



COUNCIL MINUTES

for the meeting

Tuesday 14 December 2021

in the Council Chamber,
Adelaide Town Hall



Present - The Right Honourable the Lord Mayor, Sandy Verschoor (Presiding)
Deputy Lord Mayor (Councillor Abrahamzadeh)
Councillors Couros, Donovan, Hou, Hyde, Khera, Knoll, Mackie, Martin, Moran and Snape.

Acknowledgement of Country

At the opening of the Council Meeting, the Lord Mayor stated:

'Council acknowledges that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.'

Acknowledgement of Colonel William Light

The Lord Mayor stated:

'The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia's planning heritage.'

Prayer

Upon the completion of the Acknowledgement of Colonel Light by the Lord Mayor, the Chief Executive Officer asked all present to pray -

'Almighty God, we ask your blessing upon the works of the City of Adelaide. direct and prosper its deliberations to the advancement of your glory and the true welfare of the people of this City. Amen'

Memorial Silence

The Lord Mayor asked all present stand in silence in memory of those who gave their lives in defence of their Country, at sea, on land and in the air.

Apologies and Leave of Absence

Nil

Confirmation of Minutes

1. Item 6 - Confirmation of Minutes – 9/11/2021, 16/11/2021, 25/11/2021 & 30/11/2021 [C]

Moved by Councillor Mackie,
Seconded by Councillor Abrahamzadeh –

That the Minutes of the meeting of the Council held on 9 November 2021, and the Special meetings of the Council held on 16 November 2021, 25 November 2021 and 30 November 2021, be taken as read and be confirmed as an accurate record of proceedings.

Carried

Deputations

2. Item 7 - Deputation – Mr James Katsaros – 89 - 94 Brougham Place Redevelopment [C]

Mr Katsaros addressed the Council to:

- Speak in support of the development at 89-94 Brougham Place
- Table information relating to his deputation

During the presentation, Councillor Khera left the Council Chamber and re-entered at 5.36pm.

The Lord Mayor thanked Mr Katsaros for his deputation.

The tabled information is attached for reference at the end of the Minutes of this meeting.

3. Item 7 - Deputation – Mr Ian Vagg – 89-94 Brougham Place Redevelopment [C]

Mr Vagg addressed the Council to:

- Speak in support of retention of the heritage place included in the 89-94 Brougham Place Redevelopment
- Table information

The Lord Mayor thanked Mr Vagg for his deputation.

The tabled information is attached for reference at the end of the Minutes of this meeting.

4. Item 7 - Deputation – Mr Chris Harris - 89-94 Brougham Place Redevelopment [C]

Mr Harris addressed the Council to:

- Speak regarding the development at 89-94 Brougham Place.

The Lord Mayor thanked Mr Harris for his deputation.

Adoption of Items

5. Adoption of Items 9.1, 9.2, 9.3, 10.1, 10.3, 10.6, 10.8, 10.9, 10.11, 10.12, 10.15, 10.16, 10.17, 10.18 [C]

Discussion ensued

It was then -

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Knoll –

‘That the following Items 9.1, 9.2, 9.3, 10.1, 10.3, 10.6, 10.8, 10.9, 10.11, 10.12, 10.15, 10.16, 10.17, 10.18 be adopted as presented, namely -

Item 9.1 - Advice of the Adelaide Park Lands Authority – 25 November 2021 [2018/04062] [C]

THAT COUNCIL NOTES THE FOLLOWING ADVICE OF THE ADELAIDE PARK LANDS AUTHORITY:

1. Advice 1 – Community Garden Mary Lee Park (Park 27b)

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Notes that an Expression of Interest (EOI) process will not be undertaken. The Park Lands Leasing and Licensing Policy allows for an exemption to occur in exceptional circumstances.
2. Supports Council entering into licence negotiations for a five-year agreement with the Park Terrace Community Garden Inc, for the Community Garden and associated facilities within Mary Lee Park (Park 27b).
3. Supports the installation of a visually permeable, living green fence surrounding the Community Garden with final design to be reviewed by APLA.
4. Supports the continued use of the Shipping Container as an ancillary storage option for the Community Garden.

2. Advice 2 – Park Lands Community Land Management Plan – General Provisions

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Notes the community engagement findings for the draft General Provisions of the Adelaide Park Lands Community Land Management, included as Attachment A to Item 5.1 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 25 November 2021.
2. Supports the revised draft General Provisions of the Adelaide Park Lands Community Land Management Plan (which takes into consideration the community engagement feedback), included as Attachment B to Item 5.1 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 25 November 2021 which, based on community engagement findings, includes the following changes:
 - 2.1. Change all areas designated ‘limited off-leash’ to ‘off leash at all times’ as shown in the Dog Management Map as shown in Appendix D of the General Provisions.
 - 2.2. Reduce the extent of the ‘on leash at all times’ section of Victoria Park /Pakapakanthi (Park 16) to the area east of the Criterium Track and north of the central path as shown in Appendix D of the General Provisions.
 - 2.3. Expand the ‘off-leash at all times’ section of Victoria Park /Pakapakanthi (Park 16) to include the section west of the Criterium Track and north of the Central Path as shown in Appendix D of the General Provisions.

3. **Advice 3** – Brownhill Keswick Creek Stormwater Project

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Notes the changes to the design for Blue Gum Park/Kurangga (Park 20) and the efforts undertaken to retain two regulated trees.
2. Supports the alternative design, including the net increase of 11 unregulated tree removals as detailed in Attachment A to Item 5.3 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 25 November 2021.
3. Notes the requirement to prune 23 trees to facilitate the construction works, none of which will exceed 30% of the tree mass.
4. Notes the proposed planting of over 120 trees in Victoria Park / Pakapakanthi (Park 16) and at least 40 in Blue Gum Park / Kurangga (Park 20) as part of the project plus additional trees where possible.

Item 9.2 - Recommendation of the Reconciliation Committee – 1 December 2021 [2018/04062] [C]

1. **Recommendation 1** - 2021 – 2024 Stretch Rap Quarterly Update

That Council:

1. Notes the report.

Item 9.3 - Report of the Chief Executive Officer Performance Review Committee – 30 November 2021 [2018/04062] [C]

THAT COUNCIL

1. Notes the report of the Special meeting of the Chief Executive Officer Performance Review Committee held on 30 November 2021.

Item 10.1 - Community Garden Mary Lee Park (Park 27b) Presented to Committee on 7/12/2021 [C]

THAT COUNCIL

1. Notes that an Expression of Interest (EOI) process will not be undertaken. The Park Lands Leasing and Licensing Policy allows for an exemption to occur in exceptional circumstances.
2. Authorises the Chief Executive Officer to enter into licence negotiations for a five-year agreement with the Park Terrace Community Garden Inc (PTCG), for the Community Garden and associated facilities within Mary Lee Park (Park 27b).
3. Approves the installation of a visually permeable, living green fence surrounding the Community Garden, with the cost of the fence, once determined, to be met by the PTCG.
4. Approves the continued use of the Shipping Container as an ancillary storage option for the Community Garden.

Item 10.3 - Partial Road Closure of Solomon Street [2021/00966] Presented to Committee on 7/12/2021 [C]

THAT COUNCIL

1. Notes the results of the public consultation for the proposed closure as shown in Attachment A to Item 10.3 on the Agenda for the meeting of the Council held on 14 December 2021.
2. Approves the installation of a Shared Use zone along Solomon Street, Adelaide ('the Road'), between Rosina Street and Burnett Street as supported by the Department of Infrastructure and Transport.
3. Notes we will notify the following of the Council decision to implement a Shared Use zone in place of a permanent road closure:
 - 3.1. Emergency Services.
 - 3.2. Respondents to the public consultation.
4. Notes the Chief Executive Officer will, after observing any relevant requirements of the Road Traffic Act 1961, cause to be erected, installed, operated maintained and removed, on behalf of Council, any traffic control device necessary to give effect to the Shared Use zone.

Item 10.6 - Quarterly Forward Procurement Report Q3 2021/22 [2021/00122] Presented to Committee on 7/12/2021 [C]

THAT COUNCIL

1. Notes the Procurements set out in Attachment A to Item 10.6 on the Agenda for the meeting of the Council held on 14 December 2021, which will be released to the market during Quarter 3 of the 2021/2022 financial year.

