

MINUTES OF ORDINARY COUNCIL MEETING



MINUTES

**MINUTES OF THE MEETING OF COUNCIL HELD ON 9 AUGUST 2022
COMMENCING AT 7:00 PM.**

Present: Her Worship the Mayor, C. Boan, Presiding Member
Deputy Mayor, H. Evans
Councillors, A. Wotton, V.J. Tulloch, D. Wilkins, H. Wright,
J. den Hartog, S. Vines, K. Mitchell, K.P. Dinh, J.A. Croci,
O. Colombo, C.J. Martin, B. Clayton, A.J. Barca,
M.A. Basham, and M.J. Osborn
Chief Executive Officer, M. Withers
Community & Environmental Health Manager, B. Thomass
Community Development Manager, B. O'Brien
Director City Assets, M. Buckerfield
Director Corporate Services, A. Dickson
Team Leader Governance, K. Leighton
Governance Officer, M. Dahmen

Kaurna Acknowledgement

Before we begin the proceedings, I would like to acknowledge and pay respect to the Traditional Owners of the land on which we stand, the Kaurna People of the Adelaide Plains. It is upon their ancestral lands that the Port Adelaide Enfield Council meets. It is also The Place of the Kardi, the Emu, whose story travels from the coast inland.

We pay respect to Elders past and present. We respect their spiritual beliefs and connections to land which are of continuing importance to the living Kaurna people of today. We further acknowledge the contributions and important role that Aboriginal people continue to play within our shared community.

1 APOLOGIES

Cr. Russell

2 LEAVE OF ABSENCE

Nil

3 CONFIRMATION OF MINUTES

Cr. Barca moved that the minutes of the Special Meeting of Council held on 28 June 2022 and the Ordinary Council Meeting held on 12 July 2022, as per copy supplied to Members, be taken as read and confirmed.

Cr. Osborn seconded

CARRIED

4 DECLARATIONS BY MEMBERS OF CONFLICT OF INTEREST

Pursuant to Section 73 and 74 of the Local Government Act, Cr. Clayton declared an actual conflict of interest in relation to item 12.2.1 Dogs on and Off Leash Areas due to a submission being made by a family member. Cr. Clayton will deal with the material conflict by withdrawing from the chamber.

Pursuant to Section 75 and 75(A) of the Local Government Act, Cr. Martin declared a perceived conflict of interest in relation to item 12.2.3 “One Culture Football – The Football Connection Project” as co-founder of Futsal Park which One Culture lease hold a council lease over the park. Cr. Martin will deal with the perceived conflict by remaining in the chamber, participating in the debate and exercising her right to vote.

Pursuant to Section 75 and 75(A) of the Local Government Act, Cr. Osborn declared a perceived conflict of interest in relation to item 12.2.4 “Placemaking Model and Activation Principles” as the Placemaking Model and Activation Principles identifies the Northfield Community and Sports Park amongst the prioritised “10 places” and he plays football at this home ground of the Greenacres Football Club, of which he is a member but holds no office. Cr. Osborn will deal with the perceived conflict by remaining in the chamber, participating in the debate and exercising his right to vote.

Pursuant to Section 75 and 75(A) of the Local Government Act, Cr. Martin declared a perceived conflict of interest in relation to item 13.2.1 “Blair Athol Tennis Facility” as co-founder of Futsal Park which One Culture lease hold a council lease over the park. Cr. Martin will deal with the perceived conflict by remaining in the chamber, participating in the debate and exercising her right to vote.

Pursuant to Section 75 and 75(A) of the Local Government Act, Mayor Boan declared a perceived conflict of interest in relation to item 13.1.2 “Alberton Primary School Nature Play Space Consultation Update” as an employee at the Primary School. Mayor Boan will deal with the perceived conflict by remaining in the chamber.

Pursuant to Section 75 and 75(A) of the Local Government Act, Cr. den Hartog declared a perceived conflict of interest in relation to item 13.1.2 "Alberton Primary School Nature Play Space Consultation Update" as his daughter used to attend Alberton Primary School and he served on the governing council. Cr. den Hartog will deal with the perceived conflict by remaining in the chamber, participating in the debate and exercising his right to vote.

5 DEPUTATIONS

5.1 Deputation - Concerns about Semaphore Foreshore Draft Master Plan

Cr. Barca moved that Council resolves to receive the deputation from Sue Hemmings, Paul Glover & Gary Schenk regarding the Semaphore Foreshore Draft Master Plan.

Cr. Clayton seconded

CARRIED

5.2 Deputation - Semaphore Foreshore Upgrade

Cr Basham withdrew from the meeting 7:19pm

Cr Basham returned to the meeting at 7:22pm

Cr. Wright moved Council resolves to receive the deputation from Edel Lawlor regarding the Semaphore Foreshore Upgrade.

Cr. Barca seconded

CARRIED

6 ADJOURNED DEBATE

Nil

7 MAYOR'S REPORT

7.1 Mayor's Report - 1 July 2022 - 31 July 2022

Cr. Barca moved that Council resolves that the report of the Director Corporate Services titled "Mayor's Report - 1 July 2022 - 31 July 2022" be received and noted.

Cr. Osborn seconded

CARRIED

8 PETITIONS

8.1 Petition - Semaphore Foreshore Master Plan

Cr. Vines moved that Council resolves that:

1. The petition titled "Petition - Semaphore Foreshore Master Plan" be received and noted.
2. The Administration will address the items outlined in the petition as part of the next stage of the project. The following next stages will be undertaken:

- Detailed analysis of the community feedback to inform further design development of the Central Plaza;
- Site investigations on key components of the Central Plaza.

