels Baseball Club and Adelaide Omonia Cobras Soccer Club at the Weigall Oval Sports Facility to reflect the use and changes to the hours of operation of the bar, dining and function areas for the Clubroom facility.
5. The Mayor and Chief Executive Officer be authorised to sign and/or seal any documentation to give effect to the grant of this resolution.

## RESOLUTION

Moved: Cr Lana Gelonese

Seconded: Cr Surrender Pal

That the recommendation be adopted.

**CARRIED**

### **16.9 Request for Council to enter into a Joint Use Agreement with Department for Education (Torrensville Primary School) - Update**

This report provided an update for Members in relation to entering into a Joint Use Agreement with the Department for Education for the out of school hour's public access to the Torrensville Primary School oval and playground area.

## RECOMMENDATION

It is recommended to Council that:

1. Council enter into a new 5 year shared use agreement with the Department of Education and Child Development for use of the Torrensville Primary School oval and surrounds commencing from 1 July 2023 and concluding on 30 June 2028 with one option to renew for a further 5 year term commencing on 1 July 2028 and expiring on 30 June 2033.
2. Council pay an annual fee to the Minister for Education, Training and Skills towards the cost of turf and oval maintenance at a commencing fee of \$25,000 (plus GST) per annum, with annual increases on the anniversary of the commencement date, by the Consumer Price Index (All Groups) Adelaide Index Number (CPI).
3. The Mayor and Chief Executive Officer be authorised to sign and/or seal any documentation in relation to the joint use agreement.
4. An amount of \$25,000 be allocated within Council's September 2023 budget review (for the Budget 2023/2024) to enable payment of this agreement fee.

## RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Zoi Papafilopoulos

That the recommendation be adopted.

**CARRIED**

### **16.10 Temporary Closure of the Animal Welfare League**

The purpose of this report was to provide Council with information in relation to the recent temporary closure of the Animal Welfare League (AWL) to the City of West Torrens and residents in relation to detention and rehoming of dogs and cats.

#### **RECOMMENDATION**

It is recommended to Council that:

1. This report be noted.
2. That correspondence in relation to this matter be sent to the Premier of South Australia, the Minister for Climate, Environment and Water, the Minister for Local Government, the Member for West Torrens, the Local Government Association of South Australia and the Dog and Cat Management Board to request urgent action be undertaken to facilitate the relocation of impounded dogs to an appropriate facility.

#### **RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Anne McKay

That the recommendation be adopted.

**CARRIED**

### **16.11 Creditor Payments**

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

#### **RECOMMENDATION**

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

#### **RESOLUTION**

Moved: Cr George Demetriou

Seconded: Cr Jassmine Wood

That the recommendation be adopted.

**CARRIED**

### **16.12 2023 Local Government Financing Authority (LGFA) Annual General Meeting and Appointment of a Council Representative**

Mayor Michael Coxon clarified that he did not believe himself to have a conflict of interest in relation to this item as this would form part of his responsibilities in his role as Mayor and there is no financial benefit from attending.

The Local Government Finance Authority of South Australia (LGFA) advised of its upcoming Annual General Meeting and called for motions and the appointment of a Council representative for the meeting.

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

It is recommended to Council that:

1. The Local Government Finance Authority be advised that Council has no motions for the upcoming Annual General Meeting.

2. Mayor Michael Coxon be appointed as Council's representative to the Annual General Meeting.

## RESOLUTION

Moved: Cr George Demetriou

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

**CARRIED**

### **16.13 2023 Local Government Association Annual General Meeting - Approval of Voting Delegates and Advice on Call for Proposed Items of Business**

Mayor Michael Coxon clarified that he did not believe himself to have a conflict of interest in relation to this item as this would form part of his responsibilities in his role as Mayor and there is no financial benefit from attending.

This report sought approval of the voting delegate and proxy for the Local Government Association Annual General Meeting, to be held on Thursday 26 October 2023, at a venue still to be decided.

## RECOMMENDATION

It is recommended to Council that:

1. It notes that no Notices of Motion were submitted by Elected Members to the Administration for consideration and submission to the LGA.
2. The voting delegates to the 2023 Local Government Association Annual General Meeting be Mayor Michael Coxon, with Deputy Mayor Cr Cindy O'Rielley as proxy, and the Local Government Association be advised accordingly.