Item 10.8 - Arts & Cultural Grants 2021-22 [2021/01863] Presented to Committee on 7/12/2021 [C]

THAT COUNCIL

1. Approves the continuation of multi-year funding for the Artistic Development category, up to \$20,000 over three years, through the Arts and Cultural Grants program from 1 July 2022.
2. Approves a new Arts and Cultural Grant category to celebrate and showcase Aboriginal and Torres Strait Islander creative experiences and cultural protocols across the city, with an allocation of \$50,000 to be considered as part of the 2022-23 Business Plan and Budget.
3. Notes the 2021-22 round one Arts and Cultural Grants allocations under \$10,000, as approved under Chief Executive Officer delegation, in Attachment A to Item 10.8 on the Agenda for the meeting of the Council held on 14 December 2021.
4. Notes the complete 2020-21 Arts and Cultural Grants allocations, from last year, all under \$10,000 and approved under Chief Executive Officer delegation, in Attachment B to Item 10.8 on the Agenda for the meeting of the Council held on 14 December 2021.

Item 10.9 - Heritage Incentives Scheme Allocation over \$50,000 [HIS/33/2021, HIS/46/2021 & HIS/74/2021] Presented to Committee on 7/12/2021 [C]

THAT COUNCIL

1. Approves an allocation of \$74,700 for conservation works to 17 Royal Avenue, Adelaide as contained in Attachment A to Item 10.9 on the agenda for the meeting of the Council held on 14 December 2021 in accordance with the Heritage Incentives Scheme Operating Guidelines.
2. Approves an allocation of \$84,425 for conservation works to the Saracen's Head Hotel, 82 – 90 Carrington Street, Adelaide as contained in Attachment B to Item 10.9 on the Agenda for the meeting of the Council held on 14 December 2021 in accordance with the Heritage Incentives Scheme Operating Guidelines.
3. Approves an allocation of \$101,121 for conservation works to the façade and front fence to 302 North Terrace, Adelaide as contained in Attachment C to Item 10.9 on the Agenda for the meeting of the Council held on 14 December 2021 in accordance with the Heritage Incentives Scheme Operating Guidelines.

Item 10.11 - Climate Change Risk Adaptation Action Plan [2021/153017] Presented to Committee on 7/12/2021 [C]

THAT COUNCIL

1. Adopts the Climate Change Risk Adaptation Action Plan 2021-2026 provided as Attachment A to Item 10.11 on the Agenda for the meeting of the Council held on 14 December 2021, which enables the City of Adelaide to meet its strategic objectives and transition to become a climate ready organisation.
2. Notes next steps to implement the Climate Change Risk Adaptation Action Plan 2021-2026 including establishment of a multi-disciplinary Program Steering Group to oversee and reporting.

Item 10.12 - Park Lands Community Land Management Plan - General Provisions [2021/00938] Presented to Committee on 7/12/2021 [C]

THAT COUNCIL

1. Notes the community engagement findings for the draft General Provisions of the Adelaide Park Lands Community Land Management Plan, included as Attachment A to Item 10.12 on the Agenda for the meeting of the Council held on 14 December 2021.
2. Adopts the revised draft General Provisions of the Adelaide Park Lands Community Land Management Plan (which takes into consideration the community engagement feedback), included as Attachment B to Item 10.12 on the Agenda for the meeting of the Council held on 14 December 2021 which, based on community engagement findings, includes the following changes:
 - 2.1. Change all areas proposed as 'limited off-leash' to 'off-leash at all times' as shown in the Dog Management Map as shown in Appendix D of the General Provisions

- 2.2. Reduce the extent of the 'on-leash at all times' area in Victoria Park / Pakapakanthi (Park 16) to the area east of the Criterium Track and north of the central path as shown in Appendix D of the General Provisions, and consequently
- 2.3. Expand the 'off-leash at all times' area of Victoria Park / Pakapakanthi (Park 16) to include the area west of the Criterium Track and north of the Central Path as shown in Appendix D of the General Provisions.
3. Approves and determines in accordance with section 246(3)(e) of the Local Government Act 1999 (SA) and paragraph 9.2 of Council's Dogs By-law 2018 that paragraph 6.2 of Council's Dogs By-law 2018 shall, with effect from 1 April 2022, apply to the Olive Grove used for horse agistment in Bonython Park / Tulya Wardli (Park 27).
4. Approves and determines in accordance with section 246(3)(e) of the Local Government Act 1999 (SA) and paragraph 9.2 of Council's Dogs By-law 2018 that paragraph 7.2.1 of Council's Dogs By-Law 2018 shall apply to the following parts of the area of the Council, with effect from 1 April 2022:
 - 4.1. Possum Park / Pirltawardli (Park 1)
 - 4.2. Fenced horse paddocks within Lefevre Park / Nantu Wama (Park 6)
 - 4.3. The Olive Groves / Kuntingga (Park 7)
 - 4.4. The Olive Groves / Parngutilla (Park 8)
 - 4.5. Bullrush Park / Warnpangga (Park 10)
 - 4.6. Frome Park / Nellie Raminyemmerin Park and the riverbank area adjacent War Memorial Drive within Mistletoe Park / Tainmuntilla (Park 11)
 - 4.7. Red Gum Park / Karrawirra (Park 12) south of War Memorial Drive, including Prince Henry Gardens on North Terrace between King William Street & Frome Road
 - 4.8. The northeast corner of Victoria Park / Pakapakanthi (Park 16), east of the western edge of the Criterium Track and north of the Central Path
 - 4.9. Adelaide Himeji Garden in Peppermint Park / Wita Wirra (Park 18)
 - 4.10. Tarntanya Wama (Park 26), excluding the Adelaide Oval Core Area
 - 4.11. The Riverbank section of Helen Mayo Park (Park 27), between the Morphett Street Bridge and the weir
 - 4.12. Palmer Gardens / Pangki Pangki (Park 28)
 - 4.13. Brougham Gardens / Tantutitingga (Park 29)
 - 4.14. Wellington Square / Kudnartu
 - 4.15. Victoria Square / Tarntanyangga
 - 4.16. Light Square / Wauwi
 - 4.17. Hindmarsh Square / Mukata
 - 4.18. Whitmore Square / Iparrityi
 - 4.19. Hurtle Square / Tangkaira.
5. Authorise the Chief Executive Officer in accordance with Section 246(3)(e) of the Local Government Act 1999 (SA) and paragraph 9.3 of Council's Dogs By-law 2018 to:
 - 5.1. Publish notice of the determinations made in resolutions 3 and 4 above in the South Australian Government Gazette and The Adelaide Advertiser
 - 5.2. Provide the information in resolutions 3 and 4 above to the public by publishing it on the Council's website
 - 5.3. Erect signs in prominent locations on the relevant Park Lands advising the public of the new provisions.

Item 10.15 - Gaming Machines Status Update [2018/02709-2] Presented to Committee on 7/12/2021 [C]

THAT COUNCIL

1. Notes there are ongoing discussions with the lessee and Administration in relation to Council direction related to gaming machines within Council premises.

Item 10.16 - Progress of Motions by Elected Members [2018/04074] [C]THAT COUNCIL

1. Notes the report.

Item 10.17 - Dog and Cat Management Board [2018/04054] [C]THAT COUNCIL

1. Approves the nomination of up to two Council Members or staff members to the Dog and Cat Management Board.

Item 10.18 - Stormwater Management Authority [2018/04054] [C]THAT COUNCIL

1. Approves the nomination of up to two Council Members or staff members to the Stormwater Management Authority.

Carried

Councillor Hyde entered the Council Chamber at 5.53pm

Reports for Council (Chief Executive Officer's Reports)**6. Item 10.2 - 89-94 Brougham Place Redevelopment [2021/00566] Presented to Committee on 7/12/2021 [C]**

Moved by Councillor Martin,
Seconded by Councillor Moran –

That Council

1. Notes the development application received for 89-94 Brougham Place, North Adelaide, and SCAPs assessment and notification process as the relevant authority.
2. Delegates authority to the Associate Director, Regulatory Services to make a submission to SCAP on behalf of Council with respect to the development application lodged for 89-94 Brougham Place, North Adelaide:
 - 2.1.1. Notes the submission will be lodged to SCAP no later than 16 December 2021 in accordance with legislated timeframes.
 - 2.1.2. Notes the submission will reflect Council's position as follows:
 - 2.1.2.1. Council does not support the demolition of the Local Heritage Place at 91-92 Brougham Place, and as part of Council's submission information on the heritage aspects, history of the building and reference to the Historic Area Overlay be provided.
 - 2.1.2.2. Council does not support the proposed height, bulk and scale which is significantly beyond parameters outlined in the Planning and Design Code, and reference is made to the level of soft landscaping being below the Code requirements.
 - 2.1.2.3. Council is supportive of development at the site which does not require removal of the Local Heritage Place, more in keeping with the existing low scale character of the locality and that minimises additional traffic movements.

