

COUNCIL MINUTES

for the meeting held
on Monday, 10 July 2023

in the Council Chambers
72 Woodville Rd, Woodville SA 5011



PRESENT :**Elected Members:**

Mayor - Angela Evans, Councillor - Kenzie van den Nieuwelaar, Councillor - Kelly Thomas, Councillor - George Turelli, Councillor - Merlindie Fardone, Councillor - Senthil Chidambaranathan, Councillor - Nicole Mazeika, Councillor - Peter Ppiros, Councillor - Katriona Kinsella, Councillor - Michael McEwen, Councillor - Rachele Tullio, Councillor - Quin Tran, Councillor - Edgar Agius, Councillor - Stuart Ghent

DATE :

Monday, 10 July 2023 | Time 7:00 PM

VENUE :

Council Chambers

In Attendance :

Acting Chief Executive Officer - Bruce Williams	General Manager Corporate Services - Donna Dunbar
Acting General Manager Asset Management Services - Sam Adams	Manager Urban Projects - Craig Daniel
Manager Governance and Operational Support - Kerrie Jackson	Senior Policy Planner – Jim Gronthos
Governance Officer – Aaron Galanti	

1. COUNCIL OPENING

The meeting commenced at 7 PM.

1.1 OPENING PRAYER

Almighty Father from Whom all goodness flows, grant unto us qualities of wisdom justice and tolerance, that we the civic leaders of this community may govern in harmony and concord.

This we ask in Thy name.

We also remember and give thanks for those, our sons and daughters, who gave their lives for Australia.

Lest we forget.

Niina Marni is Kurna for ' Welcome'. The City of Charles Sturt acknowledges and pays respect to the traditional custodians of the land, the Kurna people of the Adelaide plains. We pay our respect to Elders past, present and emerging. We respect their spiritual beliefs and connections to land which are of continuing importance to the Kurna people of today. We acknowledge the contributions and important role that Aboriginal people continue to play within our local community in Charles Sturt. We also respect the culture of Aboriginal people visiting from other areas of South Australia and Australia.

Leave of the meeting was sought by Mayor Evans to make a short address due to the passing of former Council Member and Freeman John Pinto. Leave was granted.

Moved Councillor - Edgar Agius

Seconded Councillor - Rachele Tullio

Condolence Motion

1. That Council acknowledges the passing of former Council Member and Freeman John Pinto.
2. That Council notes that official condolences have been passed onto his family from the Acting CEO and Mayor in accordance with Council's Civic Recognition and Events Policy.
3. That a copy of the Mayor's statement, on behalf of Council, be included in the minutes.

Carried Unanimously

John Pinto immigrated to Australia from Italy in 1951 and after marrying Teresa in Innisfail North Queensland, moved to South Australia in March 1956.

He always lived in Charles Sturt Council (formerly Woodville City Council) in Croydon, Seaton and now Fulham Gardens. He established a joinery and building company on Findon Road and was in the building industry for 45 years.

John joined the then Woodville Council as Seaton Ward Councillor at the end of 1980 in a by-election with Mayor John Dyer at the helm. During his time on Council, John was a member of numerous organisations involved with helping the local community, including:

- President of the Community Council for Social Development of Hindmarsh and Woodville and later treasurer,
- President of the Italian Catholic Federation and President and
- Foundation member of the Veneto Club.

John was a voluntary community bus driver for the City of Charles Sturt for more than 12 years, helping the elderly and those in nursing homes.

He was a member of several Committees, most of which were connected to town planning, such as the original Development Assessment Panel (DAP).

John was also recognised by his peers for his leadership and wisdom gained through his vast experience in local Government by nomination to the position of member of the State Executive Member of the Local Government Association, he has occupied this position for a number of years.

Our Council had the privilege of working with John for 30 years in his role as Councillor in which he provided leadership and support to his peers and invaluable support to our community. John truly made our community richer, and it was our privilege to be able to recognize this through his position as an Honorary Freeman of our City.

We are incredible saddened to hear of John's passing and he will be a truly missed member of our community.

Vale John Pinto.

1.2 APOLOGIES AND LEAVE OF ABSENCE

Apologies

Councillor - Thomas Scheffler
Councillor - Nicholas Le Lacheur
Councillor - Alice Campbell

Leave of Absence

Nil

2. CONFIRMATION OF MINUTES

2.1 COUNCIL

Brief

Confirmation of the minutes of the previous meeting held on Monday, 26 June 2023.

Moved Councillor - George Turelli

Seconded Councillor - Edgar Agius

Motion

That the minutes of the previous meeting held on Monday, 26 June 2023 be taken as read and confirmed.

Carried Unanimously

2.2 REPORTS OF COMMITTEES - PART I

Nil

3. REPORTS

3.08 MAYORAL REPORT - JUNE 2023

Brief

In line with the Code of Practice for Meeting Procedures, Mayor Evans has provided a report for the month of June 2023, detailing her activities, functions and media interactions in her official capacity.

Moved Councillor - Stuart Ghent

Seconded Councillor - Rachele Tullio

Motion

That the report be received and noted.

Carried Unanimously

3.09 CONFERENCE ATTENDANCE REPORT - 2023 ALGA NATIONAL GENERAL ASSEMBLY - MAYOR EVANS, CR AGIUS, CR CHIDAMBARANATHAN, CR MAZEIKA, CR MCEWEN, AND CR TRAN

Brief

Mayor Evans and Councillors Agius, Chidambaranathan, Mazeika, McEwen, and Tran attended the 2023 ALGA National General Assembly from 13-16 June 2023 and have provided a conference attendance report (refer **Appendix 1**). Mayor Evans has also provided a separate report (**Appendix 2**).

Moved Councillor - Edgar Agius

Seconded Councillor - Quin Tran

Motion

That the reports in Appendices 1 and 2 be received and noted.

Carried Unanimously

4. DEPUTATIONS

4.17 DEPUTATION - WEST LAKES CODE AMENDMENT

Brief

A deputation request was received from Mr Stephen Hammond on behalf of the SA Water Code Amendment Community Resident's Group who is requesting to speak to Council in regards to the West Lakes Code Amendment.

