



# COUNCIL MINUTES



# COUNCIL MINUTES

for the meeting

Tuesday, 12 July 2022

in the Council Chamber, Adelaide Town Hall

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

## **1 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 Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognize and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

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

## **2 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.’

## **3 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’

## **4 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.

## **5 Apologies and Leave of Absence**

Apology:

Councillor Knoll

## **6 Item 6 - Confirmation of Minutes**

Councillor Martin left the Council Chamber at 5.34pm.

It was then -

Moved by Councillor Couros,

Seconded by Councillor Khara -

That the Minutes of the meeting of the Council held on 14 June 2022 and the Minutes of the Special meetings of the Council held on 21 June 2022 and 28 June 2022, be taken as read and be confirmed as an accurate record of proceedings.

Carried

## 7 Deputations

### 8 Item 7.1 - Deputation - Alex Radda - Insurance availability and cost for Hindley Street property owners and traders

Mr Alex Radda addressed the Council:

- To request Council to assist property owners and traders in Hindley Street with insurance availability and cost.

During the presentation, Councillor Martin re-entered the Council Chamber at 5.36pm.

The Lord Mayor thanked Mr Radda for his deputation.

### 9 Item 7.2 - Deputation - Rachel Azzopardi - Public Artwork Illuminate Adelaide

Ms Rachel Azzopardi, Co-founder of Illuminate Adelaide, addressed the Council:

- In support of the co-commissioned permanent public artwork in the Park Lands, proposed on the Council agenda.

The Lord Mayor thanked Ms Azzopardi for her deputation.

## 10 Petitions

### 11 Item 8.1 - Petition - Install Recycling Rails to Bins in the City of Adelaide

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),  
Seconded by Councillor Snape -

#### THAT COUNCIL

1. Receives the document containing 594 signatories, distributed as a separate document to Item 8.1 on the Agenda for the meeting of the Council held on 12 July 2022, asking Council to install recycling rails to all city bins to facilitate a more sensible and dignified way to approach waste management.

Carried

### Adoption of Items En Bloc

Discussion ensued

It was then -

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

That the following Items 9.1, 10.4, 10.9, 10.11 & 10.14 be adopted as presented, namely:

**12 Item 9.1 - Advice of Kadaltilla / Park Lands Authority - 23 June 2022**

Advice of Kadaltilla / Park Lands Authority - 23 June 2022

THAT COUNCIL NOTES THE FOLLOWING ADVICE OF KADALTILLA / PARK LANDS AUTHORITY:

**1. Advice 1 – Adelaide 500 2022 Declarations Consultation**

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL AND THE STATE GOVERNMENT:

That Kadaltilla / Park Lands Authority:

1. Notes the Declaration of the Declared Area, Declared Period and Prescribed Works Period for the purpose of conducting the Adelaide 500 2022 event.
2. Provides the following advice to Council for consideration in their communications and response to consultation with the South Australian Motorsport Board:
  - 2.1 The sealing of any pedestrian, cycling or other paths as envisaged by the SAMB proposal for requested works takes into account the expectations of Park Lands infrastructure, does not add to the impacts of increased heat and considers the use of recycled or climate sensitive materials or other treatments.
  - 2.2 Investigate alternate cooler surfacing materials for the increased pit area as well as management of surface run off and existing infrastructure capacities through water sensitive design.
  - 2.3 Any works considers and enhances master planning in the Parks that are impacted.
  - 2.4 Where the MOU speaks to impacts to the Park Land that this is brought to Kadaltilla for review.
  - 2.5 Acknowledge the continued importance to protect sensitive Fauna and Native Grass restoration areas and that the work and interventions of SAMB will guarantee rectification in the event this is required
  - 2.6 Acknowledge the National Heritage Listing of the Adelaide Park Lands and undertake the required assessments regarding potential impacts on the National Heritage values under the Environment Protection and Biodiversity Conservation Act.
  - 2.7 Exclude the areas in the south-east corner of the Park Lands which is the new wetlands.
  - 2.8 Provide compensation of tree canopy for the increased hard surface area of 1300 square metres.
3. Notes that the Adelaide 500, 2022 declaration consultation is on the declared area, declared period and prescribed works period only and not on the overall management of the Adelaide 500 event.
4. Notes Council will work with the South Australian Motorsport Board to deliver operational requirements to ensure the ongoing protection of the Adelaide Park Lands.

**2. Advice 2 – Illuminate Adelaide Public Artwork**

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That Kadaltilla / Park Lands Authority:

1. Supports the location of a public artwork by Ouchhh Studio within Light Square / Wauwi, based on the concept design, as shown in Attachment A to Item 5.1 on the Agenda for the Board meeting of Kadaltilla / Park Lands Authority scheduled for 23 June 2022 and held on 30 June 2022.
2. Recommends further consideration be given to the design of Light Square / Wauwi and Waymouth Street / Morphett Street frontage to better integrate the placement of the public artwork, including rationalisation of existing infrastructure, improved access paths and circulation space, review of existing trees, as well as strengthening of the landscape character and amenity of Light Square / Wauwi.

**3. Advice 3 – Updated Rymill Park / Murlawirrapurka (Park 14) Master Plan****THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:**

That Kadaltilla / Park Lands Authority:

1. Supports the final Rymill Park / Murlawirrapurka (Park 14) Master Plan as detailed in Attachment A to Item 5.2 on the Agenda for the meeting of the Board of Kadaltilla / Park Lands Authority scheduled for 23 June 2022 and held on 30 June 2022.

**4. Advice 4 – Bonython Park / Tulya Wardli Informal Car Park****THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:**

That Kadaltilla / Park Lands Authority:

1. Notes the options for the informal carpark in Bonython Park/Tulya Wardli (Park 27) as listed in paragraph 21 of the discussion section of Item 5.3 on the Agenda for the meeting of the Board of Kadaltilla / Park Lands Authority scheduled for 23 June 2022 and held on 30 June 2022.
2. Supports Option A to close the informal car park at such time administration commences work on the return of the area to Park Lands or until such time as Volleyball SA develops the site for beach volleyball purposes.
3. Recommends Council investigate options for design and funding for the return to Park Lands in the Q1 budget review process.
4. Notes that a temporary parking fee will not be implemented in association with the informal commuter car park in Bonython Park/Tulya Wardli (Park 27).

**13 Item 10.4 - Review of Shopfront Improvement Grant****THAT COUNCIL**

1. Approves an allocation of \$300,000 for a further round of Shopfront Improvement Grants which will be funded from the 2022/2023 budget.

**14 Item 10.9 - Electric Vehicle Charging Station Lease****THAT COUNCIL**

1. Approves leasing the portion of the electric vehicle charging station land on the former bus station at 85-107 Franklin Street, Adelaide currently leased to the Government of South Australia, to Tesla Pty Ltd or nominated entity.
2. Authorises the Chief Executive Officer to finalise lease negotiations between the Corporation of City of Adelaide and Tesla Pty Ltd and execute a lease agreement and associated documentation.
3. Authorises the Chief Executive Officer to sign and affix as necessary the Common Seal with the signature of the Lord Mayor to all legal documentation to give effect to the above-mentioned decisions.

**15 Item 10.11 - Group Power Purchase Agreement for City-based business****THAT COUNCIL**

1. Notes the report.

**16 Item 10.14 - Reports in Confidence**THAT COUNCIL

1. Notes the report.

Discussion ensued

The motion was then put and carried

**17 Advice from Kadaltilla / Park Lands Authority & Advice/Recommendations of the Audit and Risk/Reconciliation Committee****18 Item 9.2 - Audit And Risk Committee Report - 17 June 2022**

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

1. **Report of the Audit and Risk Committee – 17 June 2022**

THAT COUNCIL

2. Notes the report of the Audit and Risk Committee held on 17 June 2022.

Discussion ensued

The motion was then put and carried

**19 Reports for Council (Chief Executive Officer's Reports)****20 Item 10.1 - Bonython Park / Tulya Wardli Informal Car Park**

Moved by Councillor Martin,  
Seconded by Councillor Moran -

THAT COUNCIL

1. Notes the options for the informal carpark in Bonython Park/Tulya Wardli (Park 27) as listed in paragraph 21 of the discussion section of Item 10.1 of the Agenda for the meeting of the Council held on 12 July 2022.
2. Approves the closure of the informal carpark in Bonython Park/Tulya Wardli (Park 27) on or about Monday 5 September 2022 (allowing for four weeks advance notice) in line with Option C outlined in Item 10.1 on the Agenda for the meeting of the Council held on 12 July 2022.
3. Notes that a temporary parking fee will not be implemented in association with the informal commuter carpark in Bonython Park/Tulya Wardli (Park 27).

Discussion ensued, during which with the consent of the mover, seconder and the meeting, the motion was varied to read as follows:

THAT COUNCIL

1. Notes the options for the informal carpark in Bonython Park/Tulya Wardli (Park 27) as listed in paragraph 21 of the discussion section of Item 10.1 of the Agenda for the meeting of the Council held on 12 July 2022.
2. Approves Option A, outlined in Item 10.1 on the Agenda for the meeting of the Council held on 12 July 2022, to close the informal car park at such time administration commences work on the return of the area to Park Lands or until such time as Volleyball SA develops the site for beach volleyball purposes.

3. Investigate options for design and funding for the return to Park Lands in the Q1 budget review process.
4. Notes that a temporary parking fee will not be implemented in association with the informal commuter carpark in Bonython Park/Tulya Wardli (Park 27).'

The motion, as varied, was then put and carried

Councillor Martin requested that a division be taken on the motion, as varied.

#### **Division**

#### **For (5):**

Councillors Donovan, Hou, Martin, Moran and Snape.

#### **Against (4):**

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

The division was declared in favour of the motion, as varied

### **21 Item 10.2 - Community Impact Grants and Strategic Partnerships Program - Year One Program Review Report**

Moved by Councillor Martin,  
Seconded by Councillor Moran –

#### THAT COUNCIL

Defers the matter and asks the administration to reschedule it for the incoming Council.