Discussion ensued

The motion was then put and carried unanimously

7. Item 10.4 - Community Impact Grants Funding Recommendations [2021/02179] Presented to Committee on 7/12/2021 [C]

Discussion ensued, during which Councillor Hyde left the Council Chamber at 6.13pm.

It was then -

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Mackie –

THAT COUNCIL

1. Approves the following 2021/22 grant recommendations over \$10,000, Attachment A to Item 10.4 on the Agenda for the meeting of the Council held on 14 December 2021:
 - 1.1. Adelaide Tamil Association - \$8,000
 - 1.2. Chinatown Adelaide of South Australia Inc - \$25,000

- 1.3. Just Gold Digital Agency - \$25,000
 - 1.4. Mentor Walks - \$25,000
 - 1.5. Mercury CX – \$17,000
 - 1.6. One Culture Ltd – \$20,000
 - 1.7. Royal Life Saving Society Aust South Australia Branch Inc - \$17,255
 - 1.8. South Australian United Church Netball Association Incorporated - \$10,000
 - 1.9. Trees for Life – \$24,570
2. Notes the report.

Carried unanimously

8. Item 10.5 - Cycling Infrastructure Strategic Action Plan [2021/01101] Presented to Committee on 7/12/2021 [C]

Moved by Councillor Knoll,
Seconded by Councillor Couros –

THAT COUNCIL

1. Approves the outcomes detailed within this report be used to form the basis for the Cycling Infrastructure Strategic Action Plan.
2. Approves the engagement approach as detailed in Attachment A to Item 10.5 on the Agenda for the meeting of the Council held on 14 December 2021.
3. Notes the Chief Executive Officer will establish a Working Group which will operate under the Terms of Reference detailed in Attachment B to Item 10.5 on the Agenda for the meeting of the Council held on 14 December 2021.
4. Appoints two Council Members to the Working Group for the current term of office.

Discussion ensued, during which Councillor Hyde re-entered the Council Chamber at 6.15pm.

Amendment –

Moved by Councillor Hyde,
Seconded by Deputy Lord Mayor (Councillor Abrahamzadeh) –

That Part 3 of the motion be amended to read as follows:

- '3. Notes the Chief Executive Officer will establish a Working Group which will operate under the Terms of Reference detailed in Attachment B to Item 10.5 on the Agenda for the meeting of the Council held on 14 December 2021, and requests the following changes to Attachment B:
 - a. Under "Membership" insert the words after "two community representatives": "both of whom do not reside in the City of Adelaide and one of whom commutes by bicycle as their primary mode of transport and one of whom commutes by car as their primary mode of transport".
 - b. Under "Selection Criteria" insert the words after "live, work, play or own a business/property in the CoA local government area": "with the exception of the two community representatives".'

Discussion continued

The amendment was then put and carried

Councillor Martin requested that a division be taken on the amendment

Division

For (7):

Deputy Lord Mayor (Councillor Abrahamzadeh) and Councillors Couros, Donovan, Hou, Hyde, Khera and Knoll.

Against (4):

Councillors Mackie, Martin, Moran and Snape.

The division was declared in favour of the amendment

Discussion continued

The motion, as amended, was then put and carried

Councillor Hyde requested that a division be taken on the motion, as amended

Division

For (9):

Deputy Lord Mayor (Councillor Abrahamzadeh) and Councillors Couros, Donovan, Hou, Hyde, Khera and Knoll, Mackie and Snape.

Against (2):

Councillors Martin and Moran.

The division was declared in favour of the motion, as amended.

The Lord Mayor called for nominations to appoint two Council Members to the Working Group for the current term of office.

Councillor Hyde nominated Councillors Couros and Knoll, who accepted the nomination.

Councillor Snape nominated Councillor Donovan, who declined the nomination.

There being no further nominations, Councillors Couros and Knoll selected for appointment.

It was then

Moved by Councillor Hyde,
Seconded by Deputy Lord Mayor (Councillor Abrahamzadeh) –

That Council appoints Councillors Couros and Knoll to the Working Group for the current term of office.

Carried

9. Item 10.7 - Mainstreet Master Plan Update [2021/02669] Presented to Committee on 7/12/2021 [C]

Moved by Councillor Hyde,
Seconded by Deputy Lord Mayor (Councillor Abrahamzadeh) –

THAT COUNCIL

1. Approves the Hindley Street draft Master Plan at Attachment A to Item 10.7 on the Agenda for the meeting of the Council held on 14 December 2021 for key stakeholder and community engagement, including the vision, design principles and objectives.
2. Approves the draft long-term vision, objectives and design principles as part of the Hutt Street draft Master Plan at Attachment B to Item 10.7 on the Agenda for the meeting of the Council held on 14 December 2021 for key stakeholder and community engagement.
3. Approves the draft long-term vision and objectives as part of the Melbourne Street draft Master Plan at Attachment C to Item 10.7 on the Agenda for the meeting of the Council held on 14 December 2021 for key stakeholder and community engagement.
4. Approves the draft long-term vision and objectives for the O'Connell Street Master Plan as part of Attachment D to Item 10.7 on the Agenda for the meeting of the Council held on 14 December 2021 for key stakeholder and community engagement.
5. Notes the draft concept designs and associated budgets will be progressed for Hindley Street, Hutt Street and Melbourne Street and will be presented to Council in April 2022 and the draft concept designs for O'Connell Street will be progressed in 2022/23 in alignment with the 88 O'Connell Street development.
6. Notes the 2022/23 budget includes a proposed budget allocation for each main street subject to Council approval.

Discussion ensued

The motion was then put and carried

Councillor Hyde requested that a division be taken on the motion

Division

For (9):

Deputy Lord Mayor (Councillor Abrahamzadeh) and Councillors Couros, Donovan, Hou, Hyde, Khera and Knoll, Mackie and Snape.

Against (2):

Councillors Martin and Moran.

The division was declared in favour of the motion.

10. Item 10.10 - Brown Hill Keswick Creek Stormwater Project (South Park Lands) [2018/02437] Presented to Committee on 7/12/2021 [C]

Councillor Donovan declared a material conflict of interest in Item 10.10 [Brown Hill Keswick Creek Stormwater Project (South Park Lands)], pursuant to Sections 73 & 74 of the *Local Government Act 1999* (SA), as she is a Member of the Stormwater Management Authority Board, withdrew her chair and left the Council Chamber at 7.00pm.

It was then -

Moved by Councillor Moran,
Seconded by Councillor Mackie –

THAT COUNCIL

1. Notes the changes to the design for Blue Gum Park/Kurangga (Park 20) and the efforts undertaken to retain two regulated trees.
2. Approves the removal of an additional 11 unregulated tree within the alternative design as detailed in Attachment A to Agenda Item 10.10 for the meeting of the Council held on 14 December 2021.
3. Notes the requirement to prune 23 trees to facilitate the construction works, which will not exceed 30% of the tree mass.
4. Notes the proposed planting of over 120 trees in Victoria Park / Pakapakanthi (Park 16) as well as 40 trees and at least 57 plantings in Blue Gum Park / Kurangga (Park 20) as part of the project.

Discussion ensued

The motion was then put and carried unanimously

Councillor Donovan re-entered the Council Chamber at 7.02pm.

11. Item 10.13 - Prudential Management Policy [2021/00122] Presented to Committee on 7/12/2021 [C]

Moved by Councillor Hyde,
Seconded by Councillor Knoll –

THAT COUNCIL

1. Adopts the revised Prudential Management Policy per Attachment A to Item 10.13 on the Agenda for the meeting of the Council held on 14 December 2021
2. Requests the CEO delegation be amended to \$2 million, indexed from 1 January 2022, is tracked through all other relevant City of Adelaide policies and guidelines, in particular the Procurement Policy.
3. Notes the updated Procurement Contract and Approvals Guideline as endorsed by the CEO as per Attachment B to Item 10.13 on the Agenda for the meeting of the Council held on 14 December 2021.
4. Notes the response to the CEO undertaking from Council at its meeting on 14 September 2021.
5. Notes the response to the CEO undertaking from Audit and Risk Committee at its meeting on 29 October 2021.