Moved Councillor - Michael McEwen

Seconded Councillor - Edgar Agius

Motion

1. That the deputation be received and noted.
2. That Mr Stephen Hammond be thanked for his presentation and any notes that comply with Council's Code of Practice for Meeting Procedures and the laws of defamation, be included in the Minutes.

Carried Unanimously

‘OUR COMMUNITY MEANS THE WORLD’



Charles Sturt Council 10 July 2023

Waterfront Neighbourhood Zone (& Mixed-Use sub-zone)

- It keeps the character whilst providing for Diverse Housing types
- The mixed-use zone caters for Development up to 3 storeys
- The entire surrounding community is this zone
- This zone is what Council originally envisaged
- It has Affordable Housing options

Waterfront Neighbourhood Zone (& Mixed-Use sub-zone)

Diverse Housing - Affordable Housing - Development to 3 Storeys

A concern of residents and included in the following:

24/10/22 Council Deputation

19/11/22 Written Submission

20/2/23 City Services Committee Deputation

19/6/23 City Services Committee Deputation

26/6/23 Council Deputation

10/7/23 Council Deputation

Waterfront Neighbourhood Zone (& Mixed-Use sub-zone)

Maximum Affordable Housing Price is \$479,550 (1/9/22)

- 1 and 2 bedroom apartments can be built and sold for this price
- Affordable Housing options are possible within this zone



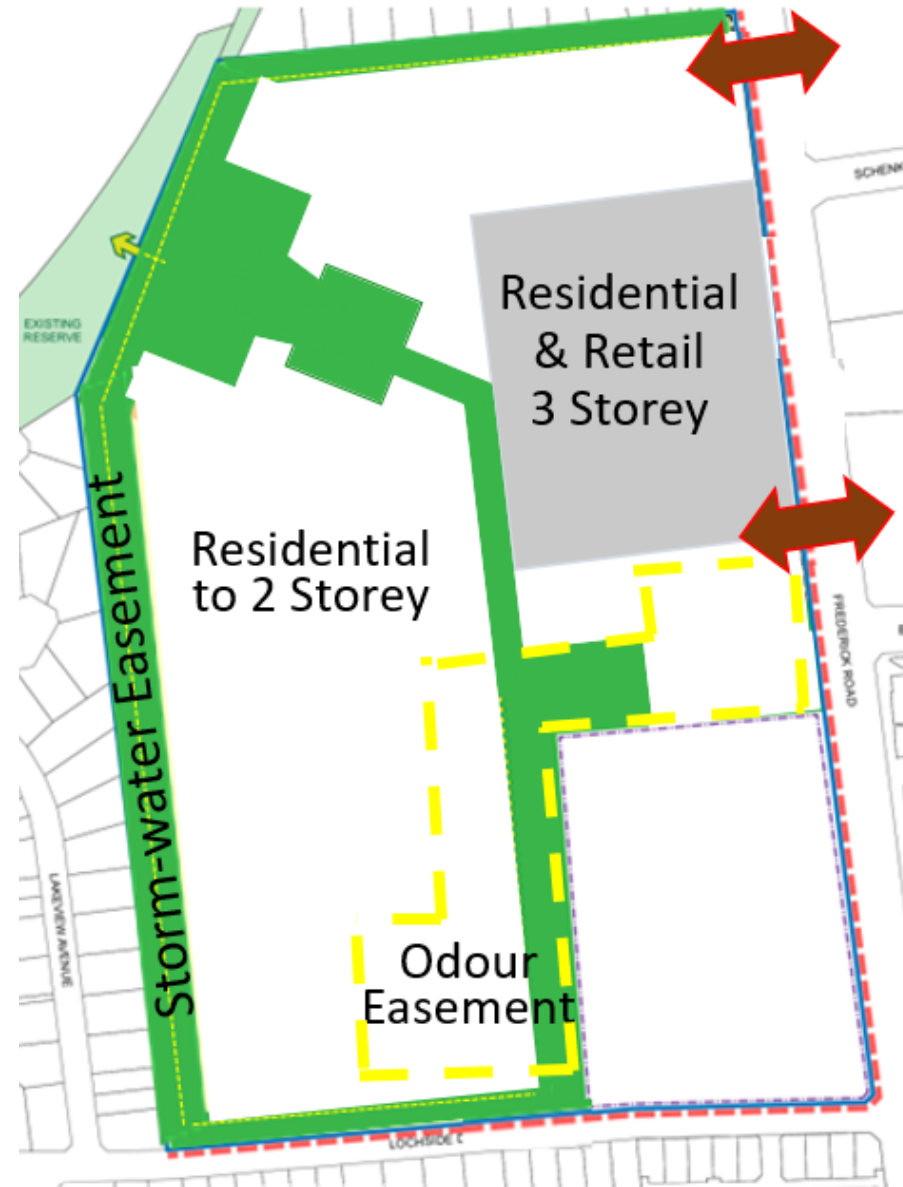
Waterfront Neighbourhood Zone (& Mixed-Use sub-zone)

Diverse Housing Options

- Apartments - Villas - Traditional Homes can be built within this zone
- Diverse Housing Options are possible up to 3 storeys