Discussion ensued

The motion was then put and lost

Councillor Martin requested that a division be taken on the motion

#### **Division**

#### **For (3):**

Councillors Martin, Moran and Snape.

#### **Against (6):**

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

The division was declared against the motion

It was then –

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

That Council:

1. Notes the report.
2. Approves, in principle, an increase of the annual budget for the Community Impact Grants and Strategic Partnership Program (CIGSP) by \$90,000 to \$836,000 from 2023/24.
3. Approves the following changes to the CIGSP program from 2023/24 onwards:
  - 3.1. Increase Quick Response annual budget by \$20,000, from \$50,000 to \$70,000.
  - 3.2. Increase Community Infrastructure annual budget by \$50,000 to \$150,000.
  - 3.3. Introduce a targeted round of Community Impact Grants in 2023/24, for youth led, youth delivered projects, with a total round budget of \$20,000 for proposals up to \$5,000 in value.
  - 3.4. Introduce specific guidelines in relation to project values of the Community Infrastructure category to ensure grants funding support is focused on smaller scale (minor) community

projects.

- 3.5. Divide Community Impact Grants into Programs & Events sub-categories and include the option of multiyear funding capped at two years.
4. Authorises minor changes to CIGSP Grant Guidelines to be made by the Chief Executive Officer under delegated authority from 2022/23 onwards.

Carried

Councillor Couros requested that a division be taken on the motion

#### **Division**

#### **For (6):**

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

#### **Against (3):**

Councillors Martin, Moran and Snape.

The division was declared in favour of the motion

## **22 Item 10.3 - Updated Rymill Park Master Plan**

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

#### THAT COUNCIL

1. Adopts the final Rymill Park / Murlawirrapurka (Park 14) Master Plan as detailed in Attachment A to Item 10.3 on the Agenda for the meeting of the Council held on 12 July 2022.

Amendment –

Moved by Councillor Martin,  
Seconded by Councillor Moran –

That the motion be amended to read as follows:

‘That Council:

Defers the matter and asks that it be rescheduled for the incoming Council.’

Much discussion ensued

The amendment was then put and lost

Councillor Snape requested that a division be taken on the amendment

#### **Division**

#### **For (3):**

Councillors Martin, Moran and Snape

#### **Against (6):**

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

The division was declared against the amendment

Discussion continued

The motion was then put and carried

Councillor Couros requested that a division be taken on the motion

**Division****For (6):**

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

**Against (3):**

Councillors Martin, Moran and Snape

The division was declared in favour of the motion

**23 Item 10.5 - Illuminate Adelaide Public Artwork**

Moved by Councillor Donovan,  
Seconded by Councillor Hyde -

THAT COUNCIL

1. Approves the location of a public artwork by Ouchhh Studio within Light Square / Wauwi, based on the concept design, as shown in Attachment A to Item 10.5 on the Agenda for the meeting of the Council held on 12 July 2022.
2. Notes further consideration will be given to the design of Light Square / Wauwi and Waymouth Street / Morphett Street frontage to better integrate the placement of the public artwork, including rationalisation of existing infrastructure, improved access paths and circulation space, review of existing trees, as well as strengthening of the landscape character and amenity of Light Square / Wauwi.

Discussion ensued

The motion was then put and carried unanimously

**24 Item 10.5 - CEO Undertaking - Item 10.5 - Illuminate Adelaide Public Artwork**

In response to queries from Councillor Martin, an undertaking was given by the CEO to ensure that the public artwork would be protected from skateboarders and cyclists etc.

**25 Item 10.6 - Adelaide 500, 2022 Declarations Consultation**

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

THAT COUNCIL:

1. Notes the Declaration of the Declared Area, Declared Period and Prescribed Works Period for the purpose of conducting the Adelaide 500 2022 event under the South Australian Motor Sport Act, 1984, Section 2(1). The Adelaide 500 2022 Declaration Consultation relates to the Declared Area, Declared Period and Prescribed Works Period only.
2. Notes the Chief Executive Officer will write to the SA Motor Sport Board in response to the consultation by 20 July 2022 on the key issues detailed in this report with regard to the Declared Area and impacts to Victoria Park / Pakapakanthi (Park 16) and the extended timeframes and impacts that relate to the Declared Period and Prescribed Works Period.
3. Requests the Administration work with the State Government to undertake modelling to better understand the effects of constricting accessibility to the CBD on city businesses, particularly those not expected to see any economic uplift as a result of increased visitors to the CBD for the Adelaide 500.
4. Requests the Lord Mayor continue advocating for a stimulus package to support those businesses in the City and North Adelaide that will not ordinarily see any economic uplift as a result of the Adelaide 500.

Discussion ensued

Councillor Hyde requested that a division be taken on the motion

**Division**

**For (7):**

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

**Against (2):**

Councillors Martin and Moran.

The division was declared in favour of the motion

**26 Item 10.7 - Climate Action Plan Engagement and Progress**

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

THAT COUNCIL

1. Notes the progress report on the *Carbon Neutral Strategy 2015-2025* as included in Attachment A to Item 10.7 listed on the Agenda for the meeting of the Council held on 12 July 2022.
2. Notes the Climate Action Engagement Summary Report provided in Attachment B to Item 10.7 listed on the Agenda for the meeting of the Council held on 12 July 2022.
3. Through its role in the Council of Capital City Lord Mayors, advocates for the development of science-based targets and a framework for measurement of community emissions.

Discussion ensued, during which with the consent of the mover and seconder, the motion was taken in parts.

Part 1 of the motion was then put and carried unanimously

Part 2 of the motion was then put and carried unanimously

Part 3 of the motion was then put and carried

Councillor Hyde requested that a division be taken on Part 3 the motion

**Division**

**For (6):**

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

**Against (3):**

Councillors Martin, Moran and Snape

The division was declared in favour of Part 3 of the motion

**27 Item 10.8 - Sustainability Incentive Scheme Review**

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

THAT COUNCIL

1. Approves the changes to the Sustainability Incentives Scheme (SIS) as outlined in the Report and Attachment A to Item 10.8 on the Agenda for the meeting of the Council held on 12 July 2022, to be effective from 1 January 2023.
2. Requests the Administration undertake investigations into options for incentivising new building developments that utilise efficient technologies and systems, such as geothermal, related to the operation of HVAC (heating, ventilation and air conditioning). The intention being to further drive the

reduction of operational carbon and therefore the investigation should consider feasibility, incentive scheme options and possibilities where carbon credits may be generated from such approaches.

Discussion ensued

The motion was then put and carried unanimously

## **28 Item 10.8 - CEO Undertaking - Sustainability Incentive Scheme Review**

In response to queries from Deputy Lord Mayor (Councillor Abrahamzadeh), the CEO gave an undertaking to provide Council Members with a list of green star ratings required for approval in each category of development.

## **29 Item 10.10 - Park Lands Foundation - Update**

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh),  
Seconded by Councillor Donovan -

### THAT COUNCIL

1. Approves the establishment of a Park Lands Foundation, that meets the requirements of a Deductible Gift Recipient.

Amendment –

Moved by Councillor Martin,  
Seconded by Councillor Snape -

‘That the motion be amended to include the word ‘Kadaltilla’ before the word ‘Park’.

Discussion ensued, during which:

- The seconder withdrew his seconding of the amendment, therefore the amendment lapsed.
- The motion was varied, with the consent of the mover, seconder and the meeting to include the word ‘Adelaide’ before the word ‘Park’.

The motion, as varied, was then put and carried unanimously

## **30 Item 10.12 - Proposed Adelaide Botanic High School Expansion**

Moved by Deputy Lord Mayor (Councillor Abrahamzadeh).  
Seconded by Councillor Hou -

### THAT COUNCIL

1. Authorises the Chief Executive Officer to negotiate the final terms of a Memorandum of Understanding with the Department for Education in relation to the transfer of a portion of Allotment 22 in Certificate of Title 5696/850 in Deposited Plan 51367, owned by the City of Adelaide, to the State Government.
2. Approves the following principles to be used by the City of Adelaide in the negotiation to finalise the Memorandum of Understanding with the Department for Education and to follow into formal negotiations:
  - 2.1. The proposal does not remove any land from designation as Adelaide Park Lands (no net loss of Park Lands).
  - 2.2. A process for transfer of land will ensure any returning land is of equal or greater area than the parcel of land to be transferred.
  - 2.3. Any returning land is to be of a commensurate financial value and/or additional State Government investment is made in the Adelaide Park Lands to compensate land value.
  - 2.4. A process for transfer of land will be fair and transparent and ensure that Council obtains not less than fair and agreed market value from the disposal, unless there are reasons for Council accepting a lesser value.

- 2.5. The fair market value of the land is to be determined by an independent valuation obtained from a suitably qualified Certified Practising Valuer based on the highest and best use of the site taking into consideration:
  - 2.5.1 The recent rezoning of the land and proposed use for multi-storey built-form development.
  - 2.5.2. The contamination status of the land is not a contributing factor to the fair market value and is excluded from the valuation process as it will be resolved through subsequent development.
- 2.6. Detail on the returning land and process such as:
  - 2.6.1. The terms for the transaction required to transfer of land on the returning land is agreed.
  - 2.6.2. The land parcels 'short-listed' by the State Government that are subject to negotiations.
  - 2.6.3. Formalising a process in the circumstance that the Council and the State Government cannot reach agreement on the returning land.
  - 2.6.4. Seeks to coincide land transfer of Allotment 22 and the returning land.
  - 2.6.5. Negotiates remediation standard of any returning land and makes clear that remediation obligations rest with the State and not the Council (even in the circumstance Council is the identified owner).
- 2.7. The process will not comprise the application or otherwise, of any prudential requirements under Section 48 of the *Local Government Act 1999 (SA)*, with specific reference to part 2(j) in relation to land valuation.
- 2.8. Any returning land provides for commensurate or enhanced social, environment and cultural value for the Adelaide Park Lands consistent with the statutory principles of the APL Act.
- 2.9. The Adelaide Botanic High School should also consider and prioritise spending in the precinct surrounding the expansion site to ensure its fit within the location.
- 2.10. The State Government assumes all responsibility for site contamination, including capping or remediation of adjoining land to remain within Allotment 22, and heritage protection associated with the site.
- 2.11. The State Government bears the costs for any dealings on the land.
- 2.12. An undertaking that the existing city-based public schools have reached capacity and that future school capacity will be achieved outside of the City of Adelaide or as a new school and location within the city.
- 2.13. Notes the requirement in the next stage for Term Sheets or equivalent for the sale contracts for both that portion of Allotment 22 and the returning land to enable a legally enforcement contract to be.
3. Approves the Chief Executive Officer to allocate resources to preliminary negotiations, investigation and analysis of the proposal(s), including legal opinion.
4. Authorises the Lord Mayor and the Chief Executive Officer to sign and seal documentation to facilitate transfers and any other dealings associated with the transfer of land or assets that may be required, up to a nominated financial threshold.