Discussion ensued

The motion was then put and carried

Councillor Martin requested that a division be taken on the motion

Division

For (6):

Deputy Lord Mayor (Councillor Abrahamzadeh) and Councillors Couros, Hou, Hyde, Khera and Knoll

Against (5):

Councillors Donovan, Mackie, Martin, Moran and Snape

The division was declared in favour of the motion

12. Item 10.14 - 2022 – 2023 Business Plan and Budget Parameters and Assumptions [2020/00150] Presented to Committee on 7/12/2021 [C]

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Knoll –

THAT COUNCIL

1. Adopts the following expenditure and revenue targets which are consistent with the Recovery Principles adopted by Council on 30 June 2020, to enable the preparation of the draft 2022-2023 Business Plan and Budget (BP&B):
 - 1.1. Total existing residential rates revenue increase by CPI, excluding corrections, growth and new developments. This includes a review of residential revaluations estimated to increase by 5%.
 - 1.2. No change to the Non-Residential valuations and Rate in the Dollar (excluding corrections, growth and new developments).
 - 1.3. Total statutory and non-commercial fees and charges revenue increased by CPI or statutory increase.
 - 1.4. Commercial Revenues to return to 100% of pre-COVID levels at a minimum.
 - 1.5. Strategic Project expenditure target not exceeding \$5.4 million.
 - 1.6. Expenditure increases for CPI only affected where necessary.
 - 1.7. Salary and wages to be adjusted in accordance with relevant agreements.
 - 1.8. A surplus operating position is delivered.
2. Notes the budget assumptions for the preparation of the draft 2022-2023 Business Plan and Budget of:
 - 2.1. Capital expenditure on Renewal and Replacement of Existing Assets based on an Asset Sustainability ratio of 90%.

Discussion ensued

Amendment –

Moved by Councillor Hyde,
Seconded by Councillor Moran –

That the motion be amended to read as follows:

‘That the matter be deferred to the next meeting of Council.’

Discussion continued, during which Councillor Kherra left the Council Chamber and re-entered at 7.27pm.

The amendment was then put and carried

The motion, as amended, was then put and carried

13. Item 10.17 - Dog and Cat Management Board [2018/04054] [C]

The Lord Mayor called for nominations to the Dog and Cat Management Board.

Councillor Martin nominated Councillor Moran, who accepted the nomination.

There being no further nominations Councillor Moran was declared as the nominee.

Councillor Moran declared an actual conflict of interest in Item 10.17 [Dog and Cat Management Board] pursuant to Sections 75 & 75A of the *Local Government Act 1999*, because of remuneration associated with an appointment to the position, withdrew her chair and left the Council Chamber at 7.33pm.

It was then –

Moved by Councillor Martin,
Seconded by Deputy Lord Mayor (Councillor Abrahamzadeh) –

That Council approves the nomination of Councillor Moran to the Dog and Cat Management Board.

Carried

Councillor Martin requested that a division be taken on the motion

Division

For (9):

Deputy Lord Mayor (Councillor Abrahamzadeh) and Councillors Donovan, Hou, Hyde, Kherra, Knoll, Mackie, Martin and Snape.

Against (1):

Councillor Couros.

The division was declared in favour of the motion

Councillor Moran re-entered the Council Chamber at 7.34pm.

14. Item 10.18 - Stormwater Management Authority [2018/04054] [C]

The Lord Mayor called for nominations to the Stormwater Management Authority.

Councillor Hyde nominated Deputy Lord Mayor (Councillor Abrahamzadeh), who accepted the nomination.

Councillor Martin nominated Councillor Donovan, who declined the nomination.

There being no further nominations, Deputy Lord Mayor (Councillor Abrahamzadeh) was declared as the nominee.

Deputy Lord Mayor (Councillor Abrahamzadeh) declared an actual conflict of interest in Item 10.18 [Stormwater Management Authority] pursuant to Sections 75 & 75A of the *Local Government Act 1999*, because of remuneration associated with an appointment to the position, withdrew his chair and left the Council Chamber at 7.35pm.

It was then -

Moved by Councillor Hyde,
Seconded by Councillor Couros –

That Council approves the nomination of Deputy Lord Mayor (Councillor Abrahamzadeh) to the Stormwater Management Authority.

Carried

Deputy Lord Mayor (Councillor Abrahamzadeh) re-entered the Council Chamber at 7.36pm.

15. Item 10.19 - StudyAdelaide Board [2018/04054] [C]

Moved by Councillor Hyde,
Seconded by Councillor Knoll –

That Council:

1. Notes that a City of Adelaide staff member is entitled to attend StudyAdelaide board meetings in an ex officio capacity.
2. Requests the CEO to liaise with StudyAdelaide to identify appropriate skills the board may benefit from to best fulfill its charter, and to then undertake an Expression of Interest process to identify a suitable City of Adelaide nominee to the StudyAdelaide Board from outside the Council or Administration, and that this person should be:
 - a) From the private sector
 - b) In an industry that is substantially present within the City of Adelaide; and
 - c) From an industry affected by the international education and training market in South Australia; and/or from a sector that is affected by the availability of skilled labour in South Australia.

Discussion ensued

CEO Undertaking

In response to queries from Councillor Martin, an undertaking was given by the CEO to also liaise with the State Government.

The motion was then put and carried

16. Item 10.20 - Code of Conduct Outcome [2017/03262] [C]

Councillor Moran declared a perceived conflict of interest in Item 10.20 [Code of Conduct Outcome], pursuant to Sections 75 & 75A of the *Local Government Act 1999* (SA), as she was the Elected Member who raised the breach of the Code of Conduct, withdrew her chair and left the Council Chamber at 7.43pm.

Councillor Khara declared a material conflict of interest in Item 10.20 [Code of Conduct Outcome], pursuant to Sections 73 & 74 of the *Local Government Act 1999* (SA), as he was the subject of investigation in the matter with respect to a breach of the Code of Conduct, withdrew his chair and left the Council Chamber at 7.44pm.

Councillor Martin declared a perceived conflict of interest in Item 10.20 [Code of Conduct Outcome], pursuant to Sections 75 & 75A of the *Local Government Act 1999* (SA), as he was named in the breach of the Code of Conduct, and advised the meeting of the Council of his intention to remain in the Council Chamber.

It was then -

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Couros –

THAT COUNCIL

1. Notes the Final Investigation Report into the Code of Conduct complaint as per Attachment A to Item 10.20 on the Agenda for the meeting of the Council held on 14 December 2021.
2. Notes that, following an investigation into alleged breaches of the Code of Conduct for Council Members, it has been found that the actions of Cr Khera have resulted in a breach of clause 2.9 of the Code:
 - 2.9 Endeavour to establish and maintain a respectful relationship with all Council members, regardless of differences of views and opinions.
3. Determines that Cr Khera make an apology to the complainant, Cr Moran, as well as to Cr Martin, at a public meeting of Council, and that the apology should be limited to the specific breach found as part of the investigation, ie a failure to “maintain a respectful relationship”.

Discussion ensued

The motion was then put and carried

Councillor Khera re-entered the Council Chamber at 7.47pm

The meeting **adjourned at 7.47pm** for a 20minute break **and reconvened at 8.10pm** with all Council Members present -

Exclusion of the Public

17. Item 11.1 – Exclusion of the Public [2018/04291] [C]

For the following reports for Council (Chief Executive Officer’s Reports) seeking consideration in confidence

- 12.1.1** Appointment of Council Assessment Panel Members [s 90(3) (a)]
- 12.1.2** Adelaide Economic Development Agency Appointment of Board Member [s 90(3) (a)]
- 12.1.3** Citizen of the Year Awards [s 90(3) (o)]
- 12.1.4.** Strategic Property Matter [s 90(3) (b) & (d)]
- 12.1.5.** Capital City Committee Update [s 90(3) (j)]

ORDER TO EXCLUDE FOR ITEM 12.1.1

Moved by Councillor Hyde,
Seconded by Councillor Knoll –

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14 December 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 12.1.1 [Appointment of Council Assessment Panel Members] listed on the Agenda.

Grounds and Basis

This Item is confidential as the expressions of interest contain personal information and the disclosure of which could represent an unreasonable disclosure of personal affairs.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 14 December 2021 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 12.1.1 [Appointment of Council Assessment Panel Members] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (a) of the Act.

Carried

ORDER TO EXCLUDE FOR ITEM 12.1.2

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Hyde –

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14 December 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 12.1.2 [Adelaide Economic Development Agency Appointment of Board Member] listed on the Agenda.

Grounds and Basis

This Item contains confidential information that must be considered in confidence in order to protect the personal affairs of the nominee.

