

COUNCIL MINUTES

for the meeting held
on Monday, 22 August 2022

in the Council Chambers
72 Woodville Rd, Woodville SA 5011



PRESENT :**Elected Members:**

Mayor - Angela Evans, Councillor - Gerard Ferrao, Councillor - Kenzie van den Nieuwelaar , Councillor - Paul Sykes, Councillor - Kelly Thomas , Councillor - Sarah McGrath, Councillor - George Turelli, Councillor - Helen Hibeljic, Councillor - Matt Mitchell, Councillor - Edgar Agius, Councillor - Paul Alexandrides, Councillor - Stuart Ghent, Councillor - Tolley Wasylenko, Councillor - Oanh Nguyen

DATE :

Monday, 22 August 2022 | Time 7:00 PM

VENUE :

Council Chambers

In Attendance :

Chief Executive Officer - Paul Sutton	General Manager Asset Management Services - Adrian Ralph
General Manager City Services - Bruce Williams	General Manager Corporate Services - Donna Dunbar
Manager Urban Projects - Craig Daniel	Manager Engineering Strategy and Assets - Sam Adams
Manager People and Culture - Amy Pearce	Manager Governance and Operational Support - Kerrie Jackson
Manager Open Space Recreation and Property - Sam Higgins	Manager Public Health and Safety - Adam Filipi
Manager Media Marketing & Communications - Kristie Johnson	Team Leader Governance and Business Support - Mary Del Giglio
Coordinator Economic Development – Selma Barlow	Principal Economic and Strategic Planner – Kym Wundersitz
Senior Policy Planner – Jim Gronthos	

1. COUNCIL OPENING

The meeting commenced at 7 PM.

1.1 OPENING PRAYER

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

This we ask in Thy name.

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

Lest we forget.

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

1.2 APOLOGIES AND LEAVE OF ABSENCE

APOLOGIES

Councillor - Charlotte Watson

Councillor - Alice Campbell

LEAVE OF ABSENCE

Councillor - Tom Scheffler

2. CONFIRMATION OF MINUTES

2.1 COUNCIL

Brief

Confirmation of the minutes of the previous meeting held on Monday, 8 August 2022.

Moved Councillor - Kenzie van den Nieuwelaar

Seconded Councillor - Edgar Agius

Motion

That the minutes of the previous meeting held on Monday, 8 August 2022 be taken as read and confirmed.

Carried Unanimously

Leave of the meeting was sought to bring forward the deputations relating to the respective committees and to accept the additional deputations in accordance with the Code of Practice for Meeting Procedures. Leave was granted.

4.21 DEPUTATION - FLINDERS PARK OVAL UPGRADE PETITION

Brief

A deputation request was received from Mr Trevor Quaini and Ms Carol Shard who are requesting to speak to Council, on behalf of the Flinders Park Football Club Inc., in regards to the Flinders Park Oval upgrade petition.

Leave of the meeting was sought to grant Mr Quaini an extension of time to complete his deputation. Leave was granted for an additional 2 minutes.

Moved Councillor - Matt Mitchell

Seconded Councillor - Edgar Agius

Motion

- 1. That the deputation be received and noted.**
- 2. That Mr Trevor Quaini and Ms Carol Shard be thanked for their presentation and any notes that comply with Council's Code of Practice for Meeting Procedures and the laws of defamation, be included in the Minutes.**

Carried Unanimously

Deputation 2 - Flinders Park oval upgrade petition

22/08/2022

Acknowledge council, valued contribution, New Netball courts/Cricket practice wickets upgrade.

Introduction, President & Chairman

Club Structure, ONE CLUB Committee and Sports Mix & Responsibilities

Purpose, evolution past 10 years community, destination, Reputation

Summary

- 40 sporting teams. Organic growth 3 junior football teams + 100 new netballers 2023
- 822 Players
- 463 Junior families
- 1197 members, 61.5% our members reside in the city if Charles Sturt
- 215 Unpaid volunteers
- Community commitment,
 - o Nazareth college
 - o West Adelaide FC women's
 - o St Eufemia
 - o Drakes