Discussion ensued

The motion was then put and carried

Councillor Moran requested that a division be taken on the motion

#### **Division**

#### **For (6):**

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

#### **Against (3):**

Councillors Martin, Moran and Snape.

The division was declared in favour of the motion

**31 Item 10.13 - Replacement of Combustible Cladding**

Councillor Martin declared a material conflict of interest in Item 10.13 [Replacement of Combustible Cladding], pursuant to Sections 73 & 74 of the Local Government Act 1999 (SA), as he is the trustee on a trust for one of the buildings named in the report, withdrew his chair and left the Council Chamber at 7.21pm.

It was then –

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

THAT COUNCIL

1. Notes the report.
2. Waives all planning fees associated with applications made to remediate combustible Aluminium Composite Panels (ACPs) whereby all ACPs are removed from a building, or where remediation works will result in a building reducing its risk status to 'low' on the SALSA risk rating tool, as assessed by Council's Building Fire Safety Committee or delegate.
3. Requests the Lord Mayor write to the state government to broaden the eligibility of the Building Upgrade Finance scheme to include the removal and replacement of Aluminium Composite Panel facades.

Discussion ensued

The motion was then put and carried unanimously

Councillor Martin re-entered the Council Chamber at 7.24pm.

**32 Exclusion of the Public**

In accordance with sections 90(2),(3) and (7) of the *Local Government Act 1999 (SA)* Council considered whether to discuss in confidence the reports contained within sections 12, 13 & 14 of the Agenda.

**33 Order to Exclude for Item 12.1**

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

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 12 July 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.1 [Confidential Advice of Kadaltilla / Park Lands Authority – 23 June 2022] 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 commercial information (not being a trade secret) of a confidential nature which the proponent has requested be considered in confidence on the grounds that the proposal details their intellectual property. The disclosure of information in this report could reasonably be expected to prejudice the commercial position and negotiations of the Council and proponent with external parties.

Public Interest

Kadaltilla 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 may result in release of information prior to the finalisation of 'commercial in confidence' negotiations between the proponent and their suppliers and may materially and adversely affect the financial viability of the proponent in

relation to contract negotiations which on balance would be contrary to the public interest.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 12 July 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 [Confidential Advice of Kadaltilla / Park Lands Authority – 23 June 2022] 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

### 34 Order to Exclude for Item 12.2

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) (b), (d) & (i) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 12 July 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.2 [Confidential Audit and Risk Committee – 17 June 2022] 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 is commercial 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 on a third party.

The disclosure of information in this report could reasonably prejudice the commercial position and the 'commercial in confidence' information containing confidential contractual information. Disclosure of this information may adversely impact project delivery, prejudice the ability to fulfil contractual obligations contained in the contract and contravene confidentiality clauses contained within the contract.

This Item is confidential nature because the report includes information on Council litigation.

The disclosure of information in this report could reasonably be expected to prejudice the outcome of Council's actual litigation.

The Audit and Risk Committee 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 relates to actual litigation of Council.

#### Public Interest

The Audit and Risk Committee 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 may result in release of information prior to the finalisation of 'commercial in confidence' contractual obligations and may materially and adversely affect the delivery of the projects and because the disclosure of Council's commercial position may severely prejudice Council's prejudice the ability to fulfil contractual obligations contained in the contract and contravene confidentiality clauses contained within the contract.

The Audit and Risk Committee 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 is commercial in nature.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 12 July 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 12.2 [Confidential Audit and Risk Committee – 17 June 2022] 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) & (i) of the Act.

Carried

### 35 Order to Exclude for Item 13.1

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) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 12 July 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 13.1 [Rymill Park Kiosk – Enhancement and Lease Proposal] 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 commercial information (not being a trade secret) of a confidential nature which the proponent has requested be considered in confidence on the grounds that the proposal details their intellectual property and the release of this information prematurely may be contrary to public interest. The disclosure of information in this report could reasonably be expected to prejudice the commercial position and negotiations of the Council and proponent with external parties.

#### 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 may result in release of information prior to the finalisation of 'commercial in confidence' negotiations between the proponent and their suppliers and may materially and adversely affect the financial viability of the proponent in relation to contract negotiations which on balance would be contrary to the public interest.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 12 July 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 13.1 [Rymill Park Kiosk – Enhancement and Lease Proposal] 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

### 36 Order to Exclude for Item 13.2

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) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 12 July 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 13.2 [Advertising Contract within City of Adelaide] 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 could reasonably prejudice the commercial position and identity of the contractor who supplied 'commercial in confidence' material containing commercial pricing and methodology information. This report contains reference to 'commercial in confidence' tender response documentation, disclosure of which at this point in time may confer a commercial advantage on a third party, prejudice the ability for Council to undertake/participate in future discussion or negotiation and prejudice the Council's commercial position and opportunity to discuss or negotiate an option yet to be determined by the Council at this point in time.

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 will result in release of contractor commercial pricing and methodology information, a competitor receiving the information to the detriment of the interested parties and the person who supplied the information at this point in time (and for approximately three years from the date of this report) and because the disclosure of Council's commercial position may severely prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter.

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 the execution of any contract/s and any essential negotiation of the contract may have a detrimental impact on the outcome of these negotiations including potential abandonment of the tender process and/or potential diminished commercial outcomes.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 12 July 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 13.2 [Advertising Contract within City of Adelaide] 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

**37 Order to Exclude for Item 13.3**

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 12 July 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 13.3 [Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board] listed on the Agenda.

Grounds and Basis

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

Public discussion and disclosure of information in this report prior to a resolution being determined by Council may potentially implicate the nominees' reputations 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 12 July 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 13.3 [Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board] 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

**38 Order to Exclude for Item 13.4**

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) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 12 July 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the

consideration of Item 13.4 [Award of Contract] 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 could reasonably prejudice the commercial position and identity of the contractor who supplied 'commercial in confidence' material containing commercial pricing and methodology information. This report contains reference to information documented by the evaluation panel which has been used to evaluate tender submissions, the disclosure of which would be contrary to public interest and confer a commercial advantage to tenderers in the process. This report contains reference to 'commercial in confidence' tender response documentation, disclosure of which at this point in time may confer a commercial advantage on a third party, prejudice the ability for Council to undertake/participate in future discussion or negotiation and prejudice the Council's commercial position and opportunity to discuss or negotiate an option yet to be determined by the Council at this point in time.

#### 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 will result in release of contractor commercial pricing and methodology information, a competitor receiving the information to the detriment of the interested parties and the person who supplied the information at this point in time (and for approximately three years from the date of this report) and because the disclosure of Council's commercial position may severely prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter.

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 increases the heightened legal and reputational risk exposure. This is in accordance with Council's Procurement Policy and seeks to protect the commercial interests of the participants in the tender process.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 12 July 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 13.4 [Award of Contract] 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

### **39 Order to Exclude for Item 14.1**

Discussion ensued

It was then –

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), (g) & (h) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 12 July 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 14.1 [Councillor Couros – MoN – Cultural Investigation] listed on the Agenda.

#### Grounds and Basis

This Item is confidential as it contains matters that must be considered in confidence in order to ensure that the Council does not breach any law, any duty of confidence, or other legal obligation or duty, and preserves legal privilege.

The disclosure of this report would waive legal privilege and involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

The disclosure of information in this report could reasonably prejudice the identity of the persons named in the report and would prejudice the ability of the Chief Executive Officer to act as required by

law. By maintaining the confidentiality of this report, procedural fairness will be observed.

Section 56 of the Independent Commissioner Against Corruption Act 2012 (ICAC Act) prohibits the publication of:

- information tending to suggest that a particular person is, has been, may be, or may have been, the subject of a complaint, report, assessment, investigation or referral under the Act;
- information that might enable a person who has made a complaint or report under the Act to be identified or located;
- the fact that a person has made or may be about to make a complaint or report under the Act;
- the fact that a person has given or may be about to give information under the Act.

Contravention of these provisions is a criminal offence. However, these provisions do not prevent the making of this confidential report to Council.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 12 July 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 14.1 [Councillor Couros – MoN – Cultural Investigation] 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), (g) & (h) of the Act.

Discussion ensued

The motion was then put and carried

Councillor Martin requested that a division be taken on the motion

#### **Division**

#### **For (5):**

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

#### **Against (4):**

Councillors Donovan, Martin, Moran and Snape.

The division was declared in favour of the motion.

#### **40 Order to Exclude for Item 14.2**

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

#### 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 12 July 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 14.2 [Councillor Martin - MoN – Development at 62 to 100 O’Connell Street] 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 expect 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 on a third party. More specifically, the disclosure of certain information in this special meeting of the Council could reasonably prejudice the commercial position of Council given that the City of Adelaide Council land holding is the subject of commercial negotiations with a third party.

#### 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 given that information within this report pertains to

commercial negotiations for a City of Adelaide land holding. The release of such information may severely prejudice the Council's ability to secure a developer to undertake development of the land for the benefit of the City of Adelaide, Council and the community in this matter.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 12 July 2022 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 14.2 [Councillor Martin - MoN – Development at 62 to 100 O'Connell Street] 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

Councillor Moran requested that a division be taken on the motion

#### **Division**

#### **For (5):**

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

#### **Against (4):**

Councillors Couros, Martin, Moran and Snape.