Cr. Wotton seconded

CARRIED

Item 14.2.1 "Semaphore Foreshore Master Plan – Summary of Engagement on Draft Master Plan" was brought forward.

14.2.1 Semaphore Foreshore Master Plan – Summary of Engagement on Draft Master Plan

Cr. Wilkins moved that Council resolves that:

1. The report of the Director Corporate Services titled "Semaphore Foreshore Master Plan – Summary of Engagement on Draft Master Plan" be received.
2. Council notes the Engagement Report, (Attachments 2 and 3), as a detailed summary of the results and feedback received from the community on the Central Plaza component of the Draft Semaphore Foreshore Master Plan.
3. Administration undertake the following to progress to the next stage of the project:
 - Detailed analysis of the community feedback to inform further design development of the Central Plaza;
 - Site investigations on key components of the Central Plaza; and
 - Commence preparation to develop a prudential management report for Council's consideration in 2023.
4. It is noted the final design and costings for the Central Plaza is subject to the results of the site investigations and further consultation and will be brought back to Council in 2023 for consideration and endorsement.

Cr. Wright seconded

CARRIED UNANIMOUSLY

9 REPORTS BY COUNCIL DELEGATES

Nil

10 QUESTIONS WITHOUT NOTICE

Nil

11 QUESTIONS ON NOTICE

Nil

11.1 Question on Notice - Cr Basham - Cleanaway COVID Impact

At what point does Council have the ability to advise Cleanaway that they are in breach of contract and cease the contract?

As the answer to this question has information which is considered or could reasonably be considered to contain information that is commercial in confidence, Elected Members have been provided with a full response in a confidential memo, prior to the meeting.

12 DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS

12.1 Information Reports

Items 12.1.1 & 12.1.2 were considered as a composite.

12.1.1 Outstanding Matters - Community Development

Cr. Evans moved that Council resolves that the report of the Director Community Development titled "Outstanding Matters - Community Development" be received and noted.

Cr. Mitchell seconded

CARRIED

12.1.2 Waste Contractor Performance Monitoring

Cr. Evans moved that Council resolves that the report of the Director Community Development titled "Waste Contractor Performance Monitoring" be received and noted.

Cr. Mitchell seconded

CARRIED

12.2 Decision Reports

12.2.1 Dogs On and Off Leash Areas

Pursuant to Section 73 and 74 of the Local Government Act, Cr. Clayton declared an actual conflict of interest in relation to item 12.2.1 Dogs on and Off Leash Areas due to a submission being made by a family member. Cr. Clayton will deal with the material conflict by withdrawing from the chamber.

Cr. Clayton withdrew from the Chamber at 7:47pm

Cr. Barca withdrew from the Chamber at 4:47pm

Cr. Barca returned to the Chamber at 7:55pm

Cr. Wilkins moved that Council resolves that:

1. The report of the Director Community Development titled "Dogs On and Off Leash Areas" be received and noted.
2. The community engagement feedback, as contained in Attachments 5, 6 and 7 are noted.

3. Pursuant to the power contained in Section 246(3)(e) of the *Local Government Act 1999*, and for the purposes of Clause 9.1 of the *Dogs By-law 2022*, the Council resolves that the following foreshore areas or public places are, with effect from 3 April 2023, 'Dog on-Leash Areas' at all times:
 - a. The foreshore areas between Bower Rd, Semaphore South to Everard St Largs Bay as contained in Attachment 1;
 - b. All grass areas adjacent the foreshore areas as contained in Attachment 1: and
 - c. The North Haven Beach foreshore as identified in the map as tabled and attached to the minutes

4. Pursuant to the power contained in Section 246(3)(e) of the *Local Government Act 1999*, and for the purposes of Clause 9.1 of the *Dogs By-law*, the Council resolves that the following Local Government land or public places are, with effect from 1 December 2022, 'Dog on-Leash Areas' at all times unless otherwise stated below:
 - a. Glanville Par 3 Golf Course, Park Ave, Semaphore South
 - b. The portion of Linear Park, Moore St, Windsor Gardens as contained in Attachment 2
 - c. Northgate Reserve, Folland Ave, Northgate
 - d. R B Connolly Reserve, Grose Cres, North Haven
 - e. Roy Amer Reserve, Sir Ross Smith Blvd, Oakden
 - f. Stockade Botanical Park, Hoods Rd, Northfield
 - g. Thomas Turner Reserve, Geraldine St, Valley View, between 4:30pm and 5:30am on weekdays and 8:30am and 6:30pm on weekends
 - h. Valleyview Par 3 Golf Course, Grand Junction Rd, Valley View
 - i. Walkley Heights Reserve, Creekview Dr, Walkley Heights

5. Pursuant to the power contained in Section 246(3)(e) of the *Local Government Act 1999*, and for the purposes of Clause 10 of the *Dogs By-law*, the Council resolves that the following Local Government land or public places are, with effect from 1 December 2022, 'Dog Prohibited Areas':
 - a. Barker Inlet Reserve, Salisbury Hwy, Wingfield
 - b. Range Wetlands, Hanson Rd North, Wingfield
 - c. Magazine Creek Wetlands, Whicker Rd, Gillman
 - d. Folland Park, Turnbull Rd, Enfield
 - e. those parts of:
 - TK Shutter Reserve Klemzig, Fourth Ave, Klemzig
 - Regency Park Oval, South Rd, Regency Park on which is located or installed an artificial playing surface designed for playing sport, as contained in Attachments 3 and 4.