Public discussion and disclosure of information in this report prior to a resolution being determined by Council may potentially implicate the nominee's reputation in the business community.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 14 December 2021 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 12.1.2 [Adelaide Economic Development Agency Appointment of Board Member] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (a) of the Act.

Carried

ORDER TO EXCLUDE FOR ITEM 12.1.3

Moved by Councillor Knoll,
Seconded by Deputy Lord Mayor (Councillor Abrahamzadeh) –

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (o) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14 December 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 12.1.3 [Citizen of the Year Awards] listed on the Agenda.

Grounds and Basis

This Item is confidential as it contains information relating to recommended award recipients prior to the presentation of the awards at the Australia Day Citizenship Ceremony scheduled for 26 January 2021.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 14 December 2021 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 12.1.3 [Citizen of the Year Awards] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (o) of the Act.

Discussion ensued

The motion was then put and carried

ORDER TO EXCLUDE FOR ITEM 12.1.4

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Knoll –

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14 December 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.1.4 [Strategic Property Matter] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item contains certain information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business, prejudice the commercial position of the council and prejudice the commercial position of the person who supplied the information and confer a commercial advantage to a third party.

The disclosure of information in this report could reasonably prejudice the commercial position of the Council including its future commercial dealings given that it contains financial information and future direction regarding Council assets.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information prior to a determination of the Council as it may prejudice Council's further commercial dealing regarding these assets. On this basis, the disclosure of such information may severely prejudice Council's ability to influence the proposal for the benefit of the Council and the community.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 14 December 2021 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 12.1.4 [Strategic Property Matter] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

Carried

ORDER TO EXCLUDE FOR ITEM 12.1.5

Moved by Councillor Mackie,
Seconded by Deputy Lord Mayor (Councillor Abrahamzadeh) –

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (j) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14 December 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.1.5 [Capital City Committee Update] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

The disclosure of information in this report would breach 'Cabinet in confidence' information presented to the Capital City Committee established under the *City of Adelaide Act 1998* which has provided for a State/Capital City inter-governmental forum (the Capital City Committee) to operate and the associated duty of confidence and duty as a member of the inter-governmental forum.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information would divulge information provided on a confidential basis and could undermine the Capital City Committee's operations and prejudice the position of the State Government and/or Council in relation to current/future proposals prior to State Government and/or City of Adelaide evaluation and deliberation.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 14 December 2021 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 12.1.5 [Capital City Committee Update] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (j) of the Act.

Carried

There were no Members of the public present, Corporation staff present not directly involved with Item 12.1.1, 12.1.2, 12.1.3, 12.1.4 & 12.1.5 left the Council Chamber at 8.13pm.

Confidential Item 12.1.1

Appointment of Council Assessment Panel Members
Section 90 (3) (a) of the *Local Government Act 1999 (SA)*
Page 15

Confidential Item 12.1.2

Adelaide Economic Development Agency Appointment of Board Member
Section 90 (3) (a) of the *Local Government Act 1999 (SA)*
Pages 15 to 16

Confidential Item 12.1.3

Citizen of the Year Awards
Section 90 (3) (o) of the *Local Government Act 1999 (SA)*
Page 16

Confidential Item 12.1.4

Strategic Property Matter
Section 90 (3) (b) & (d) of the *Local Government Act 1999 (SA)*
Pages 16 to 17

Confidential Item 12.1.5

Capital City Committee Update
Section 90 (3) (j) of the *Local Government Act 1999 (SA)*
Page 17

The meeting re-opened to the public at 8.22pm

Confidentiality Orders

Minute 18 - Item 12.1.1 - Appointment of Council Assessment Panel Members

Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999* (SA) and on the grounds that Item 12.1.1 Appointment of Council Assessment Panel Members listed on the Agenda for the meeting of Council held on 14 December 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (a) of the Local Government Act 1999, this meeting of the Adelaide City Council, do order that:

1. The resolution and report (excluding the candidate CVs and applications in Link 1 of the report) remain confidential and become public information upon confirmation of the appointments.
2. The discussion, the candidate CVs and applications in Link 1 of the report and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2028.
3. The confidentiality of the matter be reviewed on 31 December 2022
4. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order.

Minute 19 - Item 12.1.2 - Adelaide Economic Development Agency Appointment of Board Member

Confidentiality Order

In accordance with Section 97(7) & (9) of the *Local Government Act 1999* (SA) and because Item 12.1.2 [Adelaide Economic Development Agency Appointment of Board Member] listed on the Agenda for the meeting of the Council held on 14 December 2021 was received, discussed and considered in confidence pursuant to Section 90(3)(a) of the Local Government Act 1999 (SA), this meeting of the Council do order that:

1. The resolution, report, discussion and any other associated information submitted to this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2028.
2. The confidentiality of the matter be reviewed in December 2022.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report to containing the Item for which the confidentiality order has been revoked.

Minute 20 - Item 12.1.3 - Citizen of the Year Awards

Confidentiality Order

Notes that in accordance with Section 91(7) & (9) of the *Local Government Act 1999* (SA) and on the grounds that Item 12.1.3 [Citizen of the Year Awards] listed on the Agenda for the meeting of the Council held on 10 December 2019 was received, discussed and considered in confidence pursuant to Section 90(3) (o) of the Local Government Act 1999 (SA), this meeting of Council, do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until after the 2021 Citizen of the Year Awards Ceremony.
2. The confidentiality of the matter be reviewed in 31 December 2022.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Minute 21 - Item 12.1.4 - Strategic Property Matter

Confidentiality Order

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* (SA) and because Item 12.1.4 listed on the Agenda for the meeting of the Council held on 14 December 2021 were received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the Local Government Act 1999 (SA), this meeting of the Council do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2024.
2. The confidentiality of the matter be reviewed in December 2022.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Minute 22 - Item 12.1.5 - Capital City Committee UpdateResolution & Confidentiality OrderTHAT COUNCIL

1. Notes the report.
2. Notes that the Capital City Committee (the CCC) Annual Report for 2020/21, prepared in consultation with the City of Adelaide, will be presented to Council in 2022 once it has been endorsed by the CCC, and then tabled in Parliament. Once tabled in Parliament, the annual report will be published on the CCC website.
3. In accordance with Section 91(7) & (9) of the *Local Government Act 1999* (SA) and because Item 12.1.5 [Capital City Committee Update] listed on the Agenda for the meeting of the Council held on 14 December 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (j) of the *Local Government Act 1999* (SA), this meeting of the Council orders that:
 - 3.1 The resolution becomes public information and included in the Minutes of this meeting.
 - 3.2 The report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2028.
 - 3.3 The confidentiality of the matter be reviewed in December 2022.
 - 3.4 The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Lord Mayor's Reports**23. Item 13 – Lord Mayor's Report [2018/04064] [C]**

The Lord Mayor addressed the meeting as follows:

'As we come to the end of our third year of this Council term, we have continued to make important strides forward for the city.

Throughout 2021, we have considered more than 200 reports and – after tonight – 117 motions on notice ranging from improving our roads, footpaths and cycling networks, to bringing more arts and culture to the city, improving sustainability, boosting our main streets and progressing our reconciliation action plan in partnership with the Kaurna community.

Our three major public-private partnerships – Eighty Eight O'Connell, Market Square and Ten Gigabit Adelaide – have all got underway or been completed.

And we have continued to support our city's recovery from the impacts of the pandemic by bringing people safely into the city, waiving fees and creating free outdoor dining spaces for businesses so they can serve more customers.

Over the past month, I have celebrated our community's achievements including at the SA Music Awards where I presented Teenage Joans with the City of Adelaide Live Music Award and the Mercury CX Screen Awards where I had the honour of presenting James Currie with the Lifetime Achievement Award.

The City of Adelaide's own achievements were recognised at the Main Street Awards on 12 November with East End Unleashed winning the award for Best Event and at the Cities Power Partnerships Climate Awards where our Sustainability Incentive Scheme won the Community Choice Award.

I attended the Italian Festival's closing night on 20 November. It was fantastic to celebrate the contribution Italian migrants have made to our city with their incredible foods, restaurants, arts and culture and businesses. It was particularly wonderful to have the festival go ahead in full this year after last year's – the first since Carnevale ended in 2016 - was interrupted by the November 2020 lockdown.

On 17th of November, I celebrated the creation of the South Australian Fashion Industry Association as its inaugural patron. The Association will champion our state's fashion industry, seek out new local, national and international opportunities for growth, particularly in sustainable fashion, and bring people together to support mentoring and networking within the industry.