The division was declared in favour of the motion

Deputy Lord Mayor (Councillor Abrahamzadeh), Councillor Khera and members of the public and Corporation staff present not directly involved with Items 12.1, 12.2, 13.1, 13.2, 13.3, 13.4, 14.1 and 14.2 left the Council Chamber at 7.36pm.

#### **Adjournment**

The meeting **adjourned at 7.37pm** for a short break **and reconvened at 7.44pm** with the following Council Members present -

Sandy Verschoor (Lord Mayor) (Presiding)

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

- 41 **Item 12.1 - Confidential Advice of Kadaltilla / Park Lands Authority - 23 June 2022**
- 42 **Item 12.2 - Confidential Audit and Risk Committee Report - 17 June 2022**
- 43 **Item 13.2 - Advertising Contract within City of Adelaide**
- 44 **Item 13.3 - Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board**
- 45 **Item 13.4 - Award of Contract**
- 46 **Confidential Reports for Council (Chief Executive Officer's Reports)**
- 47 **Item 13.1 - Rymill Park Kiosk - Enhancement and Lease Proposal**
- 48 **Confidential Motions on Notice**
- 49 **Item 14.1 - Councillor Couros - MoN - Cultural Investigation**
- 50 **Item 14.2 - Councillor Martin - MoN - Development at 62 to 100 O'Connell Street**

The meeting re-opened to the public at 8.16pm.

### Confidentiality Orders

#### **Item 12.1** – Confidential Advice of Kadaltilla / Park Lands Authority - 23 June 2022

##### Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.1 [Confidential Advice of Kadaltilla / Park Lands Authority – 30 June 2022] listed on the Agenda for the meeting of the Council held on 12 July 2022 was 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 2029.
2. The confidentiality of the matter be reviewed in December 2023.
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.

#### **Item 12.2** – Confidential Audit and Risk Committee Report - 17 June 2022

##### Resolution and Confidentiality Order

##### THAT COUNCIL

1. Notes the report of the meeting of the Audit and Risk Committee held on 17 June 2022.
2. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.2 [Confidential Audit and Risk Committee – 17 June 2022] listed on the Agenda for the meeting of the Council held on 12 July 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (b), (d) & (i) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:
  - 2.1. The resolution become public information and included in the Minutes of the meeting.
  - 2.2. The report, the 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 2029.
  - 2.3. The confidentiality of the matter be reviewed in December 2023.
  - 2.4. The Chief Executive Officer be delegated 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.

#### **Item 13.1** – Rymill Park Kiosk - Enhancement and Lease Proposal

##### Confidentiality Order

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 13.1 [Rymill Park Kiosk, Enhancement and Lease Proposal] listed on the Agenda for the meeting of the Council held on Tuesday 12 July 2022 was 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 2029.
2. The confidentiality of the matter be reviewed in December 2023.
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.

#### **Item 13.2** – Advertising Contract within City of Adelaide

##### Confidentiality Order

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 13.2 [Advertising Contract within City of Adelaide] listed on the Agenda for the meeting of the Council held on 12 July

2022 was 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 2029.
2. The confidentiality of the matter be reviewed in December 2023.
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.

**Item 13.3** – Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board

**Confidentiality Order**

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 13.3 [Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board] listed on the Agenda for the meeting of Council held on 12 July 2022 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 and report [excluding the candidate CV and application in Attachment A of the report] remain confidential and become public information upon confirmation of the appointments by the Brown Hill and Keswick Creeks Stormwater Board.
2. The discussion, the candidate CV and application in Attachment A and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2029.
3. The confidentiality of the matter be reviewed in December 2023.
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.

**Item 13.4** – Award of Contract

**Confidentiality Order**

In accordance with Section 90(3) (b) and (d) of the *Local Government Act 1999 (SA)* and because Item 13.4 [Award of Contract] listed on the Agenda for the meeting of the Council held on 12 July 2022 was 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 2029.
2. The confidentiality of the matter be reviewed in December 2023.
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.

**Item 14.1** – Councillor Couros - MoN - Cultural Investigation

**Confidentiality Order**

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 14.1 [Councillor Couros - MoN – Cultural Investigation] listed on the Agenda for the meeting of the Council held on 12 July 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (a), (g) & (h) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:

1. Appendices 3 & 4 of the Confidential Cultural Investigation Report – Executive Summary & Confidential Cultural Investigation Report dated 14 September 2020 be included in the Minutes of the meeting.
2. The Administration Comment associated with Item 14.1 [Councillor Couros - MoN – Cultural Investigation] listed on the Agenda for the meeting of the Council held on 12 July 2022 and any other associated information submitted to this meeting in relation to the matter (excluding Appendices 3 & 4 of the EMA Legal Report - the Confidential Cultural Investigation Report – Executive Summary & Confidential Cultural Investigation Report dated 14 September 2020) remain confidential and not available for public inspection until 31 December 2029.
3. The confidentiality of the matter be reviewed by July 2023.
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.

The appendices can be found at the conclusion of the minutes for information.

**Item 14.2 – Councillor Martin - MoN - Development at 62 to 100 O'Connell Street**

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 14.2 [Councillor Martin - MoN - Development at 62 to 100 O'Connell Street] listed on the Agenda for the meeting of the Council held on 12 July 2022 was 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 report and the discussion and any other associated information submitted to this meeting and the Minutes of the meeting in relation to this matter remain confidential and not available for public inspection until 3.1 December 2029.
2. The confidentiality of the matter be reviewed in December 2023.
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.

**Adjournment**

The meeting **adjourned at 8.16pm** for a 20 minute break **and reconvened at 8.39pm** with the following Council Members present -

Sandy Verschoor (Lord Mayor) (Presiding)

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

**51 Item 15 - Lord Mayor's Reports**

The Lord Mayor addressed the meeting as follows:

Last week, we celebrated NAIDOC Week and this year's theme was 'Get Up! Stand Up! Show Up!', which calls for us to move beyond just acknowledgement, good intentions, empty words and promises and stand up for systemic change.

It's also time to celebrate the many who have driven and led change in our communities over generations. I was proud to present this year's Lord Mayor's NAIDOC Award to Uncle Ivan- Tiwu Copley OAM. Uncle Ivan is the longest serving member on our Reconciliation Committee - having dedicated an incredible 19 consecutive years contributing to the City of Adelaide's reconciliation journey and providing us with significant guidance and support.

He is also an Aboriginal consultant, Chairperson of the TURKINDI Network of SA Inc and sits on a range of community committees focused on reconciliation, cultural learning, statistics, Australian history, missions and homes and the arts.

I also travelled to Perth last week for the first face-to-face Council of Capital City Lord Mayors (CCCLM) meeting in two years and I look forward to continuing our advocacy for federal action on climate change, homelessness and arts and culture.

On Sunday (10 July), a delegation from Christchurch arrived in Adelaide including the Deputy Mayor, Andrew Turner, (representing Mayor Lianne Dalziel) to celebrate the 50<sup>th</sup> anniversary of the sister city relationship between Adelaide and Christchurch.

Ours was the first sister-city relationship for both Adelaide and Christchurch.

The proposal for our cities to enter into a sister city relationship initially arose during a civic reception in December 1971. The then Adelaide Lord Mayor William Hubert Hayes was the host of this event, whilst the then High Commissioner of New Zealand, was the guest of honour.

On the 20<sup>th</sup> of December 1971, the City of Adelaide formally adopted the suggestion and on the 21<sup>st</sup> of February 1972 the City of Christchurch approved of the relationship.

The sister cities relationship was created for the purpose of encouraging a close understanding between the City of Adelaide and the City of Christchurch, whilst assisting with diplomatic ties, social connections, sporting events, student and economic exchanges and tourism.

And throughout the past 50 years, Adelaide and Christchurch have consistently demonstrated their commitment to upholding their relationship through civic events, exchanges, and programmes including The Children's Universities, a student exchange program and regular visits Mayoral visits.

And I look forward to continuing to work together to strengthen the collaboration between our two cities including during the course of this week's visit.'

It was then -

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

That the report be received and noted.

Carried

## 52 Councillors' Reports

## 53 Item 16.1 - Reports from Council Members

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

### THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 16.1 on the Agenda for the meeting of the Council held on 12 July 2022).
2. Notes the summary of Council Members meeting attendance (Attachment B to Item 16.1 on the Agenda for the meeting of the Council held on 12 July 2022).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 12 July 2022 be included in the Minutes of the meeting.

Deputy Lord Mayor (Councillor Abrahamzadeh) address the Chamber as follows:

'Lord Mayor, I wish to present a Commendation Certificate from the Art Deco and Modernism Society, which has been awarded to the City of Adelaide for the restoration of the Victoria Park racecourse and entrance gates.

These projects spanned over multiple years and included works completed by tenants of the Victoria Park building as well as recent conservation works to the gates delivered by the City of Adelaide. This was a shared journey within City of Adelaide administration with our Assets, Community Property, City Heritage and Delivery teams assisting to deliver this project.'

Acclamation

The motion was then put and carried

## 54 Questions on Notice

- 17.1 - Councillor Hyde - QoN - 2020 Central Ward Supplementary Election Costs
- 17.2 - Councillor Hyde - QoN - Public Art Funding
- 17.3 - Councillor Hyde - QoN - Security Procurement
- 17.4 – Deputy Lord Mayor (Councillor Abrahamzadeh) - QoN - Council Involvement in the Adelaide Economic Development Agency
- 17.5 - Councillor Martin - QoN - Public Realm Services and Maintenance
- 17.6 - Councillor Martin - QoN - Lord Mayoral Staff
- 17.7 - Councillor Martin - QoN - Motions and Questions on Notice
- 17.8 - Councillor Martin - QoN - First Nations Employment
- 17.9 - Councillor Martin - QoN - Aquatic Centre Asset Value

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

The tabled Replies for Items 17.1 – 17.9 are attached for reference at the end of the Minutes of this meeting.