Cr. Martin seconded

CARRIED

Cr. den Hartog withdrew from the Chamber at 8:11pm

Cr. den Hartog returned to the Chamber at 8:12pm

12.2.2

The Lights Community and Sports Centre and Lefevre Community Stadium Review

Cr. Clayton returned to the Chamber at 8:18pm

Cr. Evans moved that Council resolves that:

1. The report of the Director Community Development titled "The Lights Community and Sports Centre and Lefevre Community Stadium Review" be received and noted.
2. Council endorses the continuation of the in-sourced management of The Lights Community & Sports Centre and Lefevre Community Stadium with ongoing provision in the Long Term Financial Plan and annual budget process for depreciation and an operating budget for both centres.
3. The Administration reports to Council annually on the performance of The Lights Community and Sports Centre and Lefevre Community Stadium.
4. Pursuant to Section 38 and 202 of the *Local Government Act 1999*, the Council authorises the Mayor and Chief Executive Officer to attest to the affixation of the Common Seal of the City of Port Adelaide Enfield to the documents necessary, or otherwise execute those documents, to give effect of a new lease agreement at the expiry of the existing lease over the premises located at The Lights, to 'Pushing Performance' for a further term of five (5) years and make any minor variations to the agreement, including the addition of key performance indicators and market rent reviews, that are satisfactory to the Administration.
5. A further report be presented to Council in 2023 regarding the lease of the café at the Lights Community and Sports Centre.

Cr. den Hartog seconded

CARRIED UNANIMOUSLY

Confidential Item 19.1 was brought forward.

19.1

Meeting to be held in Camera Section 90(2) and Section 90(3)(o) Local Government Act 1999 - Aboriginal and Torres Strait Islander Awards

Cr. Osborn moved that Council resolves that:

1. Pursuant to Section 90(2) of the Local Government Act 1999 (the Act) the Council orders that all members of the public, except the staff members present Chief Executive Officer, Director Corporate Services, Director City Assets, Community Development Manager, Community & Cultural Development Leader, Team Leader Governance, Governance Officer, Alex Houthuysen & Pat Waria-Read (Aboriginal Advisory Panel Members), be excluded from the meeting for the Agenda Item "Aboriginal and Torres Strait Islander Awards".
2. The Council is satisfied that, pursuant to Section 90(3)(o) of the Local Government Act 1999, the information relating to a proposed award recipient before the presentation of the award would not be appropriate and/or reasonable in the circumstances.

3. It is satisfied that the principle that meetings should be conducted in a place open to the public is outweighed by the need to keep the information and discussion confidential.
Cr. Mitchell seconded **CARRIED**

CONFIDENTIAL

19.2 Aboriginal and Torres Strait Islander Awards

CONFIDENTIAL

19.3 Confidentiality Order Section 91(7) Local Government Act 1999 - Aboriginal and Torres Strait Islander Awards

Cr. Mitchell left the Chamber at 8:25pm

Cr. Wilkins moved that Council resolves that:

1. Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the report and minutes relating to the "Aboriginal and Torres Strait Islander Awards" shall be kept confidential on the grounds that the document(s) relate to information of proposed award recipients before the presentation of the award.
2. This order shall operate until the formal announcement of the Aboriginal and Torres Strait Islander Awards.
3. Pursuant to Section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or part.

Cr. Osborn seconded

CARRIED

12.2.3 One Culture Football - The Football Connection Project

Public meeting procedures resumed at 8:25pm

Pursuant to Section 75 and 75(A) of the Local Government Act, Cr. Martin declared a perceived conflict of interest in relation to item 12.2.3 "One Culture Football – The Football Connection Project" as co-founder of Futsal Park which One Culture lease hold a council lease over the park. Cr. Martin will deal with the perceived conflict by remaining in the chamber, participating in the debate and exercising her right to vote.

Cr. Mitchell returned to the Chamber at 8:27pm

Cr. Dinh withdrew from the Chamber at 8:28pm

Cr. Martin moved that Council resolves that:

1. The report of the Director Community Development titled "One Culture Football - The Football Connection Project" be received and noted.
2. Council continues its partnership with One Culture Ltd and the Scanlon Foundation to deliver the Football Connection Project for a further two years.

3. Funding of \$33,000 (inclusive of GST) be allocated as part of the 2022-2023 first quarter budget review process to support the delivery of The Football Connection Project.
 4. Funding of \$33,000 (inclusive of GST) be allocated as part of the 2023-2024 Annual Business Plan process to support the delivery of The Football Connection Project.
 5. A report detailing the outcomes of The Football Connection Project be brought back to Council at the end of each year.
- Cr. Colombo seconded **CARRIED**

12.2.4 Placemaking Model and Activation Principles

Pursuant to Section 75 and 75(A) of the Local Government Act, Cr. Osborn declared a perceived conflict of interest in relation to item 12.2.4 "Placemaking Model and Activation Principles" as the Placemaking Model and Activation Principles identifies the Northfield Community and Sports Park amongst the prioritized "10 places" and he plays football at this home ground of the Greenacres Football Club, of which he is a member but holds no office. Cr. Osborn will deal with the perceived conflict by remaining in the chamber, participating in the debate and exercising his right to vote.

Cr. Osborn moved that Council resolves that:

1. The report of the Director Community Development titled "Placemaking Model and Activation Principles" be received and noted.
2. The Placemaking Model and Activation Principles provided as Attachments 1 and 2 are endorsed.

Cr. Wilkins seconded

CARRIED UNANIMOUSLY

12.2.5 Creative Port Plan

Cr. Dinh returned to the Chamber at 8:31pm

Cr. Vines moved that Council resolves that the report of the Director Community Development titled "Creative Port Plan" be received and noted.

Cr. Evans seconded

CARRIED UNANIMOUSLY

12.2.6 Waste Management Service Standard

Moved to follow item 19.15 - refer to page 28.