Invested building infrastructure

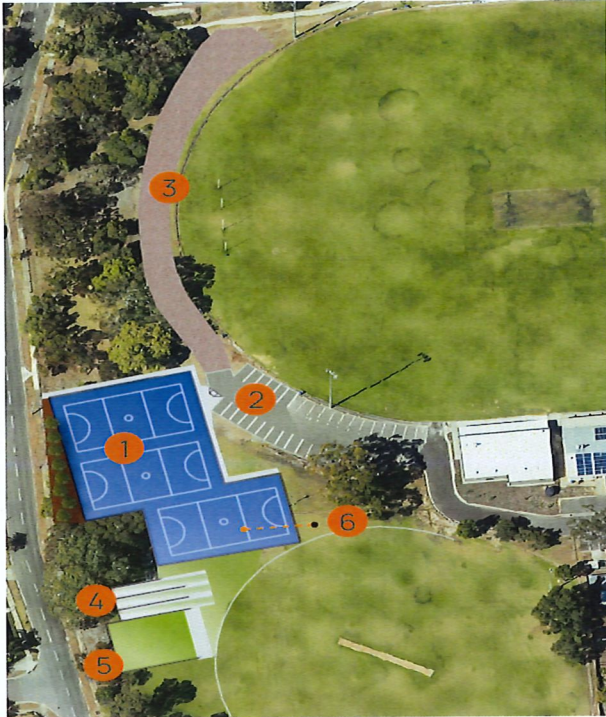
- LED Flood lights, main oval & Oval no 2
- Gender friendly change rooms
- Solar
- Storage shed
- Besides Grants from CSC and Office of rec and sports
 - o Club contribution \$365k.
 - o \$40k contribution Netball/Cricket project

The Club respectfully requests the vote approved by the Asset committee on Aug 15th

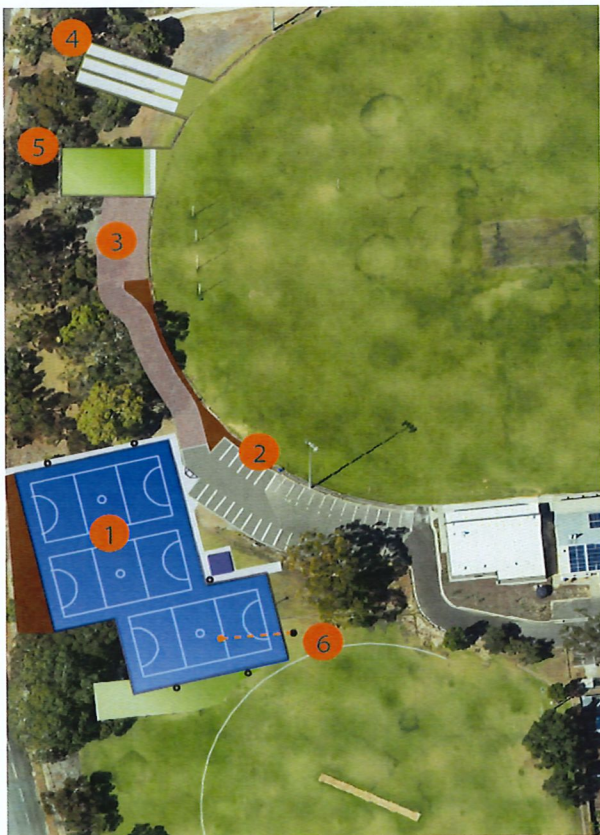
for option 2 stand as is

- **The main oval**
 - peak is used 7 days per week
 - Oval No 2 plays allow the club to minimise usage of main oval protecting playing surface.
- **Option 1 – Impact Oval no 2**
 - Run-up layout for the turf practice wicket, whether it be concrete or grassed sits on the boundary edge of,
 - Junior Cricket and football played on oval
 - Oval size meets minimum requirements specified by the SANFL juniors
 - Practice wickets damaged, football boots
 - Junior cricket training & Games are played Friday nights
 - **Safety paramount** – Training balls hit onto oval when matches played
 - Junior netball, potentially hit by cricket ball walking to Training
 - Move games, disruption to our junior programs, increased cost- oval hire
 - Investment in Oval No 2
 - **Lack of sunlight** as tree canopy shading turf practice wicket
- **Option 2**
 - No **significant** trees impacted
 - Solves **Safety** issues resolved
 - No games affected, Oval no 2 utilised
 - Junior netballers walking to training
 - Practice, balls will be hit onto the main oval
 - Keeps costs to a minimum, no need to hire facilities
 - Minimal impact Car **Parking 14 spaces** affected
 - 10 football games per year
- **Main Oval - Turf Wicket – Kids can't play**
- **All members** consulted, Overwhelmingly
 - Supportive
 - positive
 - excited about the future
 - Country Feel
 - Bringing families together
- **Growth and Sustainability**

Option 1



Option 2



4.22 DEPUTATION - FLINDER PARK FOOTBALL UPGRADES**Brief**

A deputation request was received from Mr Steve Ramsay who is requesting to speak to Council, on behalf of the Flinders Park community, in regards to the Flinders Park football upgrades.