That night I also launched the Adelaide Christmas Festival with the lighting of the Giant Christmas Tree in Tarntanyangga/Victoria Square. For the first time, I held a social media competition to find a child to press the button to light the tree with me. Grace, aged 7, who lives right here in the city, was the lucky winner and she did a fantastic job.

The Christmas Festival is now well and truly underway and bringing joy to our community. We have an innovative 'Christmas Cracker' augmented reality trail, where people can scan QR codes at locations around the city and collect virtual decorations to hang on the Giant Christmas Tree.

Peel Street and Vaughan Place are looking stunning thanks to the Bauble Canopies Council has installed. Designed by Atelier Sisu, the canopies are made up of colourful spheres that change colour as the sun moves across the sky, creating a lighting effect.

We also have markets, events and activities happening right across the city.

I held my annual Christmas lunch on 1 December. This year, in honour of the 155th anniversary of the opening of the Adelaide Town Hall, our theme celebrated Adelaide's built, natural and Kaurua heritage with Keith Conlon from the Heritage Council as our guest speaker. I also held Christmas drinks on 9 December for my patron organisations and I have attended many community Christmas functions including the Chinatown Association, Property Council, the Rose Society and the North Adelaide Precinct Association during the past few weeks.

Tonight I'd also like to speak to Klinton Devenish, who is the Director of Services, Infrastructure & Operations who after 4 years and 4 months with the City of Adelaide has offered his resignation to explore new opportunities and will finish up in January 2022.

In this time Klinton has not only overseen important major projects and provided valuable perspectives to key initiatives that will benefit our city now and years to come, he has also given the significant valuable contribution of his leadership across the organisation especially as COVID-19 impacted us throughout 2020 and 2021.

We thank him for his long lasting contributions to the City of Adelaide and wish him all the very best.

Some examples of the projects and highlights are:

- Gawler Place Upgrade including our famous "Pigeon"
- Delivery of the Brown Hill Keswick Creek Wetlands Projects
- Jeffcott Street Upgrade
- Moonta Street Revitalisation
- Working with Executive in reshaping our Organisation
- Led our skilled planning team through the Planning and Development Code Implementation

I'd like to thank Klinton for all his hard work and wish him absolutely the best.

I'd like to thank all of the Elected Members, Council administration and the CEO for their hard work during 2021.

I wish you all a Merry Christmas and a Happy New Year and I look forward to continuing our work together for the benefit of our city in 2022.'

It was then -

Moved by Councillor Couros,
Seconded by Councillor Snape –

That the report be received and noted.

Carried

Councillors' Reports

24. Item 14.1 – Reports from Council Members [2018/04064] [C]

Moved by Councillor Knoll,
Seconded by Councillor Khara –

THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 14.1 on the Agenda for the meeting of the Council held on 14 December 2021).
2. Notes the summary of Council Members meeting attendance (Attachment B to Item 14.1 on the Agenda for the meeting of the Council held on 14 December 2021).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 14 December 2021 be included in the Minutes of the meeting.

Councillor Knoll addressed the meeting on:

- His attendance at the StudyAdelaide Roundtable.

During the discussion, Councillor Couros left the Council Chamber at 8.28pm

Deputy Lord Mayor (Councillor Abrahamzadeh) addressed the meeting on:

- The SA Planning Institute of Australia Awards for Planning Excellence held on 5 November 2021 and presented 1 commendation for the Heritage Strategy & Action Plan and 2 awards for the Kaurna Kardla Parranthi Cultural Burn, won by the City of Adelaide to the Lord Mayor.

The motion was then put and carried

Questions on Notice

25. Item 15.1 to Item 15.5 – Questions on Notice [C]

- 15.1. Councillor Moran – Question on Notice – Cultural Investigation Report
- 15.2. Councillor Martin – Question on Notice – Central Market Arcade Redevelopment
- 15.3. Councillor Martin – Question on Notice – 88 O’Connell Street
- 15.4. Councillor Martin – Question on Notice – Status of Park Lands
- 15.5. Councillor Martin – Question on Notice - 88 O’Connell Development

The Questions and Replies having been distributed and published prior to the meeting were taken as read.

The tabled Replies for Items 15.1 – 15.5 are attached for reference at the end of the Minutes of this meeting.

Councillor Couros re-entered the Council Chamber at 8.32pm.

Questions without Notice

Discussion ensued, during which Councillor Moran left the Council Chamber at 8.36pm.

CEO Undertaking - Councillor Martin – Question on Notice - 88 O’Connell Development [C]

In response to questions from Councillor Martin, an undertaking was given by the CEO to provide Council Members with information on the LFA with C & G and if it precluded them from taking legal action against objectors.

Motions on Notice

26. Item 17.1 - Councillor Martin – Motion on Notice – Urban Forest Visual Map [2021/01236] [C]

Moved by Councillor Martin,
Seconded by Councillor Mackie –

That Council:

Asks the Administration to provide a report for the April 2022 meeting of the elected body on the desirability and the possibility of either fully or partially replicating in the City of Adelaide the City of Melbourne’s Urban Forest Visual Map tool that allows members of the public to view, comment on and/or correspond with every tree within the Map.

Discussion ensued, during which:

- Councillor Moran re-entered the Council Chamber at 8.37pm.
- With the consent of the mover, seconder and the meeting the motion was varied through the deletion of the words ‘and/or correspond with’.

The motion, as varied, was then put and carried

27. Item 17.2 - Councillor Martin – Motion on Notice – Pedestrian Footpath Safety and Bikes and Scooters [2018/04053] [C]

Moved by Councillor Martin,
Seconded by Councillor Couros –

That Council:

Requests the Administration provide advice to the February 2022 meeting of Council about the legal powers available to it to monitor and to moderate the speed and behaviours of people who ride scooters and bicycles on City of Adelaide footpaths, including potential actions Council might implement to increase safety for pedestrians on footpaths, in particular children and the aged, as well as hospitality workers who wait on tables for outdoor cafes and restaurants.

Discussion ensued

The motion was then put and carried unanimously

28. Item 17.3 - Councillor Donovan – Motion on Notice – Greening Options [2018/04053] [C]

Moved by Councillor Donovan,
Seconded by Councillor Hyde –

That Council:

1. Notes:
 - a. the City of Adelaide's intent to increase street tree canopies and green infrastructure (as identified in the strategic plan);
 - b. the challenges of planting street trees on many of the city's streets and laneways due to a variety of challenges including street width;
 - c. the existing catalyst for new planting is primarily street renewals and upgrades.
2. Identifies a palette of greening options eg large planter boxes; arbours; green walls etc that could be used in typical challenging streets within the city (eg narrow laneways) that could be installed systematically across the city (where appropriate), without the need to wait for a scheduled renewal/street upgrade.
3. Requests administration prepare a delivery strategy for implementation.

Discussion ensued

The motion was then put and carried unanimously

29. Item 17.4 - Councillor Moran – Motion on Notice - COVID-19 Vaccinations [2018/04053] [C]

Councillor Moran withdrew her Motion from consideration.

30. Item 17.5 - Councillor Snape – Motion on Notice – Local Government Elected Representative on SCAP [2018/04053] [C]

Moved by Councillor Snape,
Seconded by Councillor Moran –

That Council:

1. Requests the State Government to include a Local Government elected representative as a member of the State Commission Assessment Panel.
2. Seeks the support of the Local Government Association for this change to the membership of the State Commission Assessment Panel.

Discussion ensued

The motion was then put and lost

31. Item 17.6 - Councillor Knoll – Motion on Notice - Supermarket Opportunities within the Market District [2015/00903] [C]

Moved by Councillor Knoll,
Seconded by Deputy Lord Mayor (Councillor Abrahamzadeh) –

That Council:

Noting the recent announcement of the construction period (June 2022) of the extended Central Market (previously Central Market Arcade) and the Market Square development, asks Administration to undertake an investigation into potential opportunities and locations associated with the continuation of supermarket services within the Market District and potentially other important customers services that would be lost and are not conveniently available within the precinct.

With consideration for the supermarket that:

1. The size is sufficient to enable it to be competitive with comparable supermarkets in the suburbs.
2. Parking is attached or conveniently nearby to enable customers to accommodate the size purchases typically transacted at a supermarket.
3. It is temporary until the Market Square has its supermarket operating.

As the response is time sensitive, the report is to be tabled at the first Council Meeting in January 2022.

Discussion ensued, during which Councillor Khara left the Council Chamber at 9.08pm and re-entered at 9.11pm.