13 DIRECTOR OF CITY ASSETS REPORTS

13.1 Information Reports

Items 13.1.1 & 13.1.2 were considered as a composite.

13.1.1 Outstanding Matters - City Assets

Cr. Evans moved that Council resolves that the report of the Director City Assets titled "Outstanding Matters - City Assets" be received and noted.

Cr. Barca seconded

CARRIED UNANIMOUSLY

13.1.2 Alberton Primary School Nature Play Space Consultation Update

Pursuant to Section 75 and 75(A) of the Local Government Act, Mayor Boan declared a perceived conflict of interest in relation to item 13.1.2 "Alberton Primary School Nature Play Space Consultation Update" as an employee at the Primary School. Mayor Boan will deal with the perceived conflict by remaining in the chamber.

Pursuant to Section 75 and 75(A) of the Local Government Act, Cr. Den Hartog declared a perceived conflict of interest in relation to item 13.1.2 "Alberton Primary School Nature Play Space Consultation Update" as his daughter used to attend Alberton Primary School and he served on the governing council. Cr. den Hartog will deal with the perceived conflict by remaining in the chamber, participating in the debate and exercising his right to vote.

Cr. Evans moved that Council resolves that the report of the Director City Assets titled "Alberton Primary School Nature Play Space Consultation" be received and noted.

Cr. Barca seconded

CARRIED UNANIMOUSLY

13.2 Decision Reports

13.2.1 Blair Athol Tennis Facility – Outcome of Expressions of Interest

Pursuant to Section 75 and 75(A) of the Local Government Act, Cr. Martin declared a perceived conflict of interest in relation to item 13.2.1 "Blair Athol Tennis Facility" as co-founder of Futsal Park which One Culture lease hold a council lease over the park. Cr. Martin will deal with the perceived conflict by remaining in the chamber, participating in the debate and exercising her right to vote.

Cr. Martin moved that Council resolves that:

1. The report of the Director City Assets titled "*Blair Athol Tennis Facility – Outcome of Expressions of Interest*" be received and noted.
2. The Chief Executive Officer, or delegate is authorised to negotiate and execute a new agreement up to five (5) years with the 'One Culture Limited', for the Lease of a building and a Licence over the courts located at Blair Athol Reserve, identified as Lionel Avenue, Blair Athol being a portion of the land described as Allotment 580 in Deposited Plan 90277 and contained in Certificate of Title Volume 6208 Folio 11, for the areas delineated in Attachment 1 of the report.

Cr. Clayton seconded

CARRIED UNANIMOUSLY

13.2.2 Revocation of Community Land Classification over Portion of Bower Road, Semaphore South

Cr. Vines moved that Council resolves that:

1. The report of the Director City Assets titled "Revocation of Community Land Classification over Portion of Bower Road, Semaphore South" be received and noted.
2. Having taken into consideration the public submissions, Council resolves not to proceed to obtain the approval of the Minister for Planning ('the Minister') of the proposed revocation of the Community Land classification of the land identified as Allotment 117 in Deposited Plan 2056 and described in Certificate of Title Volume 5807 Folio 166, also known as a portion of land located between 25 and 33 Bower Road, Semaphore South.

Cr. den Hartog seconded

CARRIED UNANIMOUSLY

13.2.3 Manningham, Hampstead Gardens, Hillcrest and Gilles Plains (i.e '5086') Local Area Traffic Management Scheme (LATM) - For Endorsement

Cr. Osborn moved that Council resolves that:

1. The report of the Director City Assets titled "Manningham, Hampstead Gardens, Hillcrest and Gilles Plains (i.e '5086') Local Area Traffic Management Scheme (LATM) - For Endorsement" be received and noted.
2. That the Manningham, Hampstead Gardens, Hillcrest and Gilles Plains (ie Postcode '5086') Final LATM Scheme as indicated in Attachments 1-3 to the report is endorsed for implementation from 2022/23 with a total capital budget allocation of \$960,000 across two financial years with \$600,000 already allocated in 2022/23.
3. Progress with an area wide consultation concerning the change of speed limit in Hampstead Gardens and Manningham.
4. Council formally write to the Department for Infrastructure and Transport advocating for the proposed improvements at the Hampstead Road, Romilly Avenue, Ian Street and McInnes Avenue intersection, Manningham.
5. Key Stakeholders immediately impacted by a device or treatment be consulted to allow staff to incorporate this feedback, where possible, into the final design.

Cr. Colombo seconded

CARRIED

13.2.4 Klemzig, Windsor Gardens and Holden Hill LATM Scheme for endorsement

Cr. Evans moved that Council resolves that:

1. The report of the Director City Assets titled "Klemzig, Windsor Gardens and Holden Hill LATM Scheme for endorsement" be received and noted.

2. That the Klemzig, Windsor Gardens and Holden Hill LATM Scheme is endorsed for implementation from 2022/23 with a total capital budget allocation of approximately \$750k across two financial years with \$500k already allocated in 2022/23 removing the McKay Avenue proposed recommendation to allow further community consultation.
3. That Administration work with the school and other adjacent stakeholders to consider alternative options to the current "Bus only" closure on McKay Avenue including other speed reduction treatments.
4. Council formally write to the Department for Infrastructure and Transport advocating for the proposed improvements on arterial roads and traffic control devices that require special approvals.
5. Key Stakeholders immediately impacted by a device or treatment be consulted to allow staff to incorporate this feedback, where possible, into the final design.