Moved Councillor - Matt Mitchell

Seconded Councillor - Edgar Agius

Motion

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

Carried Unanimously

Good evening, Unsatisfied an previous
Outcome Residents I've consulted with
feel its important that Council has a say

Safety of Nets for footballs on nets
Clubbing Nets - to get balls
Roadways - Danger

? Can a different layout be made
Nets over behind Club rooms -
Close to shed

No One will be 100% going to and from
Clubrooms to change

Grass doesn't grow now.

? How often do Grass Nets get used

If Appendix 2: 3 Nets

Transition to train on Cement Nets
then play back over on Field 2

How will drainage work on oval
with the banking into nets off oval

Last Meeting

Drainage Issue to be sorted? Was
this onsite. (was this for Fp Oval
or street drainage)

Cricket Facility Guide lies as per
* Cricket Australias Recommendation *

2.2 REPORTS OF COMMITTEES - PART I

2.2.1 ASSET MANAGEMENT COMMITTEE

Brief

The Asset Management Committee was held on Monday, 15 August 2022.

Moved Councillor - Kelly Thomas

That having considered the recommendations of the Committee which has read and considered the reports in the agenda related to all items with the exception of Item 4.48:

3.08 DEPUTATION - FLINDERS PARK OVAL UPGRADE - PETITION

Motion

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

3.09 DEPUTATION - FLINDERS PARK OVAL UPGRADE - PETITION

Motion

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

4.49 RENOWN PARK - LIVING STREETS INITIATIVE - OUTCOMES OF CONSULTATION AND FINAL CONCEPT DESIGN

Motion

1. That the report be received and noted.
2. That Council endorse the final concept design for the Renown Park (North) Living Streets initiative in Bishop Street, Blight Street, Tait Street and Wright Street, as shown in Appendix 2, so that detailed design can commence in the 2022/23 financial year ready for construction of the first street in 2023/24.
3. That the local community be notified of the final concept plan and Council's decision.

4.50 WHOLE STREET PLANTING 2023

Motion

1. That the report be received and noted.
2. That the proposed 2022/23 Whole Street Planting Program as detailed in Appendix 1 be endorsed for the purposes of community engagement in line with Council's Whole Street Planting process and Public Consultation Policy.
3. That the Community Engagement Approach in Appendix 2 be endorsed.
4. That a further report be presented to the Asset Management Committee upon completion of community engagement, finalising the Whole Street Planting Program for 2022/23.

4.51 ASSET MANAGEMENT SERVICES CAPITAL WORKS & OPERATING PROGRAM VARIATIONS

Motion

1. That the following variations to the Capital Works Program or Annual Operating Program be approved and adjusted in the Financial Statements at the next quarterly review as they involve transfers between renewal and new/upgrade works and or new projects to be funded by unbudgeted income:-
 - a. Budgeted expenditure for Woodville Bowling & Tennis Club Legislative DDA/Fire Project (1610) (Upgrade) be increased by \$40,000 from savings within the AMP Council Building Renewals 2022/23 (1602) (Renewal) by \$40,000.
2. That the following variations to the Capital Works Program or Annual Operating Program be approved and budgets or scope adjusted accordingly:
 - a. Budgeted expenditure for Woodville Road Streetscape upgrade Project P3276 (2021-22) be increased by \$3,480,000 by transferring budget from Woodville Road Streetscape Project P3350 (2022-23) and consolidating in to a single one project account.
3. That by endorsing the variations listed in 1. above, Council is endorsing a variation to the approved Asset Management Plan renewal schedule where relevant.

4.52 STORMWATER MINOR UPGRADE - FLOOD MITIGATION - 2022/23 PROJECT UPDATE

Motion

1. That Council note the stormwater investigation works undertaken to date in the vicinity of 262 Military Road, Henley Beach.
2. That Council undertake the kerb and verge reconstruction works identified in this report, with the works to be funded by the Stormwater Minor Upgrade - Flood Mitigation 2022/23 program.

3. That Council notify the directly affected residents (260 & 262 Military Road, Henley Beach) of Council's decision.
4. That a further report be brought to a future meeting of the Asset Management Committee setting out the future strategy of localised Flood Mitigation works.

4.53 HINDMARSH PRECINCT UPGRADE - PROJECT UPDATE

Motion

1. That the report be received and noted.
2. That further quarterly reports be provided to the Asset Management Committee updating the progress of the project.