**55 Questions without Notice**

Discussion ensued

**56 Item 18 - CEO Undertaking - Questions without Notice**

In response to questions from Councillor Hyde, the CEO gave an undertaking to provide Council Members with any health advice (in relation to Covid) that was circulated to attendees before the Naidoc Function in the Town Hall.

**57 Motions on Notice****58 Item 19.1 - Deputy Lord Mayor (Councillor Abrahamzadeh) - MoN - City Business Insurance Advocation**

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

That Council:

1. Notes that many city businesses, in particular some in Hindley Street, are experiencing increasing challenges and costs to procure appropriate insurance coverage.
2. Notes that a competitive market environment where adequate and affordable insurance for businesses is an important foundation for Adelaide's economy.
3. Requests the Lord Mayor to write to industry bodies including the Insurance Council of Australia, Australian Hotels Association, Restaurant and Caterers Association and Business SA asking that they advocate at a national level for government intervention and support to ensure that businesses are able to procure comprehensive and affordable insurance from reliable and trusted insurance providers.

Discussion ensued, during which Councillor Couros left the Council Chamber at 8.57pm and re-entered at 8.58pm.

The motion was then put and carried unanimously

**59 Item 19.2 - Councillor Snape - MoN - Playground Shade**

Due to the absence of Councillor Snape the item did not proceed.

**60 Item 19.3 - Councillor Snape - MoN - Recycling Rails on Bins**

Due to the absence of Councillor Snape the item did not proceed.

**61 Item 19.4 - Councillor Hou - MoN - Plastic Waste Reduction**

Moved by Councillor Hou,  
Seconded by Councillor Hyde -

That Council:

1. Notes a trial to reduce food organics in a retail precinct in the city will soon commence to support businesses to transition from single-use plastics to reusable and compostable items.
2. Expresses its intent to deliver a second food organics education program for a city business precinct, to be informed by the above trial.
3. Notes the leading approach to single-use plastic reduction by the State Government as part of implementation of the *Single-use and Other Plastic Products (Waste Avoidance) Act 2020*.
4. Requests the Administration advocate to State and Federal Government to drive reductions and

elimination of packaging, particularly plastic packaging, through the food supply chain to avoid and reduce waste disposed of via City of Adelaide waste services.

Discussion ensued

The motion was then put and carried

**62 Item 19.5 - Councillor Hou - MoN - Moonta Street Roof Installation**

Moved by Councillor Hou,  
Seconded by Councillor Hyde -

That Council:

1. Notes that some previous preliminary work on constructing a roof over Moonta Street was undertaken prior to the Moonta Street public realm upgrade.
2. Requests the CEO prepare a report on options for the installation of an enclosed roof over Moonta Street, and that report consider various configurations such as a roof over the main events space of the Moonta Street Plaza adjacent Gouger Street, or over the entirety of Moonta Street, as well as the possibility of staging construction.
3. Requests the above report is provided to Council by its August meeting and that the options are released for consultation to collect community feedback once presented to the August Council meeting.

Discussion ensued

The motion was then put and carried

**63 Item 19.5 - CEO Undertaking - Councillor Hou - MoN - Moonta Street Roof Installation**

In response to queries from Councillor Martin, the CEO gave an undertaking to provide Council Members with information on any requests from organisations within the Moonta Street area asking for a roof over Moonta Street.

**64 Item 19.6 - Councillor Martin - MoN - To lift E-scooter-Bicycle Safety**

Moved by Councillor Martin,  
Seconded by Councillor Donovan -

That the matter be lifted from the table.

Carried

Amendment -

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

That the motion be amended to read as follows:

‘That Council:

Defer the motion until the completion of the E-Scooter Parking Trial and Councils receipt of a report on that trial.’

Discussion ensued

The amendment was then put and carried

Councillor Martin requested that a division be taken on the amendment

**Division****For (4):**

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

**Against (2):**

Councillors Donovan and Martin.

The division was declared in favour of the amendment

Discussion continued

The motion, as amended, was then put and carried

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

**Division****For (4):**

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

**Against (2):**

Councillors Donovan and Martin.

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

**65 Item 19.7 - Deputy Lord Mayor (Councillor Abrahamzadeh) - MoN - Use of Information Systems Review**

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

That Council:

- a. Notes the concerns identified in the EMA Legal Cultural Investigation Final Report (published in the Council Minutes of 11 August 2021) regarding the relevance and content of email traffic between council members.
- b. Notes irrelevant email traffic from certain council members continues to be sent to all council members and many staff, in substantial volumes.
- c. Requests the Chief Executive Officer undertakes a review of the Council's 'Use of Information Systems Operating Guideline' and any other relevant Council documents (standing orders, etc), policies or systems concerning council member email use, and to make modifications as deemed appropriate by the Chief Executive Officer, with a view to reducing the proliferation of email communications seen by all council members.

Discussion ensued

The motion was then put and carried

**66 Item 19.8 - Deputy Lord Mayor (Councillor Abrahamzadeh) - MoN - Critical Incident Management Team Acknowledgement**

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

That Council:

- Notes the end of emergency management declaration on 24 May 2022.
- Acknowledges and thanks the critical incident management team (CIMT) for their hard work in keeping staff safe and continuing council operations during the covid19 pandemic and declaration of the State Emergency Management Act.

Discussion ensued

**67 Item 19.9 - Councillor Hyde - MoN - Graffiti removal on private property**

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

That Council:

Requests the Administration undertake an investigation into increasing the services offered for the removal of graffiti on private property, and that the investigation consider various funding options including, but not limited to, a service fully funded by the city, a cost recovery/subsidy model or a combination of the two and to report back to Council on their findings.

Discussion ensued

The motion was then put and carried

**68 Item 19.10 - Councillor Hyde - MoN - Public Realm on Flinders Street**

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

That Council:

Noting the substantial and ongoing private investment at the eastern end of Flinders Streets, requests the Administration engage with key stakeholders regarding the potential for public realm upgrades, with a view to collaborating to deliver enhanced public realm outcomes taking into consideration asset renewal timelines.

Discussion ensued

The motion was then put and carried

**69 Item 19.11 - Councillor Martin - MoN - Residential Renter Report**

Moved by Councillor Martin,  
Seconded by Councillor Donovan -

That Council;

Asks the administration to prepare a report, including possible strategic actions, for the August meeting of Council detailing;

1. Any potential mechanisms open to Council to assist residential tenants in the City of Adelaide enduring financial hardship that would impact on their continuing occupancy.
2. Existing or potential levers to assist tenants disadvantaged by the condition or the standard of the leased property.
3. Any policy proposals that would inform Council's treatment of current or future tenants of any residential property under its ownership or management.

Discussion ensued

The motion was then put and carried on the casting vote of the Lord Mayor

Councillor Hyde requested that a division be taken on the motion

**Division****For (3):**

Councillors Hou, Donovan and Martin.

**Against (3):**

Deputy Lord Mayor (Councillor Abrahamzadeh) and Councillors Couros and Hyde.

The division was declared in favour of the motion,  
on the casting vote of the Lord Mayor

**70 Item 19.12 - Councillor Martin - MoN - Drop in Liveable Status**

Moved by Councillor Martin,  
Seconded by Councillor Donovan -

That Council:

1. Noting that the Economist Intelligence Units 2022 Global Liveability Index has;
  - 1.1 Cut Adelaide's liveability rating from number 3 in the world to number 30 in the world
  - 1.2 Ranked Adelaide's liveability below that of Perth, Melbourne, Brisbane and Sydney
2. Asks the administration to prepare a report, in collaboration with the Adelaide Economic Development Agency, for the incoming Council in November, setting out proposed practical strategies to restore Adelaide's former liveability ranking.

Discussion ensued, during which with the consent of the mover, seconder and the meeting, the motion was varied by the inclusion of an additional part 3 to read as follows:

- '3. Asks the Chief Executive Officer to add the liveability status and rankings onto the agenda at the Capital City Committee, to enable strategic discussion on practical strategies for consideration.'

The motion, as varied, was then put and carried unanimously

**71 Motions without Notice**

**72 Item 20 - Deputy Lord Mayor (Councillor Abrahamzadeh) - Motion without Notice - Bill Spurr**

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

That Council:

1. Acknowledges the contributions of the late Bill Spurr AO in the hospitality, events & tourism industries to both the City of Adelaide and South Australia.
2. Sends its condolences to Bill's family and loved ones.

Discussion ensued

The motion was then put and carried unanimously

**Closure**

The meeting closed at 10.09 pm

Clare Mockler,  
Chief Executive Officer

Sandy Verschoor  
Lord Mayor



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CULTURAL INVESTIGATION REPORT

Presented to: The Audit Committee of Adelaide City Council - 14 September 2020

APPENDIX 3

RESULTS FROM THOSE WHO PARTICIPATED IN THE SURVEY

0	1	2	3	4	5	6	7
Unable to Comment	Strongly Disagree	Disagree	Somewhat Disagree	Neutral	Somewhat Agree	Agree	Strongly Agree

PART A: MY RELATIONSHIP WITH THE ORGANISATION									
	STATEMENT	MY RESPONSE							
		0	1	2	3	4	5	6	7
1	I enjoy my work with the organisation						12.5%	37.5%	50%
2	I enjoy my work with Elected Members		6.25%	18.75%	6.25%	12.5%	43.75%	12.5%	
3	I am clear about what I am required to do and achieve in my role						12.5%	18.75%	68.75%
4	I would enjoy my work more if the culture improved between Administration and Elected Members					12.5%	6.25%	18.75%	62.5%
5	I feel that my role is valued by Elected Members overall, but not necessarily by all members	6.25%				6.25%	25%	43.75%	18.75%

**CONFIDENTIAL**  
**CULTURAL INVESTIGATION REPORT**

Presented to: The Audit Committee of Adelaide City Council - 14 September 2020

Version 1.  
 14/09/2020

	STATEMENT	MY RESPONSE							
		0	1	2	3	4	5	6	7
6	I feel properly recognised by Elected Members for successful work or initiatives		6.25%	18.75%	6.25%	12.5%	37.5%	12.5%	6.25%
7	I am embarrassed by the behaviour of Elected Members toward each other							6.25%	93.75%
8	I have defended poor behaviour by Elected Members, despite personally considering it to be improper	12.5%		6.25%	6.25%	6.25%	12.5%	31.25%	25%
9	I have witnessed personal attacks between Elected Members using email which adversely affects my workload and wellbeing	18.75%				6.25%		12.5%	62.5%
10	I consciously self-manage my mental health and/or stress levels which I attribute to Elected Member behaviours	6.25%		6.25%			18.75%	12.5%	56.25%

Item 14.1 - Link Published in Confidence & Released to the Public

Version 1.  
14/09/2020.