Cr. Barca seconded

CARRIED UNANIMOUSLY

13.2.5 Port Adelaide Enfield Walking and Cycling Plan (Final) & State bicycle funding deeds

Cr. den Hartog moved that Council resolves that:

1. The report of the Director City Assets titled "Port Adelaide Enfield Walking and Cycling Plan (Final) & State bicycle funding deeds" be received and noted.
2. The Walking and Cycling Plan (Final) be endorsed for implementation.
3. That pursuant to Section 38(1) of the Local Government Act 1999, Council authorises the Mayor and Chief Executive Officer to attest to the affixation of the Common Seal of the City of Port Adelaide Enfield to the documents necessary to give effect to the Funding Deed under the State Bicycle Fund for the following projects:
 - a. Port Centre cycling improvements
 - b. City Wide Secondary Bike Paths
 - c. City Wide Cycle Parking Facilities.

Cr. Vines seconded

CARRIED UNANIMOUSLY

13.2.6 Blackler Street Semaphore One Way Proposal

Cr. Wilkins moved that Council resolves that:

1. The report of the Director City Assets titled "Blackler Street Semaphore One Way Proposal" be received and noted.
2. That consultation has been undertaken on the partial closure of Blackler Street, Semaphore as required under Section 32 of the Road Traffic Act 1961 be noted.
3. Approves that, pursuant to Section 32 of the Road Traffic Act 1961, all vehicles other than emergency service vehicles, service authority vehicles operating under the requirements of the relevant Commonwealth Acts, shall be excluded from travelling

in the eastbound direction along Blackler Street, Semaphore between the Esplanade and Military Road.

4. Approves the commencement of the change of road use from 5 September 2022.
 5. A review of the impacts of the one-way treatment outlined in (3) above and further engagement with stakeholders is undertaken 12 months after the implementation of the one-way proposal.
 6. Owners and occupiers of Blackler Street & Coppin Street, Semaphore, be advised of (3), (4) & (5) above.
- Cr. Wright seconded

CARRIED UNANIMOUSLY

13.2.7 Yellow Lines at Intersections

Cr. Evans moved that Council resolves that:

1. The report of the Director City Assets titled "Yellow Lines at Intersections" be received and noted.
2. The application of yellow line marking to formalise statutory no stopping controls at intersections continues to be applied on request and after an assessment has been made, based the following conditions:
 - High/medium density areas
 - Areas with high demand for on-street parking
 - Areas with ongoing parking compliance issues, where parking enforcement has not been sufficient to adjust parking behaviours.
3. Further consideration of changes to PAE's broader parking management practices be considered as part of the review of Council's 'Parking Management Policy' which is scheduled to be undertaken in 2022/23.

Cr. Wilkins Seconded

CARRIED

13.2.8 Structural Assessment of Culverts on Heavy Vehicle Routes

Cr. Mitchell moved that Council resolves that:

1. The report of the Director City Assets titled "Structural Assessment of Culverts on Heavy Vehicle Routes" be received and noted.
2. A budget allocation of \$150,000 be provided as part of the first 2022/23 budget review to engage a consultant to undertake structural assessments on the first half of the 'high priority' culverts to review the design and condition of large culverts in industrial areas and determine load ratings and other potential improvements for those culverts.
3. Additional funds of \$150,000 be referred to the 2023/24 Annual Business Planning process for the remaining Level 2 culvert inspections.

Cr. Dinh seconded

CARRIED

13.2.9 E-scooter permit extension

Cr. den Hartog moved that Council resolves that:

1. The report of the Director City Assets titled "E-scooter permit extension" be received and noted.
2. The Department for Infrastructure and Transport be requested to extend the gazettal for the extension of the e-scooter Coastal trial (including to the Glanville Train Station) until 31 October 2024.
3. That a permit extension be approved for Beam until 31 October 2023 and subject to satisfactory performance, that the CEO be delegated to make a decision to approve a permit extension for another 12 months to 31 October 2024.
4. The Cities of West Torrens, Charles Sturt and SAPOL be advised of resolution (2) and (3) above.

Cr. Tulloch seconded

LOST

14 DIRECTOR OF CORPORATE SERVICES REPORTS

14.1 Information Reports

14.1.1 Outstanding Matters - Corporate Services

Cr. Evans moved that Council resolves that the report of the Director Corporate Services titled "Outstanding Matters - Corporate Services" be received and noted.

Cr. Barca seconded

CARRIED

14.2 Decision Reports

14.2.1 Semaphore Foreshore Master Plan – Summary of Engagement on Draft Master Plan

Item brought forward - refer to page 4.

14.2.2 EP Nazer/John Hart Reserves Master Plan – Summary of Engagement on Draft Master Plan

Cr. Vines moved that Council resolves that:

1. The Director Corporate Services' report titled " *EP Nazer/John Hart Reserve Master Plan – Engagement on Draft Master Plan* " be received.
2. Council notes the engagement summary, as outlined in Attachment 1, as an overview of the *online* survey results and feedback received from the engagement undertaken with key stakeholders and the community on the key outcomes of the Draft Master Plan.
3. *Council* provides in-principle support for the revised Draft Master Plan, as outlined in Attachment 2, inclusive of all stakeholder feedback, to proceed to the next stage.

4. *Council* notes the revised Draft Master Plan is subject to further engagement with sporting clubs and other key stakeholders.
 5. Council notes that the Final Master Plan, costings and staging will be presented to Council to be endorsed in 2023.
- Cr. den Hartog seconded

CARRIED UNANIMOUSLY

14.2.3 Corporate Net Zero Emissions Plan

Cr. Clayton moved that Council resolves that:

1. The report of the Director Corporate Services titled " Net Zero Emissions Plan" be received and noted.
2. Council commits to reducing its corporate emission profile by at least 30% by 2025 and at least 60% by 2030 compared to 2020/21 baseline.
3. To achieve the targets the Draft Net Zero Emission Plan, forming Attachment 1 to this report, be endorsed.