4.54 MILITARY ROAD AND MAIN STREET UPGRADE AND PUBLIC PLAZA - PROJECT UPDATE - APRIL TO JUNE

Motion

1. That the report be received and noted.
2. That further quarterly reports be provided to the Asset Management Committee updating the progress of the project.

4.55 ST CLAIR RECREATION CENTRE - YMCA QUARTERLY REPORT - APRIL TO JUNE 2022

Motion

1. That Council notes the YMCA's Performance Reports for April, May and June 2022.

4.56 COMMUNITY GARDENS AND LOCAL AMENITY GROUPS - QUARTERLY ACTIVITY REPORT - 2

Motion

1. That the report be received and noted.

4.57 WOODVILLE ROAD STREETScape UPGRADE - PROJECT UPDATE AUGUST 2022

Motion

1. That the report be received and noted.
2. That further quarterly reports be provided to the Asset Management Committee updating the progress of the project.

Council adopts the recommendations of the Committee as printed in the Minutes of this Committee.

Councillor - Helen Hibeljic left the meeting at 7:40 PM

Councillor - Helen Hibeljic entered the meeting at 7:43 PM

Perceived Declaration of Interest

Councillor - Oanh Nguyen declared a perceived conflict of interest pursuant to section 75A of the Local Government Act for Item 2.2.1-4.49. The nature of Councillor - Oanh Nguyen's perceived conflict is that she knows a family quite well with their home back boundary being on one of the streets that is included in the Renown Park - Living Streets initiative. Councillor - Oanh Nguyen dealt with the conflict of interest in the following transparent and accountable way and remained in the meeting.

Perceived Declaration of Interest

Councillor - Oanh Nguyen declared a perceived conflict of interest pursuant to section 75A of the Local Government Act for Item 2.2.1-4.56. The nature of Councillor - Oanh Nguyen's perceived conflict is that she is one of the residents that have been involved in the new community garden in Athol Park, one of the many community gardens referenced within the report. Councillor - Oanh Nguyen dealt with the conflict of interest in the following transparent and accountable way and remained in the meeting.

Seconded Councillor - Tolley Wasylenko

The motion to Item 2.2.1 was Carried Unanimously

Moved Councillor - Edgar Agius

Seconded Councillor - Matt Mitchell

4.48 FLINDERS PARK OVAL UPGRADE - PETITION**Motion**

- 1. That Council supports the implementation of the Master Plan identified within Appendix 2 for the Flinders Park Oval netball courts and associated infrastructure and proceeds with the detailed design and the subsequent construction.**

Carried

4.23 DEPUTATION - CITY SERVICES COMMITTEE ITEM 4.19 - ALBERT PARK MIXED USE DRAFT CODE AMENDMENT**Brief**

A deputation request was received from Mr Carlo Meschino who is requesting to speak to Council in regards to City Services Committee Item 4.19 - Albert Park Mixed Use Draft Code Amendment.

Leave of the meeting was sought to grant Mr Meschino an extension of time to complete his deputation. Leave was granted for an additional 2 minutes.

Moved Councillor - Tolley Wasylenko

Seconded Councillor - Kelly Thomas

Motion

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

Carried Unanimously

Council Reports of Committees Item 2.22 - 22 august 2022

Item 4.19 of the City Services Committee 15 August 2022

City of Charles Sturt Albert Park Mixed Use Code Amendment (Part-Privately Funded)

1. Segregated development in terms of open space within Albert Park to serve the needs of the residential community.
2. Hotchpotch development resulting from the various housing plans will become just that and not provide a decent practicable community area of open space to allow for facilities for sports and community gatherings for residents to recreate in.
3. The infrastructure needs to be determined first in the plan before the housing development plans are conceived and implemented.
4. No investigation was conducted into the many petitions received by the Council over the past 70 years for open space within the suburb of Albert Park (Attached 1992 petition cover note).
5. No new investigation was conducted into the history of the Gadsden site and of the substantial return veranda villa built by Mr John Fletcher and surrounded by a botanical park which was made available to the community.
6. This homestead is directly historically linked to "The Brocas" homestead once owned by John Fletcher's father, Henry Fletcher.

I received a current proposed development application notice from the Council (Application ID: 22006056) which indicates that the Fletcher Homestead will be demolished without any historic recognition:

"The building is not heritage listed and is to be removed at some point in the not too distant future."

I ask the Council to further investigate the implementation for the provision of open space and of the historic status of the Fletcher homestead and the surrounding site (Gadsden's).