## RESOLUTION

Moved: Cr Lana Gelonese

Seconded: Cr George Demetriou

That the recommendation be adopted.

**CARRIED**

### **16.14 2023 Local Government Association SA Roads and Works Conference**

**9.10pm** *Cr George Demetriou declared a material conflict of interest in this item as he wishes to attend the conference and by attending will be the beneficiary of a financial benefit from the Council. Cr Demetriou left the meeting for the discussion and vote on the item.*

**9.11pm** *Cr Surrender Pal declared a material conflict of interest in this item as he wishes to attend the conference and by attending will be the beneficiary of a financial benefit from the Council. Cr Pal left the meeting for the discussion and vote on the item.*

**9.11pm** *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.*

This report provided notice of the 2023 Local Government Association SA Roads and Works Conference which is to be held from Wednesday 30 August to Thursday 31 August 2023 at the Port Lincoln Leisure Centre, Port Lincoln.

**RECOMMENDATION**

It is recommended to Council that:

1. Subject to their confirmation, Council approves the attendance of ..... at the 2023 Local Government Association Roads and Works Conference being held from Wednesday 30 August to Thursday 31 August 2023 at the Port Lincoln Leisure Centre, Port Lincoln.
2. Expenses be reimbursed in accordance with the Elected Member Professional Development Council policy.

OR

3. The report be received.

**RESOLUTION**

Moved: Cr Anne McKay

Seconded: Cr Kym McKay

That:

1. Council approves the attendance of Cr/s Surender Pal, George Demetriou and Elisabeth Papanikolaou at the 2023 Local Government Association Roads and Works Conference being held from Wednesday 30 August to Thursday 31 August 2023 at the Port Lincoln Leisure Centre, Port Lincoln.
2. Expenses be reimbursed in accordance with the Elected Member Professional Development Council policy.

**CARRIED**

**9.13pm** Cr/s George Demetriou, Surender Pal and Elisabeth Papanikolaou returned to the meeting.

**16.15 2023 Local Government Association National Local Roads, Transport and Infrastructure Congress**

**9.13pm** *Cr George Demetriou declared a material conflict of interest in this item as he wishes to attend the conference and by attending will be the beneficiary of a financial benefit from the Council. Cr Demetriou left the meeting for the discussion and vote on the item.*

This report provided notice of the 2023 Local Government Association National Local Roads, Transport and Infrastructure Congress which to be held from Wednesday 6 September to Thursday 7 September 2023 at the Kambri Cultural Centre, Canberra.

**RECOMMENDATION**

It is recommended to Council that:

1. Subject to their confirmation, Council approves the attendance of ..... at the 2023 Local Government Association National Local Roads, Transport and Infrastructure Congress at the Kambri Cultural Centre, Canberra from Wednesday 6 September to Thursday 7 September 2023.
2. Expenses be reimbursed in accordance with Council policy.

Or

3. The report be received.

**RESOLUTION**

Moved: Cr Kym McKay

Seconded: Cr Elisabeth Papanikolaou

That:

1. Council approves the attendance of Cr George Demetriou at the 2023 Local Government Association National Local Roads, Transport and Infrastructure Congress at the Kambri Cultural Centre, Canberra from Wednesday 6 September to Thursday 7 September 2023.
2. Expenses be reimbursed in accordance with Council policy.

**CARRIED**

**9.15pm** Cr George Demetriou returned to the meeting.

**16.16 Cities Power Partnership 2023 Climate Summit for Local Government**

**9.15pm** *Mayor Michael Coxon declared a material conflict of interest in this item as he wishes to attend the conference and by attending will be the beneficiary of a financial benefit from the Council. Mayor Coxon left the meeting for the discussion and vote on the item.*

As Mayor Michael Coxon, Presiding Member, left the meeting for the discussion and vote on the item and Cr Cindy O'Rielly, Deputy Mayor was an apology, Cr Elisabeth Papanikolaou assumed the chair as Presiding Member for the conduct of this item.

Cities Power Partnership (CPP) advised that the 2023 Climate Summit for Local Government is to be held at the Melbourne Showgrounds, Flemington and the RMIT Storey Hall, Melbourne from Wednesday 6 September to Friday 8 September 2023.