Cr. Vines seconded

CARRIED

14.2.4 Council Virtual Power Plant (VPP) Investigation

Cr. Osborn moved that Council resolves that:

1. The report of the Director Corporate Services titled 'Council Virtual Power Plant (VPP) Investigation' be received and noted.
2. Administration undertake a market testing process on Council participating in an existing Virtual Power Plant.
3. The results of the market testing process be reported back to Council for future consideration and decision in 2023

Cr. Mitchell seconded

CARRIED

14.2.5 Metropolitan Seaside Councils Committee Future Directions

Cr. Mitchell moved that Council resolves that:

1. The report of the Director Corporate Services titled "Metropolitan Seaside Councils Committee Future Directions" be received.
2. The proposed new governance model and delivery plan for the Metropolitan Seaside Councils Committee (MSCC), as detailed in Attachments One to Three and discussed in the body of this report, including the renaming of the MSCC to the Adelaide Coastal Councils Network (ACCN) and payment of the \$5000 membership fee for 2022-23, are endorsed.
3. A decision on membership to the South Australian Coastal Councils Alliance (SACCA) is deferred until 2023 and an Elected Member workshop to be held in early 2023.

Cr. Wilkins seconded

CARRIED

14.2.6 Local Government Association Annual General Meeting Notice of Motion

Cr. Basham moved that Council resolves that:

1. The report of the Director Corporate Services titled "Local Government Association Annual General Meeting Notice of Motion" be received and noted.
2. The call for Items of Business for the Local Government Association of South Australia Annual General meeting be noted.
3. Council submits the following Motions to the Local Government Association of South Australia for consideration for the 2022 Annual General Meeting:

MOTION 1

That the Annual General Meeting requests the LGA:

1. To lobby State Government to amend all relevant legislation to ban the use of corflutes and other election signs on public property.
2. Seek for the ALGA to lobby the Federal Government to amend any Commonwealth legislation to ban the use of corflutes and other election signs on public property.

MOTION 2

That the Annual General Meeting requests the LGA to lobby State Government to amend all relevant legislation to introduce legislation similar to that of the NSW Public Spaces (Unattended Property) Act 2021, specifically to help resolve issues including that of abandoned vehicles being left on public roads, dumped shopping trolleys on Council land, and illegal dumping on Council verges.

4. It is noted that Mayor Boan has been appointed as Council's voting delegate and in the event the Mayor is unable to attend, the Deputy Mayor, or another Elected Member endorsed by the Mayor, shall represent the City of Port Adelaide Enfield as Council's voting delegate.

Cr. Evans seconded

CARRIED

14.2.7 Seeking Nominations to The Local Government Finance Authority Board

Cr. Basham moved that Council resolves that:

1. The Director Corporate Services report titled "*Seeking Nominations to the Local Government Finance Authority Board*" be received and noted.
2. That Council nominate Mr. Mark Gray, Manager Finance, to be put forward to the Local Government Association Board for consideration as a nominee for the position to the Local Government Finance Authority Board.

Cr. Barca seconded

CARRIED UNANIMOUSLY

14.2.8 LGA Consultation on Behavioural Management Framework

Cr. Evans moved that Council resolves that:

1. The report of the Director Corporate Services titled "LGA Consultation on Behavioural Management Framework" be received and noted.
2. The Mayor write to the Local Government Association providing Council's support for the Behavioural Management Policy and Behavioural Support Policy and submits the feedback outlined in the table provided in Attachment 2 to this report.

Cr. Dinh seconded

CARRIED

14.2.9 Submission to Select Committee on Dolphins in the Adelaide Dolphin Sanctuary and Port River

Cr. Vines moved that Council resolves that:

1. The report of the Director Corporate Services titled 'Submission to the *Select Committee on Dolphins in the Adelaide Dolphin Sanctuary and Port River*' be received and noted.
2. The draft submission to the Select Committee, which forms Attachment Three to this report, is endorsed.

Cr. Tulloch seconded

CARRIED UNANIMOUSLY

14.2.10 Quarterly Review Confidential Items

Cr. Dinh moved that Council resolves that:

1. The report of the Director Corporate Services titled "Quarterly Review of Confidential Orders" be received and noted.
2. Having reviewed the current confidentiality orders, Council endorses the continuation of the orders in Attachment 1 of the report entitled "Quarterly Review of Confidential Orders" and releases those specified for release.
3. Having reviewed the current confidentiality orders, Council extends the confidentiality orders as follows:

That pursuant to Section 90(2), 90(3)(d)(i)(ii) and 90(3)(j)(i)(ii) of the Local Government Act 1999, that the "Renewal SA Land Transfers" correspondence, agenda, reports, attachments and minutes from the Ordinary Council meeting on 10 August 2021, be kept confidential pursuant to Section 91(7) for a further period of 12 months or until formal announcements have been made in relation to the proposed land transfers, whichever is sooner, on the basis that it relates to information provided on a confidential basis by a public authority or official. The disclosure of this information would, on balance, be contrary to the public interest as withholding the information from the public at large outweighs the benefit to it upon disclosure at this time.

That pursuant to Section 90(2) and 90(3)(b)(i)(ii) of the Local Government Act 1999, that the "Newhaven Village Recycled Water Scheme" correspondence, agenda, reports, attachments and minutes from the Ordinary Council meeting on 14 September 2021, be kept confidential pursuant to Section 91(7) for a further 12 months or until formal announcements have been made in relation to the scheme, whichever is sooner, on the basis that it relates to information provided on a confidential basis. The disclosure of this information would, on balance, be contrary to the public interest as withholding the information from the public at large outweighs the benefit to it upon disclosure at this time.