CITY OF WOODVILLE

MEMO TO: Councillors Chambers and Meschino
FROM: Director Corporate Services
DATE: 4 September 1992
SUBJECT: PETITION - REQUEST THE PROVISION OF A SUITABLE LARGE
OPEN AREA DEVELOPED AS A RECREATIONAL PARK AND
PLAYGROUND WITHIN THE BOUNDARIES OF ALBERT PARK

Dear Members

Please find attached, a copy of a petition received at this office requesting the Council provide a suitable recreational park or area within the boundaries of Albert Park.

This petition will be presented to Council on Monday, 12 October, 1992 with the recommendation that it be referred to a subsequent meeting of the Technical Services Committee.

Regards

PETER DALE
DIRECTOR CORPORATE SERVICES

Attach

1.

G. Whitbread.
Town Clerk,
Woodville Council.
72 Woodville Rd,
Woodville S.A. 5011.

C. Meschino.



Dear Sir;

On behalf of the residents of the Woodville Council suburb of Albert Park, I proudly present a petition of 758 requests for long overdue community facilities.

I have provided the necessary statistics covering 88% of ratable properties. Of these 580 homes there are 397 children averaging between 1mth to 13yrs. There are 728 grandchildren who visit their grandparents at least once a year.

660
homes
total.

Albert Park once mainly consisted of elderly residents and over the past few years has seen an influx of young couples with children. With urban consolidation the area is experiencing growth in ratable residential properties.

During this petition/survey, I was given a real education in Albert Parks history dating back to the late 1800's.

Once predominately residential, Albert Park was savaged by industry losing many historical properties (dating to the early settlers.), one being a private botanical garden developed by John Fletcher in

1881. These grounds remained open to the community for enjoyment until 1945 when Mr. Fletcher died and the property was acquired by Gadsden Ltd to manufacture bully beef tins for the soldiers of the second world war.

The loss of community facilities and heritage was petitioned by the then Mayor of Woodville, Mayor Lawton who endeavoured to stop the rape of this property, failing but compromising on the garden which was kept in good heart until the demise of Gadsden Ltd in the 1970's. (Ref: Mrs Lincoln 30 Glyde st Albert Park).

The Woodville football team had its first oval located in Albert Parks Glyde street at the southern end before moving to its new premises in Woodville. (Ref: Mr. Alan Waters, 37 Botting st. Albert Park.)

The only community centre was sold to Vidale Ltd, another loss to the community. (Ref: Mr. K. Hopkins 4 Botting street Albert Park.).

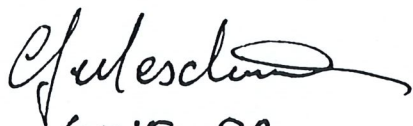
Albert Park named after Prince Albert was described as consisting of flower and market gardens, known previously as the Village of Glyde. It is a shame after my 34 years residence in this suburb to see children still playing on the roads, for a suburb to once have so much, it is a crime for the Woodville Council to let the area deteriorate so badly.

3.

An attached letter of reply dated 10-3-92 from the director of technical services suggests incompetence of knowledge in regards to Albert Park and disregard to the residential community in stating the demolition of several houses, when there is a lot of industrial land available.

There is no excuse for lack of funds as monies have been paid to the Woodville Council for many road closures in Albert Park, benefiting industry and obviously more rates are being paid. Also take into consideration the lands donated by residents in Albert Parks early days. (i.e. May street Albert Park) to the Woodville Council.

yours faithfully


6-10-92.

2.2.2 CITY SERVICES COMMITTEE

Brief

The City Services Committee was held on Monday, 15 August 2022.

Material Declaration of Interest

Councillor - Paul Sykes declared a material conflict of interest pursuant to section 73 of the Local Government Act for Item 2.2.2-4.18. The nature of Councillor - Paul Sykes' material conflict is that he lives in near proximity to the matter considered in Item 4.18 and left the meeting.

Councillor - Paul Sykes left the meeting at 8:16 PM

Moved Councillor - Paul Alexandrides

Seconded Councillor - Gerard Ferrao

That having considered the recommendations of the Committee which has read and considered the reports in the agenda related to all items with the exception of Item 4.20:

3.01 DEPUTATION - WEST LAKES RESIDENTIAL AND MIXED USE CODE AMENDMENT

Motion

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

3.02 DEPUTATION - KIDMAN PARK RESIDENTIAL AND MIXED USE DRAFT CODE AMENDMENT

Motion

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

4.18 WEST LAKES RESIDENTIAL AND MIXED USE DRAFT CODE AMENDMENT (PRIVATELY FUNDED) - FOR CONSULTATION**Motion**

1. That the West Lakes Residential and Mixed Use Draft Code Amendment (Privately Funded), contained in Appendix 1, be endorsed for the purposes of undertaking statutory consultation.
2. That the West Lakes Residential and Mixed Use Draft Code Amendment (Privately Funded), Engagement Plan contained in Appendix 2, be endorsed and implemented.
3. That a further report, detailing the results of the public consultation process, including formal submissions, be submitted for the Committee's consideration.