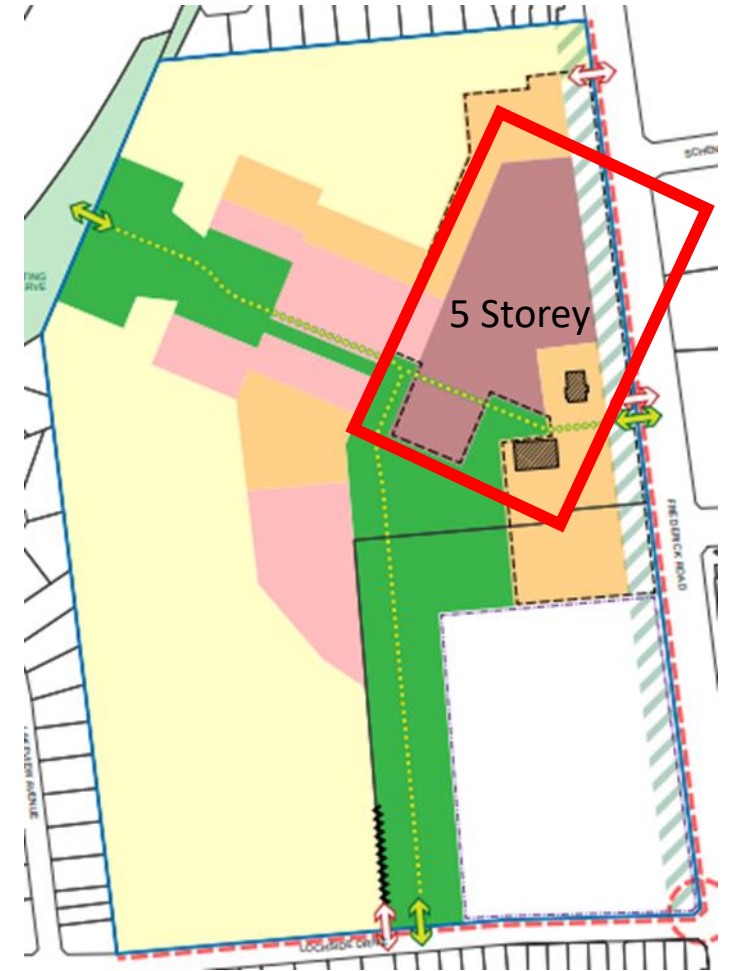
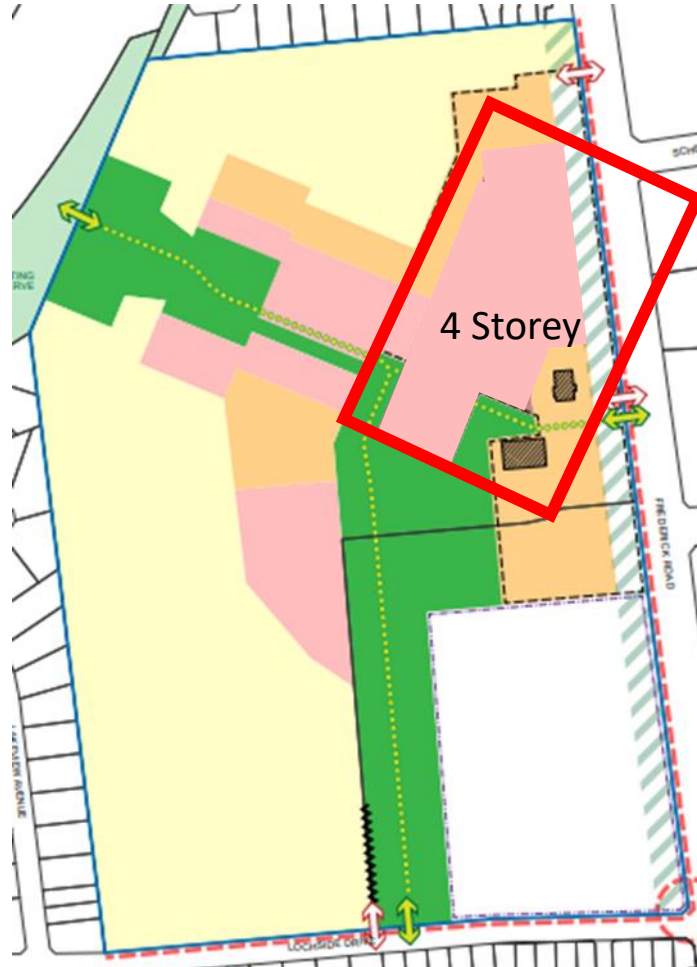
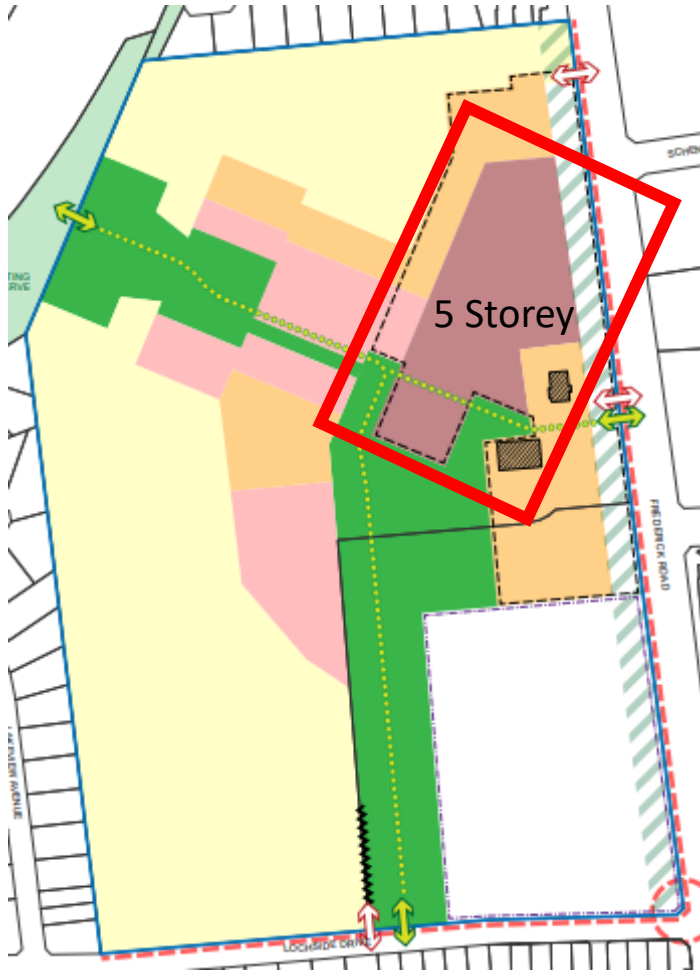
Waterfront Neighbourhood Zone (& Mixed-Use sub-zone)



Council Planner -
Craig Daniels Email (21 October 2022):

We don't include this level of detail in Code Amendment Concept Plans as
things do change ...