The motion was then put and carried unanimously

32. Item 17.7 - Councillor Martin – Motion on Notice – Elected Member Vaccination Status [2018/04053] [C]

Moved by Councillor Martin,
Seconded by Councillor Moran –

That Council:

1. Supports the CEO's request that all elected members advise the CEO of their COVID-19 vaccination status by no later than 5 pm on Monday, 20 December 2021, to enable the administration to put in place appropriate measures to continue to manage risks associated with COVID-19.
2. Be advised by the end of January 2022 on progress of the implementation of the COVID-19 Vaccine Mandate for City of Adelaide employees (including contractors, volunteers, trainees and interns), effective 5pm Monday 20 December 2021, to ensure a safe work environment.
3. Be advised by the end of January 2022 on the number of employees not fully vaccinated, how many Elected Members did not advise the CEO of their COVID-19 vaccination status, and how any risks are being managed.

Discussion ensued

The motion was then put and lost

Councillor Martin requested that a division be taken on the motion

Division

For (5):

Councillors Donovan, Mackie, Martin, Moran and Snape.

Against (6):

Deputy Lord Mayor (Councillor Abrahamzadeh) and Councillors Couros, Hou, Hyde, Khera and Knoll.

The division was declared against the motion

Motions without Notice

Discussion ensued

33. Item 18 – Deputy Lord Mayor (Councillor Abrahamzadeh) – Motion without Notice - Royal Agricultural and Horticultural Society - Use of Josie Agius Park / Wikaparntu Wirra (Park 22) [C]

Discussion ensued

It was then -

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),
Seconded by Councillor Couros –

That Council

1. Notes that the SA Health Vaccination Hub continues operation at the Adelaide Showgrounds.
2. Approves to extend the existing arrangement with the Royal Agricultural and Horticultural Society for the use of Josie Agius Park / Wikaparntu Wirra (Park 22) for parking related to selected events until 1 July 2022.

Carried unanimously

Closure

The meeting closed at 9.33 pm

Clare Mockler,
Chief Executive Officer

Sandy Verschoor,
Lord Mayor

Documents Attached for Reference

Minute 2 – Item 7.1 – Deputation - James Katsaros – Tabled Information

Minute 3 – Item 7.2 – Deputation – Ian Vagg – Tabled Information

Minute 25 – Item 15.1 – 15.5 – Question on Notice Replies, distributed separately



7.1 - Tabled Information





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HISTORICAL TIMELINE FOR 92 BROUGHAM PLACE

1843	<p>Ebenezer Chapel built as the first Baptist Chapel in South Australia. It's address then was 92 Brougham Place now it is 29 Brougham Court.</p> <p>This building is State Heritage listed because of its historic significance.</p>
1884	<p>The INDUSTRIAL SCHOOL FOR THE BLIND for training blind Factory workers was established in Ebenezer Chapel by Mr. A. W. Hendry and Mr. (later Sir) Charles Goode.</p> <p>This was the first organisation in South Australia to successfully introduce seriously handicapped people into the work force.</p> <p>Goods produced consisted of brushes, mats, baskets and chair seats. Later piano tuning was introduced.</p>
1884	<p>The disused Church at 92 Brougham Place was also leased by the INDUSTRIAL SCHOOL FOR THE BLIND to act as a Braille library, reading room and classroom for teaching Braille to blind students</p>
1893	<p>The demand for training blind workers had grown so great that work commenced on building a two-storey factory alongside the Ebenezer Chapel to increase the training capacity.</p>
1894	<p>March 10th. The Advertiser newspaper gives a detailed account of the opening ceremony for the new factory building. At the Ceremony presided over by the Lieutenant-Governor it is stated "the accommodation at the school is second to no similar institution in the colonies" (ie: Australia). The property at 92 Brougham Place which had previously been leased, is purchased</p> <p>This factory is the building at 92 Brougham Place which the developer claims is of no heritage value and wishes to demolish.</p>
1903	<p>The King gives permission to change the name of the INDUSTRIAL SCHOOL FOR THE BLIND to THE ROYAL INSTITUTE FOR THE BLIND</p>
1915	<p>With the help of the factory building, The Royal Institute for the Blind has grown so much that work begins on a new headquarters in King William Street opposite the Women's and Children's Hospital</p>
1917	<p>All operations are moved from 92 Brougham Place to the new building.</p>
1938	<p>The building at the front of the factory was demolished and the factory was repurposed to be a residence.</p> <p>It is the architectural value of this repurposing which has been criticised by the Developer. Yet "repurposing" now called "adaptive reuse" is recommended in the Development Act as an appropriate way to preserve Heritage buildings.</p>
1972	<p>An Act of Parliament changes the name of THE ROYAL INSTITUTE FOR THE BLIND to THE ROYAL SOCIETY FOR THE BLIND.</p> <p>The Society now has 120 workers and moves to larger premises at Gilles Plains</p>
Heritage Places Act 1993	<p>Division 1 Clause 16 – Heritage Significance.</p> <p><i>1(g) it has a special association with the life or work of a person or organisation or an event of historical importance</i></p> <p>It is likely that 92 Brougham Place is eligible to be listed as a State Heritage Place under this clause as it has a strong association with the "Royal Society for the Blind" and played an indispensable role in its early success and growth. It also has historical significance as South Australia's first successful integration of seriously handicapped people into the work force.</p>

Cultural Investigation Report

ITEM 15.1 14/12/2021

Council

Council Member
Councillor Moran

Contact Officer:
Clare Mockler, Chief Executive
Officer

Public

QUESTION ON NOTICE

Councillor Moran will ask the following Question on Notice:

'That the CEO provide an update on progress with the Cultural Investigation Report Acting CEO Initial Actions noted with approval by Council on 9 March 2021 and included in the minutes of the meeting?'

REPLY

1. The City of Adelaide takes very seriously our obligations under the *Work Health and Safety Act 2012* and the *Local Government Act 1999* and our commitment to foster a supportive and safe working environment for our people.
2. At its meeting on 14 April 2020, Council unanimously resolved:
'That Council:
 1. Recognises the valuable role the City of Adelaide administration plays in supporting Council Members.
 2. Expresses concern about the impact the conduct and behaviours of some Council Members may have on the health and wellbeing of the Administration.
 3. Request an urgent independent investigation to determine the extent of any impact and provide recommendations where appropriate.'
3. In January 2021, in my capacity as Acting CEO, I received the findings and recommendations of the investigation and sought independent legal advice about what information could be shared in public.
4. City of Adelaide employees in leadership roles demonstrate resilience and competence in undertaking their duties, including their interactions with Council Members. Nonetheless, the investigation provided evidence that the unreasonable, serious and systemic nature of the conduct and behaviours of a minority of Council Members was, in their view, having an impact on their health, safety and wellbeing.
5. I took immediate action to ensure the work health safety and wellbeing for employees and assist in the immediate improvement to culture.
6. In March 2021 I outlined to Council the initial actions I would lead as Acting CEO, to realise positive change in the interrelationship between Council Members and employees. Working closely with the Lord Mayor, these initial actions have been completed or otherwise substantially progressed. The table below provides an update on progress as requested.

Initial Actions		
1.	<p>(That Council) Notes the standards and behaviours outlined in the Codes of Conduct or Practice required to be kept under the Local Government Act 1999 (SA) set out below:</p> <p>1.1. Code of Conduct for Council Members (incorporated into the City of Adelaide Standing Orders)</p> <p>1.2. Code of Practice for Access to Meetings and Documents (incorporated into the City of Adelaide Standing Orders)</p> <p>1.3. Code of Practice for the Conduct of Council/Committee meetings when the Local Government (Procedures at Meetings) Regulations 2013 (SA) are varied (incorporated into the City of Adelaide Standing Orders)</p> <p>1.4. Code of Conduct for Employees.</p>	Completed
2.	<p>(That Council) Notes that the City of Adelaide's values of Achievement, Collaboration, Customer Commitment, Integrity and Innovation also guide the way employees interact with Council Members, with each other and with our customers, as well as the decisions that we make on a daily basis.</p>	Completed
3.	<p>(That Council) Notes that the Statutes Amendment (Local Government Review) Bill 2020 is expected to pass Parliament in March – April 2021. It acknowledges that the current conduct framework in the Local Government Act 1999 (SA) has proven to be inadequate and proposes to address this by introducing a new behavioural management framework for Council Members. New Behavioural Standards will be made by the Minister and serious or repeated misbehaviour can be referred to the new Behavioural Standards Panel.</p>	Completed
4.	<p>(That Council) Notes that the City of Adelaide will submit feedback on the development of the behavioural management framework in response to the Local Government Association of South Australia's discussion paper and will engage in subsequent sector consultation.</p>	Completed
5.	<p>Notes that the Behavioural Standards are expected to be relatively high-level standards that must be observed by all Council members. Councils have the option to adopt Behavioural Support Policies within six months of each periodic election, and will be required to undertake public consultation prior to the adoption of Behavioural Support Policies. Subject to the passing of the <i>Statutes Amendment (Local Government Review) Bill 2020</i>, a report will be prepared that recommends that Council adopt the optional Behavioural Support Policies.</p>	<p>In Progress</p> <p>The Bill was passed in June 2021. Following consultation with member councils, the Minister for Local Government intends for a new Behaviour Management Framework to commence immediately following next year's council elections.</p> <p>The framework, will apply to all council members elected in the November 2022 periodic elections and consists of:</p> <ul style="list-style-type: none"> • Behavioural Standards • Behavioural Management Policy (Mandatory) • Behavioural Support Policy (Optional)
6.	<p>Council Members and nominated employees are to be given opportunities to participate in the briefing sessions and training organised by the Local Government Association</p>	In Progress - As Above