4.19 ALBERT PARK MIXED USE DRAFT CODE AMENDMENT (PART-PRIVATELY FUNDED) - FOR RECOMMENDATION TO THE MINISTER FOR PLANNING**Motion**

That the approval package (including submissions from residents) consisting of the draft letter to the Minister and Engagement Report for the Albert Park Mixed Use Draft Code Amendment (Part-Privately Funded), contained in Appendices 1 and 2 of this report, be approved and submitted to the Minister for Planning for consideration in accordance with Section 73 (7) of the *Planning, Development and Infrastructure Act, 2016*.

4.21 RELEASE OF THE STATE PLANNING COMMISSION'S MISCELLANEOUS TECHNICAL ENHANCEMENT CODE AMENDMENT FOR CONSULTATION**Motion**

1. That the report be received and noted.
2. That a further report be presented back to the Committee detailing the nature of the State Planning Commissions Miscellaneous Technical Enhancement Code Amendment with an accompanying draft submission for consideration.

4.22 EVENTS AND FESTIVALS SPONSORSHIP - RECOMMENDATIONS FOR FUNDING**Motion**

1. That the Telugu Association of SA be funded \$1,700 to support Deepavali Celebrations at the Woodville Town Hall on the 5th November 2022.
2. That the Bulgarians Educational and Friendly Society be funded \$4,000 to support the Zdravei Bulgarian Festival 2023 to be held on the 12th February 2023.
3. That the Charles Sturt Memorial Museum Trust be funded \$5,000 to support Summer at the Grange on the 27th November 2022.
4. That the Feast Queer Arts & Cultural Festival be funded \$7,500 to support Pride at Plant 4 on the 13th November 2022.

4.23 COUNCIL ASSESSMENT PANEL - JUNE 2022 QUARTERLY REPORT**Motion**

That the report be received and noted.

4.24 HERITAGE CONSERVATION GRANT APPLICATIONS**Motion**

32 Aroona Road, West Croydon

1. That Council approves a grant allocation of \$2,000.00 from the Heritage Conservation Grants Program to the applicants, P A Nicolitsi and G Nicolitsi for conservation work to a Local Heritage Place located at 32 Aroona Road, West Croydon as outlined in the application referred to in Attachment 1, subject to the standard conditions of the Heritage Conservation Program Guidelines and any specified special conditions.

29a Bertie Street, West Hindmarsh

2. That Council approves a grant allocation of \$2,000.00 from the Heritage Conservation Grants Program to the applicant, Mr D Tosato for conservation work to a Representative Building located at 29a Bertie Street, West Hindmarsh as outlined in the application referred to in Attachment 2, subject to the standard conditions of the Heritage Conservation Program Guidelines and any specified special conditions.

17 Burke Street, West Croydon

3. That Council approves a grant allocation of \$2,000.00 from the Heritage Conservation Grants Program to the applicant, Mr M G Hogan for conservation work to a Representative Building located at 17 Burke Street, West Croydon as outlined in the application referred to in Attachment 3, subject to the standard conditions of the Heritage Conservation Program Guidelines and any specified special conditions.

192 Port Road, Hindmarsh

4. That Council approves a grant allocation of up to a maximum of \$2,000.00 from the Heritage Conservation Grants Program to the applicant, Ms K Paparella for conservation work subject to a second quote being provided, to a Local Heritage Place located at 192 Port Road, Hindmarsh as outlined in the application referred to in Attachment 4, subject to the standard conditions of the Heritage Conservation Program Guidelines and any specified special conditions.

150 Marlborough Street, Henley Beach

5. That Council approves a grant allocation of \$2,000.00 from the Heritage Conservation Grants Program to the applicants, Mr B Patton and Ms S Kneebone for conservation work to a Representative Building located at 150 Marlborough Street, Henley Beach as outlined in the application referred to in Attachment 5, subject to the standard conditions of the Heritage Conservation Program Guidelines and any specified special conditions.