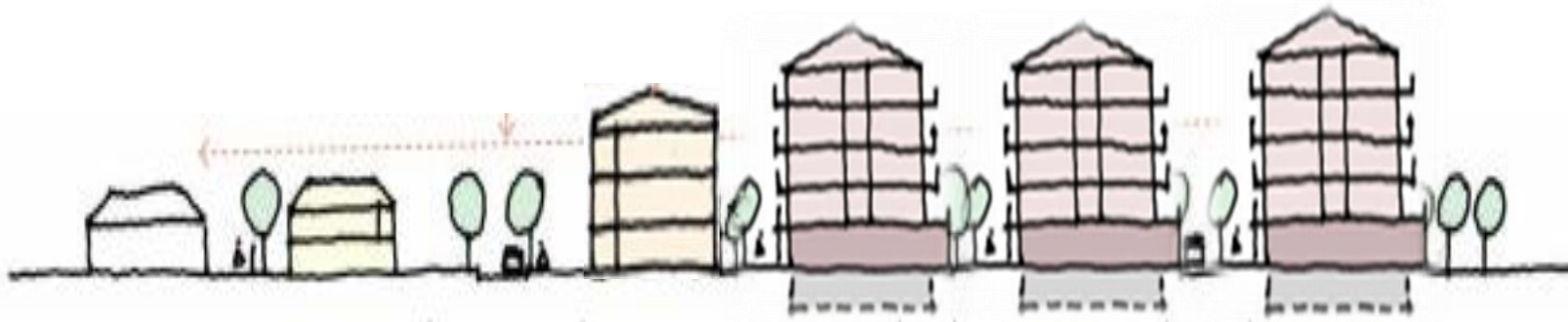
Revised Urban Renewal Zone Concept Plan



A Concept Plan is NOT the Development



Concept
Plan



Likely
Development

Additional Development Area Discovered?



RECOMMENDATION

Concept Plan Option To Be Presented To Council:

- Waterfront Neighbourhood Zone & Mixed-Use sub-zone up to 3 Storeys:

Diverse & Affordable Housing
Retail Premises

- Storm-water Easement (Water-swale):

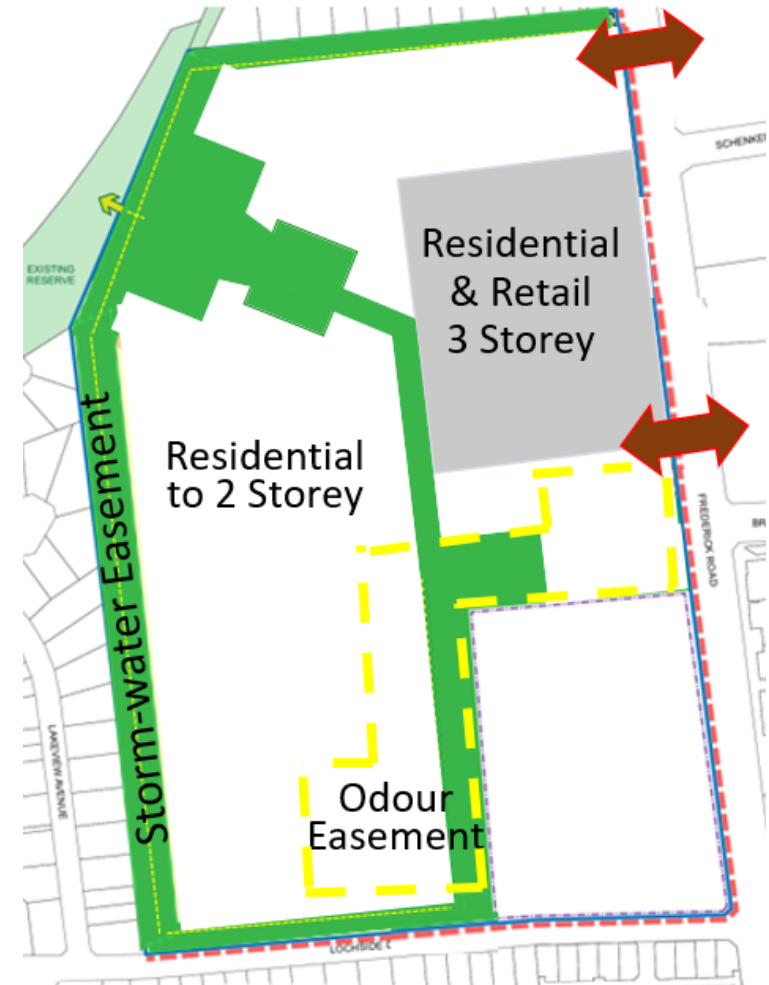
Habitat for Cockatoos
Prevention of the Dangerous 'Retainer Wall Plan'

- Odour Easement:

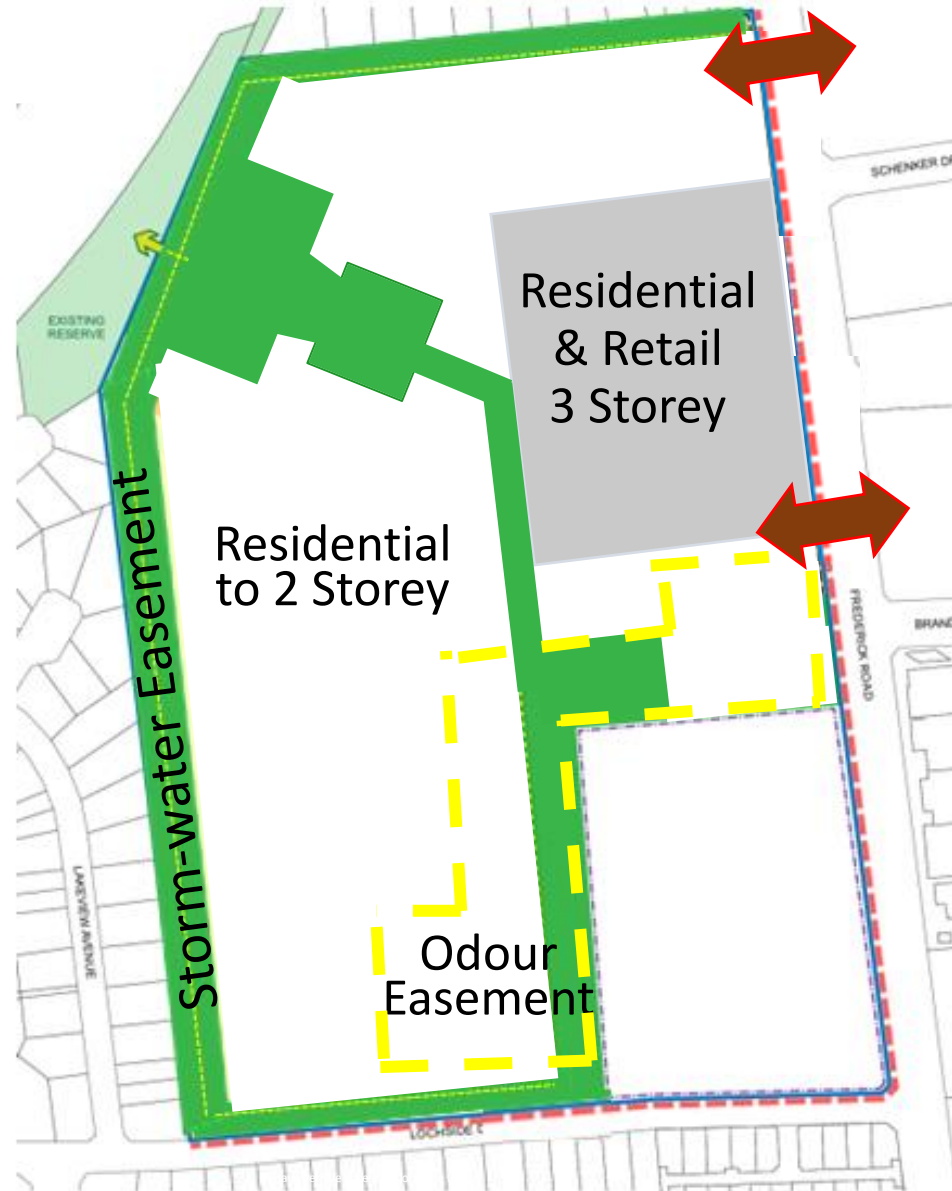
Removes raw sewage smell from residents

- No traffic access to Lochside Drive:

Reduced number of residents won't require this access



WATERFRONT NEIGHBOURHOOD ZONE



COUNCIL PRESENTATION – 10 JULY 2023

Thankyou for the opportunity to speak to you this evening.

'Our Community Means The World' rang true last month when you voted not to proceed with the Developer's Concept Plan.

Tonight you are being asked to vote for some more development options to be presented to you or terminate the entire process.

If you vote for more development options, we would like you to instruct the Council Planners to present the Community's Plan as one of the Options back to you: **Powerpoint**

Waterfront Neighbourhood Zone (& Mixed-Use sub-zone)

- It keeps the character whilst also **providing for diverse housing types**.
- The mixed-use zone caters for **development up to 3 storey's**.
- The entire **surrounding community is this same zone**.
- It is **what Council originally envisaged**.
- It will have **Affordable Housing options**.

Powerpoint The community has always cared about Housing supply, diversity and affordability.

Tonight is the 6th time we have presented this Option to you both in Powerpoint presentations and verbal submissions. The community's Concept Plan allows for Diverse housing, Affordable housing and development up to 3 storey's.

Powerpoint The Maximum Affordable Housing Price is \$479,550. 1 and 2 bedroom apartments can be built and sold for this price within the Waterfront Neighbourhood zone.

Powerpoint Apartments - Villas and Traditional Homes can be built within this zone and therefore Diverse Housing Options are possible up to 3 storeys.

Powerpoint This is a Concept Plan of how the Waterfront Neighbourhood zone could look:

- Two road access to Frederick Road (not Lochside Drive)
- A storm-water Easement
- An Odour Easement so new residents don't smell raw sewage
- And development up to 3 storey's,

As the WACRA Deputee told you last meeting:

The climate predictions are dire and we can't just keep destroying nature that takes decades to re-establish elsewhere.

The proposed 20% Open-space has to increase, and the Community's Concept Plan goes some way to retain more of the biodiversity.

We want a development not only for the current generation but one that enhances the lives of future generations.

Powerpoint remember that Concept Plans do change as evidenced by this email that was sent to me.

Powerpoint Changing this Concept Plan of 5 storeys **Powerpoint** to 4 storey's means you can still end up with **Powerpoint** 5 storey's

So, if Council Planners present the same type of Concept Plan back to you, that only has 4 storey's, trying to show they are reducing building heights, its could just be smoke and mirrors, it will possibly change back to 5 storey's.

Powerpoint Because Concept Plans do change, it is almost certain that the development will not look like this.

Powerpoint This is the likely development that will result.

The changes will be approved without you even knowing, as advised to you last meeting by Council Staff!

An elected member told me that after she voted to approve a Concept Plan, the resultant development showed no resemblance to what was actually in the Plan.

Powerpoint These images depict a section of the current SA Water Pump station that is proposed to be re-zoned in the most recent Engagement Report presented to you.

This was originally promoted as a community solar farm. It is now zoned to allow buildings up to 8 metres in height for reasons unknown to us. If housing can be built in this area, it will further increase the traffic issues on Lochside Drive.

I would like to request an elected member to enquire as to why this area is being proposed to be re-zoned and could it be changed to a residential area in the future?

In Summary:

Powerpoint We would like this Concept Plan to be an Option that Council Planners present back to you.

Waterfront Neighbourhood Zone & Mixed-Use sub-zone up to 3 Storeys:

- Diverse & Affordable Housing

- Retail Premises

Storm-water Easement (Water-swale):

- Habitat for Cockatoos

- Prevention of the Dangerous 'Retainer Wall Plan'

Odour Easement:

- Removes raw sewage smell from residents

No traffic access to Lochside Drive:

- Reduced number of residents won't require this access

Stephen Hammond

SA Water Code Amendment Community Resident's Group (SWCACRG)



5. PETITIONS

Nil

6. BUSINESS

6.70 WEST LAKES RESIDENTIAL AND COMMERCIAL CODE AMENDMENT (PRIVATELY FUNDED) - OPTIONS TO PROGRESS COUNCIL'S RESOLUTION

Brief

Council, at its meeting of 26 June 2023 resolved to receive a report regarding the options available to Council for the potential rezoning of the former SA Water site (CL 26/06/23, Item 2.2.2-4.16). The resolution also requested advice on the preparation of a Fauna and Flora Biodiversity Study. This report provides advice on the various options for the rezoning to be pursued and how a flora and fauna biodiversity study relates to those options.

Moved Councillor - Stuart Ghent

Seconded Councillor - George Turelli

Suspension of Proceedings - (7.33 PM)

That Council suspend the operation of Division 2 of the Local Government (Procedures at Meetings) Regulations 2013 to facilitate informal discussions in relation to a proposed motion for Item 6.70 for a period of 20 minutes.