	STATEMENT		MY RESPONSE							
			0	1	2	3	4	5	6	7
11	As a result of Elected Member behaviours, in the last 12 months, I have:  <i>Please respond to each question</i>	Lost confidence in myself  <i>Note – 6.25% of participants did not provide a response to this question</i>	6.25%	31.25%	12.5%		12.5%	12.5%	12.5%	6.25%
		Felt satisfied that there is value in the work I am doing	6.25%	6.25%	18.75%	18.75%	25%	6.25%	6.25%	12.5%
		Taken steps to 'protect' the mental health of colleagues or direct reports  <i>Note – 6.25% of participants did not provide a response to this question</i>	6.25%					12.5%	43.75%	31.25%
		Felt overwhelmed	6.25%	6.25%	12.5%		6.25%	18.75%	37.5%	12.5%
		Felt exhausted	6.25%					25%	31.25%	37.5%
		Felt subject to personal and unjustified criticism	6.25%	6.25%	12.5%		18.75%	18.75%	18.75%	18.75%
		Been concerned for my overall wellbeing	6.25%		18.75%	6.25%	6.25%	25%	18.75%	18.75%

**CONFIDENTIAL**  
**CULTURAL INVESTIGATION REPORT**

Presented to: The Audit Committee of Adelaide City Council - 14 September 2020

Version 1.  
 14/09/2020.

	STATEMENT	MY RESPONSE								
		0	1	2	3	4	5	6	7	
12	My integrity has been unreasonably questioned in the previous twelve months by Elected Members  <i>Note – 6.25% of participants did not provide a response to this question</i>	6.25%		25%	6.25%	6.25%	18.75%	6.25%	25%	
13	I feel that some Elected Members engage in personal attacks to gain political advantage						6.25%		93.75%	
14	There are some Elected Members who I find to be:	Rude				6.25%		6.25%	87.5%	
		Dismissive				6.25%		12.5%	81.25%	
		Disrespectful					6.25%		12.5%	81.25%
		Confrontational					6.25%		12.5%	81.25%
		Sarcastic					6.25%		12.5%	81.25%
15	I feel sufficiently supported by my employer, in dealing with the behaviour of Elected Members  <i>Note – 6.25% of participants did not provide a response to this question</i>		6.25%	18.75%	6.25%	6.25%	18.75%	31.25%	6.25%	

Item 14.7 - Link Published in Confidence & Released to the Public

	STATEMENT		MY RESPONSE								
			0	1	2	3	4	5	6	7	
16	I have, in the last 12 months, witnessed my colleagues being subject to harassing behaviours or unreasonable questioning by some Elected Members									25%	75%
17	I would discourage others from applying to work with the organisation because of the behaviour of Elected Members			6.25%	18.75%	12.5%	6.25%	25%	18.75%	5%	12.5%
18	There are Elected Members whose conduct may cause me within the next three years to:	Resign and leave the organisation		6.25%	6.25%	6.25%	12.5%	25%	12.5%		31.25%
		Resign and leave the industry of local government		6.25%	18.75%	12.5%	6.25%	18.75%	12.5%		25%
<p><i>Please respond to each question</i></p>											

Item 14.1 - Link Published in Confidence & Released to the Public

Version 1.  
14/09/2020.

PART B – MATTERS RELATING TO COUNCIL MEETINGS (INCLUDING COMMITTEES/SUBCOMMITTEES)									
	STATEMENT	MY RESPONSE							
		0	1	2	3	4	5	6	7
19	Disagreements between Elected Members are managed and discussed respectfully  <i>Note – 6.25% of participants did not provide a response to this question</i>		43.75 %	37.5%	12.5%				
20	I feel stressed and/or anxious at times due to the conduct of some Elected Members at meetings/workshops				12.5%		31.25%	18.75%	37.5%
21	I feel that some Elected Members question me to embarrass and humiliate, not to genuinely seek advice or information	6.25%	6.25%	6.25%		6.25%	12.5%	25%	37.5
22	The rules and guidelines applicable to meeting procedures are complied with / enforced		25%	37.5%	12.5%	12.5%	6.25%	6.25%	
23	Elected Members show a willingness to consider views offered by staff that differ from their own		6.25%	18.75%	18.75%	12.5%	43.75%		

Item 14.7 - Link Published in Confidence & Released to the Public

**CONFIDENTIAL**  
**CULTURAL INVESTIGATION REPORT**

Version 1.  
 14/09/2020.

Presented to: The Audit Committee of Adelaide City Council - 14 September 2020

	STATEMENT	MY RESPONSE							
		0	1	2	3	4	5	6	7
24	Elected Members engage in combative behaviours							25%	75%
25	I feel "burnt out" after Council meetings					6.25%	12.5%	43.75%	37.5%
26	The way meetings are conducted ensures efficient decision-making processes		37.5%	31.25%	18.75%		12.5%		
27	I often observe Elected Members engage in 'point scoring' rather than productive discussion							25%	75%
28	I often observe questioning that does not seem necessary, creating unreasonable workload for staff							31.25%	62.5%
29	I feel I have been subjected to bullying by Elected Members, which is repeated unreasonable behaviour, that adversely affects health and wellbeing at meetings/workshops	12.5%		25%	12.5%	25%		12.5%	12.5%
30	I feel I have been subjected to harassment by Elected Members, in the form of repeated or badgering questioning or communication	12.5%	6.25%	12.5%		12.5%	18.75%	12.5%	25%

CONFIDENTIAL  
CULTURAL INVESTIGATION REPORT

Presented to: The Audit Committee of Adelaide City Council - 14 September 2020

Version 1.  
14/09/2020.

	STATEMENT	MY RESPONSE							
		0	1	2	3	4	5	6	7
31	I feel I have been subjected to unfair personal criticism in one or more Council forums, in the form of targeted criticism that is unreasonable	12.5%		25%		25%	12.5%	12.5%	12.5%
32	Poor behaviour by Elected Members should ideally be addressed by			12.5%			25%	6.25%	50%
	Other Elected Members <i>Note – 6.25% of participants did not provide a response to this question</i>								
	Associate Directors <i>Note – 6.25% of participants did not provide a response to this question</i>		56.25%	18.75%	6.25%	12.5%			
	Directors <i>Note – 12.5% of participants did not provide a response to this question</i> <i>6.25% made note of 'Director/s CEO' next to their response</i>		18.75%		6.25%	12.5%	31.25%	6.25%	12.5%
	The Elected Member presiding							18.75%	81.25%
	"CEO"							6.25%	18.75%
		<i>Note – this was not an option provided as part of the survey but 25% added this additional option</i>							

Item 14.7 - Link Published in Confidence & Released to the Public

APPENDIX 4

FURTHER FEEDBACK	
The way in which staff and/or Elected Members interact, to make it a better place to work	The way in which Elected Members interact with each other
Elected Members outline their key approaches as a group and then rely administration to work constructively to achieve these outcomes.	I would like Elected Members to focus on outcomes for our community in a positive collaborate manner and support each other no matter who suggests it.
Be more collaborative and engaged. We don't need a MOW, QON to get things done that Council wants us to do.	Look proactively for ways to support each other's outcomes and publicly support each other and thrive for win-win outcomes.
I am frustrated by the waste of time responding to MOW's that take is away from delivering outcomes.	With respect, depersonalise comments and focus on the topic, not the person.
Align to the strategic plan and deliver it together.	Work and make decisions for the city of Adelaide to achieve great outcomes.
They determine what, we determine how.	Respect, professionalism and leadership would be nice.
Stop politicising administration.	Agree mutual values e.g. respect.
Stronger chairing at committee/ Council meetings.	Be accountable for behaviours.
Show respect.	Show respect, communicate professionally, role model Local Government as capital city.
Communicate Professionally.	Focus debate on community benefit.
Inspire and Motivate staff.	Focus on strategic outcomes for the city.
Council members to keep political discussions between themselves, not include staff.	Stop name-calling
Stop all the motions and questions on notice that are a nonsense.	Stop pushing personal agendas and work as a team.
The CEO should push back more often on EM requests.	Stop point scoring and dragging staff into arguments.

**CONFIDENTIAL**  
**CULTURAL INVESTIGATION REPORT**

Presented to: The Audit Committee of Adelaide City Council - 14 September 2020

Version 1.  
 14/09/2020.

The way in which staff and/or Elected Members interact, to make it a better place to work	The way in which Elected Members interact with each other
The LM should and presiding member should learn to chair meetings more effectively.	Should demonstrate community accepted civil behaviour standards
There should be a requirement for LMs to discuss reports with staff prior to being ambushed in the chamber.	Set the rules and standards for acceptable behaviour and culture for the organisation.
Pre-engagement prior to committee/ Council to assist in individual questions and to alleviate unnecessary point scoring.	Should be more respectful of one another.
Elected members refer to individuals by role and not to personalise.	Elected members fully understand and respect Council's code of conduct and importantly commit to it.
Hold open and transparent workshops before Council meetings on critical subjects.	Meetings are adjourned when matters get heated.
Full attendance by Elected Members at workshops/ site visits etc.	There needs to be consequences for behaviour that is at odds with the code of conduct.
Reduce motions on notice that are all about point scoring rather than actual business.	Stop the factional politics and act as one team working for the city constituents.
Staff not being copied into political emails. Elected members being respectful and mindful of the people.	Have respect for views of other EM's and childish banter and behaviour.
Elected Members being held to equivalent modern, legal standards of conduct expected by an employer.	Read the reports to reduce unnecessary questions in the chamber. And/ or ask questions before meetings to not put staff 'on the spot'.
Elected Members behaving in accordance with the equivalent corporations law expectations of Directors e.g. acting in the best interests of the organisation, making decisions/ judgments 'in good faith' etc. (sec 181, 183) and there being consequences for not doing so.	Members engaging in robust debate about a topic that is professional and respectful.
Councillor Martin and Councillor Moran are repeat offenders of poor behaviour. They need professional counselling at best and then suspension from meetings if no change.	Elected Members being held to equivalent modern, legal standards of conduct expected by an employer.