28 Henley Beach Road, Henley Beach

6. That Council approves a grant allocation of \$2,000.00 from the Heritage Conservation Grants Program to the applicant, Mr Edginton for conservation work to a Representative Building located at 28 Henley Beach Road, Henley Beach as outlined in the application referred to in Attachment 6, subject to the standard conditions of the Heritage Conservation Program Guidelines and any specified special conditions.

Council adopts the recommendations of the Committee as printed in the Minutes of this Committee.

Carried Unanimously

Councillor - Paul Sykes entered the meeting at 8:24 PM

Moved Councillor - George Turelli

Seconded Councillor - Matt Mitchell

4.20 KIDMAN PARK RESIDENTIAL AND MIXED USE DRAFT CODE AMENDMENT (PRIVATELY FUNDED) - FOR RECOMMENDATION TO THE MINISTER FOR PLANNING

Motion

1. That the approval package consisting of the draft letter and Engagement Report for the Kidman Park Residential and Mixed Use Draft Code Amendment (Privately Funded), contained in Appendices 1 and 2 of this report, be endorsed and submitted to the Minister for Planning for a decision in accordance with Section 73 (7) of the Planning, Development and Infrastructure Act, 2016, subject to an amendment to the revised Concept Plan reducing the maximum building height level of 4 storeys (16.5m) at the location west of the proposed public open space to a maximum building height level of 3 storeys (12.5m) and an increase of a maximum building height level of 4 storeys (16.5m) on the eastern side between Findon Road opposite Pooch Park.
2. That further investigations be undertaken by staff with DIT regarding the potential for the upgrade and signalisation of the Hartley and Findon Rd intersection, to enable coordinated traffic movements at the Valetta and Findon Rd intersection and improved traffic flows at these locations.

Carried Unanimously

3. REPORTS

Nil

4. DEPUTATIONS

4.20 DEPUTATION - CYCLE PATH ENTRY NORTH FROM TERMINUS STREET ON SEAVIEW ROAD/ESPLANADE, GRANGE

Brief

A deputation request was received from Dr Bruce Kristian Foster who is requesting to speak to Council in regards to agenda Item 6.75 regarding the cycle path entry North from Terminus Street on Seaview Road/Esplanade, Grange.

Councillor - Tolley Wasylenko left the meeting at 8:44 PM

Councillor - Tolley Wasylenko entered the meeting at 8:46 PM

Moved Councillor - Sarah McGrath

Seconded Councillor - Gerard Ferrao

Motion

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

Carried Unanimously

- Honorable Angel Evans (Mayor)

Grange Road Cn Sarah McGonigle, Cn Tom Schreffler

- Thank you for opportunity to represent the 31 petitioners from Fort to Terminal St @ Grange. Again.
- Recognize the consultation process has been respectful and productive AND Mayor of Engineering / Streets / Transit to facilitate Sam Adams on P.M. Sara Morrison with meeting at correspondence on this matter since April 2013
- We agree with the proposal as a "best compromise" the 11/4/14 should be a one-way E path on western side of Grange Rd
- REAFFIRM ① resolve "safety issues" of ONEWAY streets against traffic flow and that liability remains ② please continue DOT consultation process, ③ Millage Rd Bridge upgrade T → Fort completed N-S Now E Linear Park Sacramento for Brick from ST
- NO would be Genoa Ferrao this valued drawn

4.24 DEPUTATION - ITEM 6.77 - CR FERRAO - OBLIGATIONS OF BEING A FREEMAN OF THE CITY FROM THE VIEWS OF A RATEPAYER**Brief**

A deputation request was received from Mr Carlo Meschino who is requesting to speak to Council in regards to agenda Item 6.77 regarding the obligations of being a Freeman of the City from the views of a ratepayer.

Perceived Declaration of Interest

Mayor - Angela Evans declared a perceived conflict of interest pursuant to section 75A of the Local Government Act for Item 4.24. The nature of Mayor - Angela Evans' perceived conflict is due to the topic (Freeman of the City) that is specific for Item 6.77 in which she has an actual conflict of interest as she is a complainant in that matter and left the meeting.

In the absence of the Deputy Mayor the Chief Executive Officer took the Chair until Council resolved to appoint a presiding member.

Mayor - Angela Evans left the meeting at 8:48 PM

Moved Councillor - Oanh Nguyen

Seconded Councillor - George Turelli

Motion

That Councillor - Paul Alexandrides preside over the meeting in the absence of the Mayor and Deputy Mayor for Item 4.24.

Carried Unanimously

Perceived Declaration of Interest

Councillor - Gerard Ferrao declared a perceived conflict of interest pursuant to section 75A of the Local Government Act for Item 4.24. The nature of Councillor - Gerard Ferrao's perceived conflict is that he is named in the report for Item 6.77. The content of the deputation is not related to the material of the complaint. Councillor - Gerard Ferrao dealt with the conflict of interest in the following transparent and accountable way and remained in the meeting.