Carried Unanimously

Moved Councillor - Katriona Kinsella

Seconded Councillor - Quin Tran

Extension of Suspension of Proceedings - (7.53 PM)

That Council extend the suspension of the operation of Division 2 of the Local Government (Procedures at Meetings) Regulations 2013 to facilitate informal discussions in relation to a proposed motion for Item 6.70 for an additional 15 minutes.

Carried Unanimously

Moved Councillor - Kelly Thomas

Seconded Councillor - Edgar Agius

Resumption of Proceedings - (8.05 PM)

That the period of suspension be brought to an end.

Carried Unanimously

Moved Councillor - Nicole Mazeika

Seconded Councillor - Stuart Ghent

Motion

That a further report be presented to City Services Committee, including a revised Code Amendment and Concept Plan that seeks to address the key Council concerns as identified in the body of this report, including but not limited to a reduction in maximum built form from 5 storeys to 4 storeys, reduction in dwelling yield, any relevant recommendations that may arise from the Flora and Fauna Biodiversity Study and that a further option of rezoning the entire site to Waterfront Development Zone be included in the report.

Carried Unanimously

6.71 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW PANEL - APPOINTMENT OF ADDITIONAL MEMBER

Brief

For Council to consider an additional member for the Chief Executive Officer Performance Review Panel.

Councillor - Nicole Mazeika left the meeting at 8.15 PM

Moved Councillor - Michael McEwen

Motion

That Council appointment Councillor Michael McEwen as a fourth member to the Chief Executive Officer (CEO) Performance Review Panel.

Councillor - Nicole Mazeika entered the meeting at 8.17 PM

Seconded Councillor - Edgar Agius

Carried Unanimously

6.72 LOCAL GOVERNMENT FINANCE AUTHORITY OF SOUTH AUSTRALIA ANNUAL GENERAL MEETING 26 OCTOBER 2023 - COUNCIL REPRESENTATIVE AND NOTICES OF MOTION

Brief

To advise Council Members of the 2023 Local Government Finance Authority of South Australia (LGFA) Annual General Meeting to be held on Thursday 26 October 2023.

Councillor - Katriona Kinsella left the meeting at 8.22 PM.

Moved Councillor - George Turelli

Seconded Councillor - Stuart Ghent

Motion

1. That Council notes the arrangements for the Annual General Meeting of the Local Government Finance Authority of South Australia (LGFA) to be held on Thursday 26 October 2023.
2. That Council appoints Mayor Evans as its representative for the 2023 LGFA Annual General Meeting.
3. That if any member of Council wishes to place a Notice of Motion on the agenda for the 2023 LGFA Annual General Meeting, a draft Notice of Motion must be submitted to the Chief Executive by Tuesday 1 August 2023.

Carried Unanimously

6.73 REVIEW OF CONFIDENTIAL ORDERS

Brief

To conduct a review of items from Council and Committee meetings that remain under a confidentiality order.

Moved Councillor - Stuart Ghent

Seconded Councillor - George Turelli

Motion

1. That having read and considered the remaining Confidential Orders, the following recommendations are endorsed:
 - 1.1 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on the report and appendices of this item of COUNCIL – 11.09 LOCAL RESPONSE TO CHINESE NATIONAL SWORD from 26/08/2019 be kept confidential for a period of five years, based on the 'Reasoning' in Appendix 1.

- 1.2 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on Appendix A contained within Appendix B of this item of COUNCIL – 11.02 CENTRAL ADELAIDE WASTE AND RECYCLING AUTHORITY AND MATERIALS RECOVERY FACILITY UPDATE from 09/06/2020 be kept confidential for a further 12 months (June 2024) as requested by the CAWRA Chief Executive Officer, based on the ‘Reasoning’ in Appendix 1.
- 1.3 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on Appendix A of this item of COUNCIL – 11.04 MATERIALS RECOVERY FACILITY - PRUDENTIAL REPORT AND GRANT FUNDING UPDATE from 13/07/2020 that Appendix A be kept confidential for a period of five years due to the commercially sensitive information contained within, noting confidentiality reviews are undertaken quarterly. And that in any event, the item remain in confidence until such time as the City of Port Adelaide Enfield has made its decision and that if the decision varies from the City of Charles Sturt, a further report to be presented to Council to enable an alternative to be put in place, based on the ‘Reasoning’ in Appendix 1.
- 1.4 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on the report, minutes and Appendix A of this item of COUNCIL – 11.05 AGENT ENGAGEMENT AND INCOME ESTIMATES REGARDING DISPOSAL OF 318 SEAVIEW ROAD, HENLEY BEACH from 10/08/2020 be kept confidential until such time as the property is settled following sale, based on the ‘Reasoning’ in Appendix 1.
- 1.5 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendices and minutes of this item of COUNCIL - 11.01 PROPOSAL FOR SALE - PORTION OF 111A WOODVILLE ROAD, ST CLAIR from 24/05/2021 be kept confidential until all conveyancing transactions to transfer ownership have been finalised and new ownership title issued, based on the ‘Reasoning’ in Appendix 1.
- 1.6 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendices and minutes of this item of CORPORATE SERVICES - 9.01 CAWRA - DRAFT ANNUAL BUDGET 2021/22 from 7/06/2021 and COUNCIL - 12-9.01 CAWRA - DRAFT ANNUAL BUDGET 2021/22 from 15/06/2021 be kept confidential until June 2024 at the request of the CAWRA Board as it contains commercially sensitive information, based on the ‘Reasoning’ in Appendix 1.
- 1.7 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on the report, and minutes of this item of COUNCIL - 11.03 LEGAL ACTION - PRE-ACTION RESPONSE from 12/07/2021 be kept confidential until the conclusion of any legal action, based on the ‘Reasoning’ in Appendix 1.
- 1.8 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on the report, and minutes of this item of AUDIT - 9.02 LEGAL ACTION - PRE-ACTION RESPONSE from 20/07/2021 and COUNCIL - 12-9.02 LEGAL ACTION - PRE-ACTION RESPONSE from 26/07/2021 be kept confidential until the conclusion of any legal action, based on the ‘Reasoning’ in Appendix 1.