That pursuant to Section 90(2) and 90(3)(b)(i)(ii) of the Local Government Act 1999, that the "Acquisition of Land at Port Adelaide" correspondence, agenda, reports, attachments and minutes from the Ordinary Council meeting on 14 September 2021, be kept confidential pursuant to Section 91(7) for a further 12 months or until the acquisitions are finalised, whichever is sooner, on the basis that it relates to information provided on a confidential basis. The disclosure of this information would, on balance, be contrary to the public interest as withholding the information from the public at large outweighs the benefit to it upon disclosure at this time.

That pursuant to Section 90(2), 90(3)(d)(i)(ii) and 90(3)(j)(i)(ii) of the Local Government Act 1999, that the "Renewal SA Land Transfers" correspondence, agenda, reports, attachments and minutes from the Ordinary Council meeting on 12 October 2021, be kept confidential pursuant to Section 91(7) for a further 12 months or until formal announcements have been made on the proposed land transfers, whichever is sooner, on the basis that it relates to information provided on a confidential basis. The disclosure of this information would, on balance, be contrary to the public interest as

withholding the information from the public at large outweighs the benefit to it upon disclosure at this time.

Cr. Mitchell seconded

CARRIED

14.2.11 Nomination for GAROC

Cr. Wilkins moved that Council resolves that:

1. The report of the Director Corporate Services titled "Nomination for GAROC" be received and noted.
2. Mayor Claire Boan be nominated for a position on the Greater Adelaide Regional Organisation of Councils (GAROC).

Cr. Evans seconded

CARRIED UNANIMOUSLY

15 CHIEF EXECUTIVE OFFICER REPORTS

Nil

16 NOTICE OF MOTION

16.1 Motion on Notice - Cr. Basham - Vickers Vimy Reserve

Cr. Basham moved that Council resolves that:

1. Council staff bring back a report to Council on the usage of Vickers Vimy Reserve, Northgate, by formal sporting groups, informal sporting groups and Cedar College and allowing the maximum usage from local residents as possible, limiting the usage of formal groups and including the usage of toilets by user groups;
2. Until this report comes back to Council, Council staff do not hire the reserve out to formal sporting groups for more than half a day on the weekends, and for more than 3 evenings during the week.

Cr. Osborn seconded

CARRIED

16.2 Motion on Notice - Cr. Wilkins - Regulated and Significant Tree Assistance Policy

Cr. Wilkins moved that Council Administration prepares a Regulated and Significant Tree Assistance Policy which establishes a Regulated and Significant Tree Assistance Scheme with the purpose of providing grants for maintenance work to ensure the long-term health of regulated and significant trees in the City of Port Adelaide Enfield.

Cr. Vines seconded

CARRIED

16.3 Motion on Notice - Cr. Basham - Cedar College Traffic Issues

Cr. Basham moved that the Administration bring back a report to a subsequent meeting of Council on ways to minimise the traffic issues occurring in the vicinity of Cedar College at school pick up and drop off times which includes consultation with Cedar College, NORA and local ward Councillors.

Cr. Evans seconded

CARRIED

16.4 Motion on Notice - Cr. Clayton - Somerset Reserve Usage

Cr. Clayton moved that Council resolves that Council Administration prepare a report to bring back to a subsequent Council Meeting, which reviews the current usage of Somerset Reserve, including consultation with current user groups and the local community.

Cr. Martin seconded

CARRIED

17 MOTIONS WITHOUT NOTICE

Nil

18 ADOPTION OF COMMITTEE REPORTS

Nil

19 CONFIDENTIAL ITEMS

19.1 Meeting to be held in Camera Section 90(2) and Section 90(3)(o) Local Government Act 1999 - Aboriginal and Torres Strait Islander Awards

Item brought forward - refer to page 7.

19.2 Aboriginal and Torres Strait Islander Awards

Item brought forward - refer to page 8.

19.3 Confidentiality Order Section 91(7) Local Government Act 1999 - Aboriginal and Torres Strait Islander Awards

Item brought forward - refer to page 8.

19.4 Meeting to be held in Camera - Section 90(2) and Section 90(3)(j) - LGA Consultation on Mandatory Training Standards

Cr. Osborn moved that Council resolves that:

1. Pursuant to Section 90(2) of the Local Government Act 1999 (the Act) the Council orders that all members of the public, except the staff members present Chief Executive Officer, Director City Assets, Director Corporate Services, Team Leader Governance, and Governance Officer be excluded from the meeting for the Agenda Item, 19.4 Meeting to be held in Camera - Section 90(2) and Section 90(3)(j) - LGA Consultation on Mandatory Training Standards.
2. The Council is satisfied that pursuant to Section 90(3)(j) of the Local Government Act 1999 the information to be considered involves information the disclosure of which- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and (ii) would, on balance, be contrary to the public interest.
3. That Council is satisfied that, pursuant to Section 90(3)(j)(i)(ii) of the Local Government Act 1999 the information to be received, discussed or considered in confidence in relation to this Agenda Item 19.4 Meeting to be held in Camera - Section 90(2) and Section 90(3)(j) - LGA Consultation on Mandatory Training Standards having been supplied on a confidential basis by a public authority being the Local Government Association and they have requested this be dealt with in confidence until the Minister has considered the content.
4. Council has considered and is satisfied that the principle that meetings should be conducted in a place open to the public is outweighed by the need to keep the information or discussion confidential.