**RECOMMENDATION**

It is recommended to Council that:

1. Subject to their confirmation, Council approves the attendance of ..... at the Climate Summit for Local Government 2023 at the Melbourne Showgrounds, Flemington and the RMIT Storey Hall, Melbourne from Wednesday 6 September to Friday 8 September 2023.
2. Expenses be reimbursed in accordance with Council policy.

Or

3. The report be received.

**RESOLUTION**

Moved: Cr Lana Gelonese

Seconded: Cr Zoi Papafilopoulos

That:

1. Council approves the attendance of Mayor Michael Coxon at the Climate Summit for Local Government 2023 at the Melbourne Showgrounds, Flemington and the RMIT Storey Hall, Melbourne from Wednesday 6 September to Friday 8 September 2023.
2. Expenses be reimbursed in accordance with Council policy.

**CARRIED**

**9.18pm** Mayor Michael Coxon returned to the meeting and assumed the Chair.

**16.17 Australian Airports Association National Conference and Industry Expo 2023**

**9.19pm** *Mayor Michael Coxon declared a material conflict of interest in this item as he wishes to attend the conference and by attending will be the beneficiary of a financial benefit from the Council. Mayor Coxon left the meeting for the discussion and vote on the item.*

As Mayor Michael Coxon, Presiding Member, left the meeting for the discussion and vote on the item and Cr Cindy O'Rielley, Deputy Mayor was an apology, Cr Elisabeth Papanikolaou assumed the chair as Presiding Member for the conduct of this item.

**9.20pm** *Cr George Demetriou declared a material conflict of interest in this item as he wishes to attend the conference and by attending will be the beneficiary of a financial benefit from the Council. Cr Demetriou left the meeting for the discussion and vote on the item.*

**9.21pm** *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.*

As Mayor Michael Coxon, Presiding Member, left the meeting for the discussion and vote on the item, Cr Cindy O'Rielley, Deputy Mayor was an apology, and Cr Papanikolaou left the meeting for the discussion and vote on the item, Cr Graham Nitschke assumed the chair as Presiding Member for the conduct of this item.

**9.23pm** *Cr Surender Pal declared a material conflict of interest in this item as he wishes to attend the conference and by attending will be the beneficiary of a financial benefit from the Council. Cr Pal left the meeting for the discussion and vote on the item.*

The Australian Airports Association (AAA) advised that the AAA National Conference and Industry Expo 2023 is to be held at the Melbourne Convention and Exhibition Centre from Tuesday 14 November to Thursday 16 November 2023.

**RECOMMENDATION**

It is recommended to Council that:

1. Subject to their confirmation, Council approves the attendance of ..... at the AAA National Conference and Industry Expo at the Melbourne Convention and Exhibition Centre from Tuesday 14 November to Thursday 16 November 2023.
2. Expenses be reimbursed in accordance with Council policy.

Or

3. The report be received.

**RESOLUTION**

Moved: Cr Zoi Papafilopoulos

Seconded: Cr Anne McKay

That:

1. Council approves the attendance of Mayor Michael Coxon, Cr/s George Demetriou, Elisabeth Papanikolaou and Surender Pal at the AAA National Conference and Industry Expo at the Melbourne Convention and Exhibition Centre from Tuesday 14 November to Thursday 16 November 2023.

2. Expenses be reimbursed in accordance with Council policy.

**CARRIED**

**9.24pm** Cr/s George Demetriou, Elisabeth Papanikolaou and Surender Pal returned to the meeting.

**9.24pm** Mayor Michael Coxon returned to the meeting and assumed the Chair.

#### **16.18 Appointment of Members to the Brown Hill and Keswick Creeks Stormwater Board - Confidential Order Review**

This report presented the annual review of the confidential order applied to the confidential report Item 21.1 - Appointment of Members to the Brown Hill and Keswick Creeks Stormwater Board, at the 4 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 at Council's 4 August 2020 meeting and reviewed at Council's 17 August 2021 and 19 July 2022 meetings, 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(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 Surender Pal

Seconded: Cr Kym McKay

That the recommendation be adopted.

**CARRIED**

#### **16.19 Sale of Property for the Non Payment of Rates - Confidential Order Review**

This report presented the annual review of the confidential order applied to the confidential report Item 21.1 - Sale of Property for the Non Payment of Rates, at the 19 July 2022 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 19 July 2022, in respect of the confidential Agenda report relating to the Sale of Property for the Non Payment of Rates, Council orders that the Item 21.1 - Sale of Property for the Non Payment of Rates, the Minutes arising, attachments and any associated documentation,

having been considered by the Council in confidence under Section 90(3)(a) and (i), of the *Local Government Act 1999*, not be available for public inspection for a further 12 month period, on the basis that the report involves personal affairs of the ratepayers named in the report and Council litigation.