<b>The way in which staff and/or Elected Members interact, to make it a better place to work</b>	<b>The way in which Elected Members interact with each other</b>
It really is only 2 Councillors who create this atmosphere. I have found others to be polite and respectful.	Elected Members behaving in accordance with the equivalent corporations law expectations of Directors e.g. acting in the best interests of the organisation, making decisions/ judgments 'in good faith' etc. (sec 181, 183) and there being consequences for not doing so.
Have respect to the advice provided by administration when information/ reports are being provided.	There needs to be implications for repeated bad behaviour i.e. consequences such as suspension from attending future meeting or meetings. A tribunal like sporting infractions where professional athletes are suspended for infringing rules.
Trust that the information provided and that what's executed by administration is a faithful representation of what Council wanted.	Strengthen standing orders and code of conduct.
Starting from a place of respect and interest from all parties for all interactions, would help.	EM's need to get over the perceive factionalisation of the group and focus on delivering the best outcome for the city.
Elected members must understand that staff are trying to progress their ideas/ strategy.	Code of conduct is important. No disrespectful behaviour or rude comments.
Elected Members should work with us to present a positive image of the City in the media. Our hard work in marketing and with projects is undone time and time again with their disrespectful media commentary.	Focus on the strategic plan and areas that they agree with.
Keep reasonable access and relationships between staff (ADs, Directors) with EMs	Focus on their ward and less on areas that are not relevant to them.
EMs should respect the advice provided by their own expert staff.	Respect each other's opinion.
Don't get personal in questioning of report authors or AD/ Director.	Stop point scoring and combative factional behaviour.
Respect to be given to staff.	Stop deliberately making the meeting drag on to prove monthly meetings don't work.

**CONFIDENTIAL**

**CULTURAL INVESTIGATION REPORT**

Presented to: The Audit Committee of Adelaide City Council - 14 September 2020

The way in which staff and/or Elected Members interact, to make it a better place to work	The way in which Elected Members interact with each other
Take on best advice and not challenge decisions disrespectfully.	Emails only by exception and in an appropriate manner.
Less MON's for the sake of a political agenda.	Do not cc media in emails between Council Members.
	Be genuinely respectful to each other.
	Respect amongst each other.
	Professional & intellectual debate rather than petty politics.
	Considered decisions/ discussion based on research not just 'gut' feel.

<b>Any other feedback:</b>
I am often embarrassed about the lack of professionalism in the Council Chamber. However, I am also encouraged by the positivity of some members that try very hard to focus on community outcomes without entering political point scores. I have however seen even this positivity erode over the last 12 months despite their best efforts (e.g. Dr. Donovan) to continue to thank administration for the good work.
Majority of Council Members are respectful, genuinely open to debate and frank / fearless advice.
Most Council members are respectful; it is a minority of Council members who cause the standard to drop and negatively influence others.
My negative feedback is based on three Elected Members and on the lack of influence the LM has over the Councillors. It should be up to the LM to work with Councillors about modifying poor behaviour, not to continue to ignore it.
The current Elected Member behaviour/s are not sustainable. Good people both EM's and administration will either get to a point and lash out or good people will leave. Reference Councillor Martin and Councillor Moran's behaviour.
Councillors need to understand the operations and financials of the business more, in order to make actual (non-political based) decisions.
The majority of my feedback relates to how Councillor Martin in particular and Councillor Moran make me feel.

**CONFIDENTIAL**  
**CULTURAL INVESTIGATION REPORT**

Presented to: The Audit Committee of Adelaide City Council - 14 September 2020

Version 2.  
14/09/2020.

***Any other feedback:***

I hope this process leads to fundamental change.

It is very disheartening to hear Elected Members talk of misadministration as a 'throw away' comment for political point scoring. Unfair. Not true and should be called out.

We need grater leadership and more intervention from the Lord Mayor and the CEO to address the poor behaviour of Council Members, for the sake of the organisations reputation and to protect the welfare of employees.

The conduct of Council Members is simply unacceptable and this needs to be made clear. External intervention is required.

I generally have a good relationship with all staff and Elected Members.

The response I have provided are on a recall of a small number of Council Members and their behaviour. The majority of Council Members are great to work with.

Item 14.1 - Link Published in Confidence & Released to the Public

2020 Central Ward Supplementary Election Costs

Tuesday, 12 July 2022 Council

Council Member Councillor Hyde

Public

Contact Officer: Amanda McIlroy, Chief Operating Officer

QUESTION ON NOTICE

Councillor Hyde will ask the following Question on Notice:

'Could the Administration please advise the cost of the Central Ward supplementary election which elected Cr Greg Mackie, including any known costs to the Electoral Commission that are not passed on to the City of Adelaide?'

REPLY

- 1. The Electoral Commission of South Australia (ECSA) conduct and facilitate elections on behalf of local government councils. ECSA on-charge councils the costs associated with facilitating the election.
2. The 2020 Supplementary Election cost the City of Adelaide a total of \$67,861. This includes the on-charge cost from ECSA was \$56,929 and the remaining balance included costs associated with advertising, printed materials (voters roll for candidates), and the induction program for the successful candidate.

Table with 2 columns: Staff time in receiving and preparing this reply; To prepare this reply in response to the question on notice took approximately 4.5 hours.

- END OF REPORT -

## QUESTION ON NOTICE

### Councillor Hyde will ask the following Question on Notice:

'Could the administration please advise the total sum of funds expended by the City of Adelaide on public art within this term of council, including any temporary installations and the Illuminate public art funding?

Could the administration please advise the same for the eight years prior to the 2018-19 financial year?'

## REPLY

1. Public art expenditure comprises both operating and capital funds, in line with the policy commitments in the City of Adelaide Public Art Action Plan and as approved through the annual business plan and budget cycle.
2. The total public art expenditure, from financial year 2018-19 to 2021-22, totals \$2,049,676.
3. Council has committed \$900,000 over three years to fund a legacy public artwork as part of Illuminate Adelaide. Of this amount, \$264,000 has been expended to date, with the remaining funds to be expended in 2022-23.
4. For the eight years prior to the 2018-19 financial year, total operating and capital expenditure on public art was \$5,986,347 as outlined in the table below.

	Current Term of Council	Previous 8 years	
	2018/19 to 2021/22	2014/15 to 2017/18	2010/11 to 2013/14
<b>Operating</b>	\$450,246	\$517,085	\$771,824
<b>Capital</b>	\$1,335,430	\$3,787,712	\$909,726
<b>Illuminate Adelaide (Capital)</b>	\$264,000	Nil	Nil
<b>Total</b>	<b>\$2,049,676</b>	<b>\$4,304,797</b>	<b>\$1,681,550</b>

5. In relation to the table provided please note that:
  - 5.1. Financial budgets do not directly align with terms of Council and expenditure has been reported by financial years.

- 5.2. Accounting treatments have varied over the period due to structural and administrative changes.
- 5.3. The table presents expenditure from across standard lines allocated to public art for each year to ensure consistency of data.
- 6. These figures include expenditure through the public art budget lines. There may be other public art outcomes that could be identified as temporary installations through City Experience, Art & Culture and AEDA grant programs, activations, and partnerships. These figures would require more time to identify and compile.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 5.5 hours.
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- END OF REPORT -

Council Member  
Councillor Hyde

Public

Contact Officer:  
Amanda McIlroy, Chief  
Operating Officer

## QUESTION ON NOTICE

Councillor Hyde will ask the following Question on Notice:

'Could the Administration advise of any actual or estimated cost impacts it has incurred as a result of the recent potential breach of confidentiality of the procurement for security contracts?'

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## REPLY

1. As a result of the potential breach of confidentiality for the procurement of the Physical Security contract, we engaged the services of a probity advisor to review the procurement process that was undertaken, to provide assurances that the Procurement Policy had been followed, and that probity had been maintained throughout the process.
2. The cost to engage the probity advisor was \$1,800 (ex GST).
3. In addition to the probity review, legal costs of \$3,181 were incurred and in excess of 40 hours of staff time, equating to approximately \$5,000, has been expended to date to manage the risks raised from the potential breach, including:
  - 3.1. managing relationships with participants in the tender process
  - 3.2. supporting the probity review
  - 3.3. managing communications with the named security company.

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 -

## QUESTION ON NOTICE

**Deputy Lord Mayor, Councillor Abrahamzadeh will ask the following Question on Notice:**

'Noting the derogatory public commentary from Councillor Martin on ABC Radio on 1 July 2022 regarding the Adelaide Economic Development Agency, can administration advise:

- the rationale for why the Adelaide Economic Development Agency was created
- Council's involvement in decision making in relation to the establishment of the Adelaide Economic Development Agency
- Council's involvement in the appointment of the Chair and Board Members, and
- Council's involvement in the approval of the annual business plan and budget?'