Cr. Wotton seconded

CARRIED

CONFIDENTIAL

19.5 LGA Consultation on Mandatory Training Standards

CONFIDENTIAL

19.6 Confidentiality Order - Section 91(7) Local Government Act 1999 - LGA Consultation on Mandatory Training Standards

Cr. Evans moved that Council resolves that the report of the Director City Assets titled “*LGA Consultation on Mandatory Training Standards*” considered in confidence under Section 90(3)(j)(i)(ii) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that all reports, minutes and attachments in relation to this item be retained in confidence until 31 August 2022.

Cr. Barca seconded

CARRIED

19.7 Meeting to be held in Camera - Section 90(2) and Section 90(3)(b)(i)(ii) - Unsolicited Bid Proposal to Purchase Portion of Council Land

Cr. Tulloch moved that Council resolves that:

1. Pursuant to Section 90(2) of the Local Government Act 1999 (the Act) the Council orders that all members of the public, except the staff members present Chief Executive Officer, Director City Assets, Director Corporate Services, Manager Strategy and Performance, Team Leader Governance, Governance Officer, Manager Property & Building Assets & Property Officer be excluded from the meeting for the Agenda Item “Unsolicited Bid Proposal to Purchase Portion of Council Land”.
2. The Council is satisfied that, pursuant to Section 90(3)(b)(i)(ii) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item “Unsolicited Bid Proposal to Purchase Portion of Council Land” is information, the disclosure of which –
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
3. Council has considered and is satisfied that the principle that meetings should be conducted in a place open to the public is outweighed by the need to keep the information or discussion confidential.

Cr. Evans seconded

CARRIED

CONFIDENTIAL

19.8 Unsolicited Bid Proposal to Purchase Portion of Council Land

CONFIDENTIAL

19.9 Confidentiality Order - Section 91(7) Local Government Act 1999 - Unsolicited Bid Proposal to Purchase Portion of Council Land

Cr. Dinh moved that Council resolves that the report of the Director City Assets titled “*Unsolicited Bid Proposal to Purchase Portion of Council Land*” considered in confidence under Section 90(3)(b)(i)(ii) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that all, reports, minutes and attachments in relation to the unsolicited bid proposal to purchase portion of Council land report be retained in confidence for a period of twelve (12) months or until the matter is resolved.

Cr. Evans seconded

CARRIED

19.10 Meeting to be held in Camera - Section 90(2) and Section 90(3)(b)(i)(ii) - Purchase of Property

Cr. Osborn moved that Council resolves that:

1. Pursuant to Section 90(2) of the Local Government Act 1999 (the Act) the Council orders that all members of the public, except the staff members present Chief Executive Officer, Director City Assets, Manager Community Development, Manager Community & Environmental Health, Director Corporate Services, Manager Strategy and Performance, Team Leader Governance, Governance Officer, Manager Property & Building Assets & Property Officer be excluded from the meeting for the Agenda Item "Purchase of Property".
2. The Council is satisfied that, pursuant to Section 90(3)(b)(i)(ii) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item "Purchase of Property" is information, the disclosure of which –
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
3. Council has considered and is satisfied that the principle that meetings should be conducted in a place open to the public is outweighed by the need to keep the information or discussion confidential.

Cr. Wright seconded

CARRIED

CONFIDENTIAL

19.11 Purchase of Property

CONFIDENTIAL

19.12 Confidentiality Order - Section 91(7) Local Government Act 1999 - Purchase of Property

Cr. Evans moved that Council resolves that the report of the Director City Assets titled "*Purchase of Property*" considered in confidence under Section 90(3)(b)(i)(ii) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that all, reports, minutes and attachments in relation to the purchase of property report be retained in confidence for a period of twelve (12) months or until the matter is resolved.

Cr. Osborn seconded

CARRIED

19.13 Meeting to be held in Camera - Section 90(2) and Section 90(3)(b)(i)(ii) - City of PAE Tip Voucher System

Cr. Evans moved that Council resolves that:

1. Pursuant to Section 90(2) of the Local Government Act 1999 (the Act) the Council orders that all members of the public, except the staff members present Chief Executive Officer, Director City Assets, Director Corporate Services, Manager Strategy and Performance, Manager Community & Environmental Health, Waste Management Leader, Team Leader Governance and Governance Officer be excluded from the meeting for the Agenda Item "City of PAE Tip Voucher System".
2. The Council is satisfied that, pursuant to Section 90(3)(b)(i)(ii) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item "City of PAE Tip Voucher System" is information, the disclosure of which –
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
3. Council has considered and is satisfied that the principle that meetings should be conducted in a place open to the public is outweighed by the need to keep the information or discussion confidential.

Cr. Dinh seconded

CARRIED

CONFIDENTIAL

19.14 City of PAE Tip Voucher System

CONFIDENTIAL

19.15 Confidentiality Order - Section 91(7) Local Government Act 1999 - City of PAE Tip Voucher System

Cr. Dinh moved that Council resolves that the report of the Director Community Development titled "City of PAE Tip Voucher System" considered in confidence under Section 90(3)(b)(i)(ii) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that all, reports, minutes and attachments in relation to the City of PAE Tip Voucher System report be retained in confidence for a period of twelve (12) months or until the matter is resolved.

Cr. Barca seconded

CARRIED

12.2.6 Waste Management Service Standard

Public meeting procedures resumed at 9:45pm

Cr. Wilkins moved that Council resolves that:

1. The report of the Director Community Development titled "Waste Management Service Standard" be received and noted.
2. The Draft Waste Management Service Standard as provided in Attachment 1 is endorsed.
3. The Waste Management Service Standard is fully implemented by 1 July 2023.

Cr. Osborn seconded

CARRIED

20 CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 9:47pm.

Minutes confirmed.

PRESIDING MEMBER