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 George Demetriou

Seconded: Cr Anne McKay

That the recommendation be adopted.

**CARRIED**

### 16.20 Leasing Arrangements for Thebarton Oval Precinct - Update - Confidential Order Review

This report presented the annual review of the confidential order applied to the confidential report Item 21.2 - Leasing Arrangements for Thebarton Oval Precinct - Update, at the 19 July 2022 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 19 July 2022, in respect of the confidential Agenda report relating to the leasing arrangements for the Thebarton Oval Precinct, Council orders that the Item 21.2 - Leasing Arrangements for Thebarton Oval Precinct - 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) of the *Local Government Act 1999*, not be available for public inspection for a further 12 month period, on the basis that there are ongoing negotiations relating to the lease that may impact both the existing lessee and also a future prospective lessee of (portion of) the premises 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 George Demetriou

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

**CARRIED**

## **16.21 Possible Acquisition of Land - Confidential Order Review**

This report presented the annual review of the confidential order applied to the confidential report Item 21.3 - Possible Acquisition of Land, at the 19 July 2022 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 19 July 2022, in respect of the confidential Agenda report relating to the possible acquisition of land, Council orders that the Item 21.3 - Possible Acquisition of Land, 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) of the *Local Government Act 1999*, 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 Surender Pal

Seconded: Cr Kym McKay

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 The Observation Post - July 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 July edition of The Observation Post.

**19.2 Mayors for Peace News Flash - June 2023 (No. 162)**

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

**19.3 Letter concerning South Australia's Public Libraries**

Correspondence was received from the President of the Friends of Libraries Australia, regarding the current state of South Australia's Public Libraries.

**19.4 Proposal to initiate Code Amendment: 25 Pierson Street, Lockleys**

Correspondence was received from the Minister for Planning, the Hon. Nick Champion MP, regarding the proposal to initiate the 25 Pierson Street, Lockleys Code Amendment.

**RECOMMENDATION**

That the correspondence be received.

**RESOLUTION**

Moved: Cr Graham Nitschke

Seconded: Cr Sara Comrie

That the recommendation be adopted.

**CARRIED**

**20 CONFIDENTIAL****20.1 Appointment of Members to the Brown Hill and Keswick Creeks Stormwater Board****Reason for Confidentiality**

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

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

**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 - Appointment of Members to the Brown Hill and Keswick Creeks Stormwater Board, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(a) because the premature disclosure of this information would be unreasonable given it contains personal information relating to the applicants which could inadvertently prejudice their future career aspirations and breach any duty of confidentiality owed to them by Council.
2. At the completion of the confidential session the meeting be re-opened to the public.

**RESOLUTION**

Moved: Cr Kym McKay  
Seconded: Cr Surender Pal

That the recommendation be adopted.

**CARRIED**

**9.28pm** 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*, Council orders that the information considered by the Council in confidence under Section 90(3)(a) and contained in:

- a) confidential report Item 21.1 Appointment of Members to the Brown Hill and Keswick Creeks Stormwater Board and the Minutes arising

be kept confidential and not available for public inspection until such time as the appointment process for Board Members to the Brown Hill and Keswick Creeks Stormwater Board is finalised and applicants have been advised of the outcome of the process; and

- b) attachments and any associated documentation

be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, or until the conclusion of the term of appointment for the relevant Board member to the Brown Hill and Keswick Creeks Stormwater Board, on the basis that the premature disclosure of this information would be unreasonable given it contains personal information relating to the applicants which could inadvertently prejudice their future career aspirations and breach any duty of confidentiality owed to them by Council.

2. Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**9.33pm** the Confidential session for Item 20.1 - Appointment of Members to the Brown Hill and Keswick Creeks Stormwater Board closed.

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

## **20.2 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 20.2 - 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 Graham Nitschke

Seconded: Cr Zoi Papafilopoulos

That the recommendation be adopted.

**CARRIED**

**9.34pm** the meeting moved into Confidence and the confidential session commenced.

**Council also resolved that:**

**9.40pm** 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 9.40pm.