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## REPLY

1. An action of the City of Adelaide 2020-2024 Strategic Plan adopted by Council is "Implement a City-Wide Business Model".
2. Extensive consultation on options for a city-wide business model was undertaken with key stakeholders from across the city as reported to Council at its meeting on 9 June 2020.
3. At a Special meeting of Council on 6 October 2020, Council agreed to amend the Charter of the Rundle Mall Management Authority to form the draft Charter for the subsidiary of Council under Section 42 of the *Local Government Act 1999* (SA) to be renamed as the Adelaide Economic Development Agency (AEDA). The Charter was subsequently reviewed by an independent consultant, BRM Advisory, to clarify points of ambiguity without changing the Objects, Purposes, Powers or Functions of AEDA. Council approved the amended Charter at its meeting on 8 February 2022.
4. Following an extensive and transparent expression of interest process, the Chair of the AEDA Board, on the recommendation of the Selection Panel which included three Council Members, was appointed by Council at its meeting on 10 November 2020.
5. Following an extensive and transparent expression of interest process, the initial appointment of AEDA Board Members, on the recommendation of the Selection Panel which included three Council Members, was appointed by Council at its meeting on 15 December 2020.

6. All subsequent appointments of Board Members have been presented to Council for approval on the recommendation of the Selection Panel.
7. AEDA reports to Council on a quarterly basis and through regular E-News updates.
8. Extensive consultation has been undertaken with key city stakeholders prior to the development of the annual AEDA Business Plans and Budgets for 2021/22 and 2022/23 which were subsequently presented to Council for approval.
9. The audited Financial Statements for AEDA are presented to the Audit and Risk Committee to note and for inclusion in the Consolidated Financial Statements of the City of Adelaide.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4.5 hours.
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- END OF REPORT -

## QUESTION ON NOTICE

### Councillor Martin will ask the following Question on Notice:

'For the years ending June 30th, 2020, June 30th, 2021 and June 30th, 2022, could the Administration provide a list of;

1. public realm services and maintenance, including but not limited to such services as street sweeping and cleansing, stormwater drain maintenance, leaf blowing etc that have been reduced in frequency or axed and
2. details of any reductions to budgets for the purchase of books, online subscriptions or any other borrowing service for Council's Libraries for the years ending June 30th, 2020, June 30th 2021 and June 30th, 2022?'

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## REPLY

1. Public Realm Services and Maintenance
  - 1.1. City Operations provides a large range of services in the city across all assets and public realm. There have been no services discontinued during the period in question.
  - 1.2. All services are scalable to increase and/or decrease based on an assessment of current and future needs. The COVID-19 global pandemic is just one case study of how services may need to increase, adjust or adapt, based on external environmental factors. The commitment of the City Operations team during this period to ensuring our City assets were clean, well presented and maintained, contributed to Adelaide being one of the first cities in the world to safely open up again after the public health restrictions.
  - 1.3. The City Operations team presented a comprehensive overview of its vision, purpose and services at the 17 May 2022 meeting of the Committee (Strategic Discussion Forum) which provides more detail and insights into service provision.
  - 1.4. The budgets for public realm services and maintenance over the last three years are provided below:

City Operations	2019 / 2020 (actual)*	2020 / 2021 (actual)**	2021 / 2022 (budget)**
Total Waste & Cleansing	\$8,320,550	\$7,257,205	\$7,873,725

Total Trade & Facilities Services	\$10,521,020	\$8,326,626	\$9,896,424
Total Infrastructure Maintenance	\$4,927,355	\$3,450,286	\$4,260,480
Total Horticulture Maintenance	\$9,944,678	\$10,115,707	\$11,259,012
<b>Total</b>	<b>\$33,713,603</b>	<b>\$29,149,823</b>	<b>\$33,289,641</b>

\*COVID-19 Outbreak March 2020

\*\* COVID-19 Restrictions in place

## 2. Libraries

2.1 The budgets for library materials over the last three years are provided below:

	<b>2019 / 2020 (actual)</b>	<b>2020 / 2021 (actual)</b>	<b>2021 / 2022 (budget)</b>
CoA	\$73,412	\$99,594	\$99,594
State Govt.	\$300,324	\$276,062	\$262,959
<b>Total</b>	<b>\$373,736</b>	<b>\$376,062</b>	<b>\$362,553</b>

2.2 The decrease to budget allocation for materials in 2021 / 2022 was due to a State Government requirement for the delivery of a state-wide Adult Digital Literacy project with each library receiving a Digital Literacy grant funded from a 14% decrease in the materials grant. This was a one-off decrease with the expectation that the 2022 / 2023 materials grant will return to 2020/ 2021 levels.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 5.5 hours.
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- END OF REPORT -

Council Member  
Councillor Martin

Public

Contact Officer:  
Amanda McIlroy, Chief  
Operating Officer

## QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could the Administration provide from its records a list of the positions within the Office of the Lord Mayor, including but not limited to political and media advisers, together with a list of those positions other than the CEO which report to the Lord Mayor, and a comparison between July 1st 2018 and July 1st 2022 of;

1. The total number of those positions?
2. The total remuneration?'

## REPLY

1. The positions within the Office of the Lord Mayor all have a structural reporting line to the Office of the CEO, through the Executive Manager – Office of the Lord Mayor. None of these positions report to the Lord Mayor.
2. The total FTE within the Office of the Lord Mayor in July 2018 was 6.2, compared with 6.0 in July 2022.
3. The tables below detail the positions and total remuneration (excluding superannuation) at July 2018 and July 2022.

<b>Role Name July 2018</b>
Chief of Staff – Office of the Lord Mayor
Senior Advisor - Office of the Lord Mayor
Executive Assistant to the Lord Mayor
Executive Assistant to the Official partner of the Lord Mayor (part time)
Council Liaison Officer
Communications Officer
Administration Assistant (part time)
<b>Total Remuneration (excluding Superannuation) \$589,002</b>

<b>Role Name July 2022</b>
Executive Manager – Office of the Lord Mayor

Advisor - Office of the Lord Mayor
Executive Assistant to the Lord Mayor
Civic Coordinator
PR & Communications Advisor
Council Liaison & Administration Support
<b>Total Remuneration (excluding Superannuation) \$589, 474</b>

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4.5 hours.
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- END OF REPORT -

**Council Member**  
Councillor Martin

Public

**Contact Officer:**  
Amanda McIlroy, Chief  
Operating Officer

## QUESTION ON NOTICE

**Councillor Martin will ask the following Question on Notice:**

'Could the Administration provide from its records in respect of each Councillor, by name, in the current term of Council a list of;

1. The number of questions on notice lodged and asked?
2. The number of motions on notice lodged and subsequently voted on?
3. The numbers of motions at para 2. adopted by the Council?'

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## REPLY

1. Much of the information sought is already available publicly in the Register of Motions and Questions on the City of Adelaide website via [City of Adelaide](#), as a result of a Council decision from the meeting on 9 March 2021.
2. The only information not included on those registers are the questions on notice received from December 2018-June 2020, as we only started collating this information on the register from July 2020. To provide the December 2018-June 2020 question on notice numbers, we have reviewed the ordinary Council meetings in that time period.
3. This following tables show the totals for questions on notice and motions on notice per Council Member for the current term of Council. The column showing the MoN (Motion on Notice) carried is how many were 'adopted' by Council.

### 3.1 Motions on Notice from December 2018 to June 2022

Council Member	MoN Lodged	MoN withdrawn	MoN voted	MoN carried	MoN Lost	MoN Other*
Lord Mayor	3	1	2	2	0	0
Cr Abiad (resigned January 2020)	9	0	9	9	0	0
(Deputy Lord Mayor) Cr Abrahamzadeh	28	3	25	25	0	0
Cr Couros	43	4	39	39	0	0
Cr Donovan	13	1	12	12	0	0
Cr Hou	14	2	12	12	0	0
Cr Hyde	68	7	61	60	1	0
Cr Khera	17	4	13	11	2	0
Cr Knoll	13	0	13	13	0	0
Cr Mackie (resigned June 2022)	13	4	9	7	2	0
Cr Martin	110	26	84	39	42	3
Cr Moran	65	25	40	20	19	1
Cr Simms (resigned March 2021)	56	4	52	37	15	0
Cr Snape	18	0	18	11	7	0

(\* deferred, matter laid on table)

### 3.2 Questions on Notice from December 2018 to June 2022

Council Member	QoN
Lord Mayor	0
Cr Abiad (resigned January 2020)	1
(Deputy Lord Mayor) Cr Abrahamzadeh	9
Cr Couros	9
Cr Donovan	5
Cr Hou	0
Cr Hyde	21
Cr Khera	3
Cr Knoll	6
Cr Mackie (resigned June 2022)	2
Cr Martin	150
Cr Moran	10
Cr Simms (resigned March 2021)	14
Cr Snape	0

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 5.5 hours.
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- END OF REPORT -

**Council Member**  
Councillor Martin

Public

**Contact Officer:**  
Amanda McIlroy, Chief  
Operating Officer

## QUESTION ON NOTICE

**Councillor Martin will ask the following Question on Notice:**

'Could the Administration advise from its records the percentage of the total head count of staff including casuals who identify as First Nations for the years ending;

1. 2018/19?
2. 2019/20?
3. 2020/21?

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## REPLY

1. Information about First Nations status is collected from all applicants (including casuals) through the recruitment process.
2. It is up to each individual to determine whether they choose to identify as First Nations for the purpose of their employment record.
3. The percentage of the total head count of staff, including casuals, who have identified as First Nations for the abovementioned years is:
  - 3.1. 2018/19 – 1.06%
  - 3.2. 2019/20 – 1.01%
  - 3.3. 2020/21 – 0.92%
4. These numbers are also reported each year through the City of Adelaide Annual Report.

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 -

**Council Member**  
Councillor Martin

Public

**Contact Officer:**  
Amanda McIlroy, Chief  
Operating Officer

## QUESTION ON NOTICE

**Councillor Martin will ask the following Question on Notice:**

'Could the Administration provide details of the value it currently records for Adelaide Aquatic Centre asset?'

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## REPLY

1. The valuation of the Aquatic Centre as at 30 June 2021 is \$21,216,134.58
2. We are currently working through preparation of financial statements for 30 June 2022 which will record an updated written down value. These statements will be presented to the Audit and Risk Committee on 30 September 2022 and Council on 11 October 2022 after review from an external auditor. This figure is yet to be finalised.

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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