	subject to the passing of Statutes Amendment (Local Government Review) Bill 2020 and any additional relevant training identified in the interim by the Chief Executive Officer.	In the interim Council Members have also been encouraged by the CEO to attend additional relevant training
7.	<i>(That Council)</i> Notes that the City of Adelaide is committed to continuous improvement in work health and safety and wellbeing and will immediately identify and will take all reasonable steps to address any gaps or opportunities in its People Experience Delivery and Work Health, Safety and Wellbeing programs, directly informed by employee feedback.	Completed
8.	<i>(That Council)</i> Notes that the City of Adelaide provides details of key workplace health, safety and wellbeing initiatives and statistics in its annual reports and that the Chief Executive Officer and the Lord Mayor will consider additional mechanisms to support wellbeing and improve culture.	Completed
9.	The Chief Executive Officer will prepare a report for Council consideration and decision on an alternative model for Committee meetings, with the aim of improving behaviour, decision making, responsiveness to emerging issues and opportunities, and the wellbeing of staff and Council Members.	Completed
10.	The Chief Executive Officer will present a future report to Council recommending the adoption of modifications to the Standing Orders designed to improve interactions between employees and Council Members.	Completed
11.	<i>(That Council)</i> Notes the requirements for dealing with the media and social media as outlined in Standing Orders 21-22.	Completed
12.	<i>(That Council)</i> Notes that the Strategic Risk and Internal Audit Group (SRIA) will identify additional practical ways in which more positive workplace engagement with Council Members and employees can be facilitated.	Completed
13.	<i>(That Council)</i> Notes that these measures to ensure the work health safety and wellbeing for employees and to assist in the immediate improvement to culture will be communicated to all City of Adelaide employees	Completed

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4 hours.
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- END OF REPORT -

Central Market Arcade Redevelopment

ITEM 15.2 14/12/2021

Council

Council Member
Councillor Martin

2015/00903
Public

Contact Officer:
Tom McCready, Acting Director
City Shaping

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

Could the Administration advise:

1. If there have been any further sales of apartments in the Central Market Arcade Redevelopment and, if so, what is the current percentage of apartments sold?
2. If there have been any sales of apartments that have qualified as "affordable housing" under the terms of the City of Adelaide's agreement with ICD and, if so, how many?
3. If ICD has obtained any purchasers or leases for the other enterprises in the towers, including the significant international hotel?

REPLY

1. The sale of residential apartments is the responsibility of Council's development partner, ICD Property. Council has no contracted obligation with regard to how and when apartment sales are brought to market.
2. The Central Market Arcade Redevelopment/ Market Square incorporates 212 apartments with 15% of these apartments, equating to 32 apartments, allocated as affordable purchase housing.
3. ICD Property has sold 82% of its Market Square apartments and continues to take enquires with respect to its remaining apartment stock.
4. ICD Property has listed all 32 affordable purchase apartments within Market Square on the State Government's HomeSeeker website. These apartments have been priced below the affordable housing price point of \$422,050 and have been offered to eligible buyers.
5. Nine (9) of the affordable purchase apartments within Market Square have been sold to eligible buyers with an additional three (3) apartments currently reserved by purchasers.
6. ICD Property is continuing market engagement with prospective tenants and operators with respect to the commercial office and hotel. Discussions undertaken by ICD Property and their agents are commercial in confidence. ICD Property will announce major tenants and operators in due course.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4 hours.
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- END OF REPORT -

88 O'Connell Street

ITEM 15.3 14/12/2021

Council

Council Member
Councillor Martin2018/02324
PublicContact Officer:
Tom McCready, Acting Director
City Shaping

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

Could the Administration advise:

1. If there have been any further sales of apartments in the development at 88 O'Connell and, if so, what is the current percentage of apartments sold?
2. If there have any sales of apartments that have qualified as "affordable housing" under the terms of the City of Adelaide's agreement with Commercial and General and its development vehicle 88 O'Connell Pty Ltd and, if so, how many?
3. If 88 O'Connell Pty Ltd has obtained any purchasers or leases for the other enterprises included in the ground floor, podium or towers?

REPLY

1. Pursuant to the Land Facilitation Agreement, the developer is responsible for all marketing and sales of residential and commercial product.
2. The release of information in relation to the progress of sales and leasing is a matter for Commercial & General. Council is unable to provide commentary on the status of the sales program pursuant to the Land Facilitation Agreement.
3. The developer's obligations include the delivery of a development that will comply with the minimum 15% affordable housing target policy. The affordable housing product will be made available on the State Governments portal in due course.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4 hours.
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- END OF REPORT -

Status of Park Lands

ITEM 15.4 14/12/2021

Council

Council Member
Councillor Martin

2006/00225

Public

Contact Officer:

Tom McCready, Acting Director
City Shaping

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

Could the Administration confirm:

1. Land classified as Park Lands in the Adelaide Park Lands Plan “vested in or under the care, control and management of the Crown or a state authority” and returned to the custodianship of the City of Adelaide cannot be reclassified Park Lands because it already is Park Lands?
2. The exchange for Park Lands in the Adelaide Park Lands Plan whether vested in or under the control and management of the Crown, a state authority or the City Council is meaningless in a transaction described as no nett loss of Park Lands such as that involving the new car park for the Women’s and Children’s Hospital and the Park Lands adjacent to the Adelaide Gaol?

REPLY

1. The Adelaide Park Lands Plan (Link 1 view [here](#)) is the instrument of the *Adelaide Park Lands Act 2005* which defines the Adelaide Park Lands, ie which land parcels constitute the Park Lands and who has custodianship of each of those parcels.
2. If a land parcel constituting part of the Park Lands is transferred from one custodian to another, this does not alter its classification as Park Lands, merely who has custodianship of the land.
3. The land adjacent the Adelaide Gaol already forms part of the Adelaide Park Lands, as does the Gaol itself, the Police Barracks and the land in between. Transferring that land from, in this case, the ‘Chief Secretary’ (State Government entity) to the City of Adelaide does not alter the status of the land as Park Lands. The land exchange does not affect the size or extent of the Park Lands however the area under question is currently not publicly accessible and is proposed to be made publicly accessible as part of the process, therefore increasing the area of Park Lands for use by the community.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4 hours.
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- END OF REPORT -

88 O'Connell Development

ITEM 15.5 14/12/2021
Council

Council Member
Councillor Martin

2018/02324
Public

Contact Officer:
Tom McCready, Acting Director
City Shaping

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could the Administration advise if it:

1. Was involved in a check of the assets of any ratepayers or ratepayer created organisation said to have been carried out this month by the City's development partner, 88 O'Connell Pty Ltd, as part of a threat issued last week to sue over publication of allegations of extensive shadow impacts arising from the development?
2. Is aware of a letter from by C and G on 12 October 2021 to ratepayers opposed to the development offering a financial inducement to drop a legal challenge lodged in the ERD Court and warning Council's costs were increasing because of their opposition and, if so, what are those costs?'

REPLY

1. No, and the Administration is not aware of the suggested actions within Item 1 above.
2. No, the Administration is not aware of such a letter with respect to Item 2 above. All legal costs associated with the 88 O'Connell Development are contained within the 2021/22 Business Plan and Budget endorsed by Council.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4 hours.
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- END OF REPORT -