- 1.9 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendices and minutes of this item of COUNCIL - 11.05 PROPOSAL FOR SALE - PORTION OF 111A WOODVILLE ROAD ST CLAIR from 23/08/2021 be kept confidential until all conveyancing transactions to transfer ownership have been finalised and new ownership title issued, based on the 'Reasoning' in Appendix 1.
- 1.10 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendices and minutes of this item of COUNCIL - 11.07 VALUATION OF 67-85 WOODVILLE ROAD from 27/09/2021 be kept confidential until such time as the property is settled following sale, based on the 'Reasoning' in Appendix 1.
- 1.11 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendices and minutes of this item of COUNCIL - 11.09 LEGAL ACTION RELATED TO THIRD PARTY ADVICE IN REGARDS TO LOCAL GOVERNMENT JOINT ELECTRICITY CONTRACT from 25/10/2021, AUDIT - 9.04 LEGAL ACTION RELATED TO THIRD PARTY ADVICE IN REGARDS TO LOCAL GOVERNMENT JOINT ELECTRICITY CONTRACT from 26/10/2021, and COUNCIL - 12-9.04 LEGAL ACTION RELATED TO THIRD PARTY ADVICE IN REGARDS TO LOCAL GOVERNMENT JOINT ELECTRICITY CONTRACT from 8/11/2021 be kept confidential until the dispute is resolved and appeal rights exhausted, based on the 'Reasoning' in Appendix 1.
- 1.12 That Council hereby orders in accordance with Section 91 (7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendices and minutes of this item of COUNCIL - 11.01 PROGRESSING THE POSSIBLE SALE OF 67-85 WOODVILLE ROAD - EXPRESSION OF INTEREST UPDATE from 28/02/2022 be kept confidential until such time as the property is settled following sale, based on the 'Reasoning' in Appendix 1.
- 1.13 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report, minutes and appendices of this item of COUNCIL - 11.04 VALUATIONS AND PRUDENTIAL REPORT - FUTURE OF HENLEY LIBRARY, COMMUNITY CENTRE AND HENLEY DEPOT from 14/06/2022 be kept confidential until such time as all the property disposals have been settled following sale, based on the 'Reasoning' in Appendix 1.
- 1.14 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report and appendices of this item of COUNCIL - 11.05 CAWRA - DRAFT ANNUAL BUDGET 2022/23 from 14/06/2022 be kept confidential until June 2027 at the request of the CAWRA Board as it contains commercially sensitive information relevant to current and future contractual negotiations, based on the 'Reasoning' in Appendix 1.
- 1.15 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report and minutes of this item of COUNCIL - 11.07 CENTRAL ADELAIDE WASTE AND RECYCLING AUTHORITY UPDATE REPORT from 11/07/2022 be kept confidential for 5 years, based on the 'Reasoning' in Appendix 1.

- 1.16 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendices and minutes of this item of COUNCIL - 11.08 WEST BEACH SURF LIFE SAVING CLUB from 25/07/2022 be kept confidential until the redevelopment of the West Beach Surf Life Saving Club has been completed, based on the 'Reasoning' in Appendix 1.
- 1.17 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report and minutes of this item of COUNCIL - 11.09 ADDITIONAL T1 GROUNDWATER LICENSES OPPORTUNITY from 25/07/2022 be kept confidential until the finalisation of the procurement process for the groundwater licence formerly utilised by the West End Brewery site, based on the 'Reasoning' in Appendix 1.
- 1.18 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendices and minutes of this item of CITY SERVICES COMMITTEE - 9.01 CONFIDENTIAL PRESENTATION - CODE AMENDMENT - POLICY CONSIDERATIONS POST ENGAGEMENT - ALBERT PARK - KIDMAN PARK - WEST LAKES from 18/07/2022 and COUNCIL - 12-9.01 CONFIDENTIAL PRESENTATION - CODE AMENDMENT - POLICY CONSIDERATIONS POST ENGAGEMENT - ALBERT PARK - KIDMAN PARK - WEST LAKES from 25/07/2022 be kept confidential until the conclusion of the code amendment process, at the request of the proponents as it contains commercially sensitive information relevant to current and future contractual negotiations, based on the 'Reasoning' in Appendix 1.
- 1.19 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendices and minutes of this item of COUNCIL - 11.10 REQUEST TO OBTAIN LEGAL ADVICE from 8/08/2022 be kept confidential until the conclusion of the investigation, based on the 'Reasoning' in Appendix 1.
- 1.20 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendices and minutes of this item of COUNCIL - 11.13 LEGAL ACTION RELATED TO THIRD PARTY ADVICE IN REGARDS TO LOCAL GOVERNMENT JOINT ELECTRICITY CONTRACT from 22/08/2022 be kept confidential until the dispute is resolved and appeal rights exhausted, based on the 'Reasoning' in Appendix 1.
- 1.21 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report and minutes of this item of COUNCIL - 11.14 ADDITIONAL T1 GROUNDWATER LICENSES OPPORTUNITY STAGE 2 from 12/09/2022 be kept confidential until the finalisation of the procurement process for the groundwater licence formerly utilised by the West End Brewery site, based on the 'Reasoning' in Appendix 1.
- 1.22 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendix and minutes of this item of COUNCIL - 11.02 CHIEF EXECUTIVE OFFICER PRESENTATION FOR PERFORMANCE REVIEW 2022/23 from 08/05/2023 be kept confidential until after the final review report is brought back to Council at the meeting of Monday, 28 August 2023, based on the 'Reasoning' in Appendix 1.

- 1.23 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report, appendix and minutes of this item of COUNCIL - 11.03 CAWRA - DRAFT ANNUAL BUDGET 2023/24 from 22/05/2023 be kept confidential for a period of five (5) years, based on the 'Reasoning' in Appendix 1.
- 1.24 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the appendix of this item of AUDIT - 9.01 INTERNAL AUDIT REPORT - CYBER SECURITY from 29/05/2023 be kept confidential until all internal audit findings have been addressed in line with the agreed management actions contained within the report, based on the 'Reasoning' in Appendix 1.
- 1.25 That Council hereby orders in accordance with Section 91(7) of the Local Government Act 1999 that the existing confidentiality order on the report, Appendix 2 and minutes of this item of COUNCIL - 11.04 PRUDENTIAL REVIEW - DIGITAL FUTURE PROGRAM from 13/06/2023 be kept confidential until Council's position has been determined and all associated contracts and arrangements executed, based on the 'Reasoning' in Appendix 1.

Carried

6.74 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR CHIDAMBARANATHAN

Brief

A request has been received from Councillor Chidambaranathan formally seeking leave of absence from attending the Council and Committee meetings for a period commencing Friday 14 July 2023, and concluding on Friday 4 August 2023.

Moved Councillor - Edgar Agius

Seconded Councillor - Stuart Ghent

Motion

That leave of absence is granted to Councillor Chidambaranathan from Friday 14 July 2023 to Friday 4 August 2023, with the flexibility to amend the leave of absence to attend Council and Committee meetings if his circumstances change.

Carried Unanimously

Councillor - Katriona Kinsella entered the meeting at 8.24 PM.

6.75 DISCRETIONARY WARD ALLOWANCE – CONSIDERATION OF APPLICATIONS**Brief**

Discretionary Ward Allowance grants are available to eligible, not for profit individuals, groups and organisations which are seeking funding support for programs, projects and activities that benefit the local community. This report is for Council to consider new applications that have been received and assessed.

Leave of the meeting was sought to consider the parts to Item 6.75 individually. Leave was granted.

Moved Councillor - George Turelli

Seconded Councillor - Peter Ppiros

Motion

1. That the Discretionary Ward Allowance application for Volleyball SA for \$2,999.00 (ex GST) be approved from Findon Ward.

Carried Unanimously

Moved Councillor - Quin Tran

Seconded Councillor - Senthil Chidambaranathan

Motion

2. That the Discretionary Ward Allowance application for Club of Donauschwaben of SA for \$5,000.00 (no GST) be deferred for a third quote to be obtained.

Carried Unanimously

General Declaration of Interest

Councillor - Rachele Tullio declared a general conflict of interest pursuant to section 75B of the Local Government Act for Item 6.75 – part 3. The nature of Councillor - Rachele Tullio's general conflict is that her mother-in-law is a resident at Bene, Residential Care who would be a recipient of hairdressing benefits by having her hair done regularly at Bene. Councillor - Rachele Tullio dealt with the conflict of interest in the following transparent and accountable way and remained in the meeting but did not vote on the matter.

Moved Councillor - Senthil Chidambaranathan

Seconded Councillor - Edgar Agius

Motion

3. That the Discretionary Ward Allowance application for the Italian Benevolent Foundation (Bene Aged Care) for \$4,992.85 (ex GST) be approved from Woodville Ward and supported 50/50 with Beverley Ward.

Carried Unanimously

Moved Councillor - Kelly Thomas **Seconded** Councillor - Kenzie van den Nieuwelaar

Motion

- 4. That the Discretionary Ward Allowance application for Madonna Dei Martiri Molfetta Club Inc for \$2,500.00 (no GST) be approved from West Woodville Ward.**

Carried

Division called by Mayor - Angela Evans

Voters	For	Against	Not Vote
Councillor - Edgar Agius	X		
Councillor - George Turelli	X		
Councillor - Katriona Kinsella		X	
Councillor - Kelly Thomas	X		
Councillor - Kenzie van den Nieuwelaar	X		
Councillor - Merlindie Fardone	X		
Councillor - Michael McEwen		X	
Councillor - Nicole Mazeika		X	
Councillor - Peter Ppiros		X	
Councillor - Quin Tran	X		
Councillor - Rachele Tullio		X	
Councillor - Senthil Chidambaranathan	X		
Councillor - Stuart Ghent		X	
Mayor - Angela Evans			X

The motion to Item 6.75 – part 4 was Carried

Moved Councillor - Kelly Thomas **Seconded** Councillor - George Turelli

Motion

- 5. That the Discretionary Ward Allowance application for Italian Home Delivered Meals and Service Inc for \$2,500.00 (ex GST) be approved from West Woodville Ward.**

General Declaration of Interest

Councillor - Nicole Mazeika declared a general conflict of interest pursuant to section 75B of the Local Government Act for Item 6.75 – part 5. The nature of Councillor - Nicole Mazeika's general conflict is that she has volunteered in the past for this organisation. Councillor - Nicole Mazeika dealt with the conflict of interest in the following transparent and accountable way and remained in the meeting.

Councillor – Nicole Mazeika voted against the motion to Item 6.75 – part 5.

Carried

General Declaration of Interest

Councillor - Katriona Kinsella declared a general conflict of interest pursuant to section 75B of the Local Government Act for Item 6.75 – part 6. The nature of Councillor - Katriona Kinsella's general conflict is due to a family member having a social association with a SA Circus Centre staff person. Councillor - Katriona Kinsella dealt with the conflict of interest in the following transparent and accountable way and remained in the meeting.

Moved Councillor - Katriona Kinsella**Seconded** Councillor - Stuart Ghent**Motion**

6. That the Discretionary Ward Allowance application for SA Circus Centre (Cirkidz Inc) for \$5,000.00 (ex GST) be approved from Hindmarsh Ward.

Carried Unanimously**Moved** Councillor - Katriona Kinsella**Seconded** Councillor - Michael McEwen**Motion**

7. That the Discretionary Ward Allowance application for West Croydon and Kilkenny RSL for \$5,000.00 (no GST) be approved from Hindmarsh Ward.

Carried Unanimously**Moved** Councillor - Katriona Kinsella**Seconded** Councillor - Stuart Ghent**Motion**

8. That the Discretionary Ward Allowance application for Sustainable Communities SA Inc (Bowden Brompton Repair Cafe) for \$3,237.86 be approved from Hindmarsh Ward.

Carried Unanimously**7. MOTIONS ON NOTICE**

Nil

8. QUESTIONS ON NOTICE

Nil

9. MOTIONS WITHOUT NOTICE

[As previously identified and agreed by the Presiding Member]

Nil

10. QUESTIONS WITHOUT NOTICE

Nil

11. BUSINESS - PART 11 - CONFIDENTIAL ITEMS

Nil

12. REPORTS OF COMMITTEES - PART 11 - CONFIDENTIAL ITEMS

Nil

13. MEETING CLOSURE

The meeting concluded at 8.46 PM.