Moved Councillor - Kelly Thomas

Seconded Councillor - Tolley Wasylenko

Motion

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

Carried Unanimously

Council Item 6.77 Code of Conduct Report - Councillor Gerard Ferrao 22 august 2022

Freeman of the City – Council's own description and qualifications.

Honorary Freeman of the City is an honour given to an individual who has demonstrated outstanding dedication to the community.

The honour is given to a person who has served the City of Charles Sturt, its community and beyond for many years.

This eminent service is of such a special quality by a person of distinction that it warrants an honour by the Council.

Recognition of Honorary Freeman of the City is not given lightly. A high standard for the award must be maintained at all times.

If a Freeman is elected to Council, the Freemanship is suspended for the period of office.

1. Councillor Ferrao is a code of conduct repeat offender and his Freeman of the City honour needed to have been investigated and reviewed for revaluation.
2. Mayor Evans in the final Investigation Report in paragraph 50, she advised the Investigator that Cr Ferrao is a Freeman of the Council and that this meritorious award, although suspended whilst Cr Ferrao is an elected member, obligates behaviour.
3. A Freeman of the City should be beyond reproach and a role model to the ratepayers and their families.
4. One of the recommendations could have included the re-evaluation of the Freeman of the City honour bestowed upon councillor Ferrao.

I ask the Council to consider adding a review of Councillor Ferrao's fitness to keep the Freeman of the City honour entitlement as part of their recommendations.

At 8:55 PM Mayor Evans entered the meeting, resumed her seat and the Chair.

Moved Councillor - Edgar Agius

Seconded Councillor - George Turelli

Adjournment - 8:56 PM

That Council adjourn for a 10 minute break in accordance with the Code of Practice for Meeting Procedures.

Carried Unanimously

Moved Councillor - George Turelli

Seconded Councillor - Sarah McGrath

Resumption - 9:07 PM

That Council resume.

Carried Unanimously

Councillor - Paul Sykes was not in attendance at the resumption of the meeting.

5. PETITIONS

Nil

6. BUSINESS

6.73 LOCAL GOVERNMENT ELECTION SIGNS

Brief

Changes to Section 226 of the Local Government Act 1999 relating to Moveable Signs, arising from the Statutes Amendment (Local Government Review) Act 2021, now prohibit the display of local government electoral advertising posters made of corflute or plastic on public roads and related infrastructure.

This report and accompanying presentation provides an overview of the changes made to the Local Government Act 1999 in relation to local government election posters and provides a new guideline to aid candidates when displaying electoral advertising materials.

Moved Councillor - Paul Alexandrides

Seconded Councillor - George Turelli

Motion

1. That the report be received and noted.
2. That the presentation notes be included in the minutes.
3. In response to the amendments to the Local Government Act 1999, Council's Election Signs Policy, as presented in Appendix 1, be revoked.

Carried Unanimously



LOCAL GOVERNMENT ACT ELECTION SIGNS



LEGISLATIVE AMENDMENTS

LOCAL GOVERNMENT ACT / STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) ACT

- Local Government Act previously provided an express permission for the display of LG Election Signs
- 10 Nov 2021 – Provision of the Statutes Amendment (LG Review) Act commenced
- Amendment to section 226 (moveable signs) of the LG Act (removal of express permission)

(3) A person may place and maintain a moveable sign on a road without an authorisation or permit under this Part and without reliance on subsection (1) if—

- (a) the sign is placed there pursuant to an authorisation under another Act; or
- (b) the sign is designed to direct people to the open inspection of any land or building that is available for purchase or lease; or
- (c) the sign is related to a State or Commonwealth election and is displayed during the period commencing at 5pm on the day before the day of the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- ~~(ca) the sign is related to an election held under this Act or the *Local Government (Elections) Act 1999* and is displayed during the period commencing 4 weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or~~
- (d) the sign is of a prescribed class.

LEGISLATIVE AMENDMENTS

LOCAL GOVERNMENT ACT / STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) ACT

New inclusion to section 226 of the LG Act: Prohibition of 'Electoral Advertising Poster'

- (2a) A person must not exhibit an electoral advertising poster relating to an election held under this Act or the *Local Government (Elections) Act 1999* on a public road (including any structure, fixture or vegetation on a public road), except in circumstances prescribed by the regulations.

Maximum penalty: \$5 000.

- (5) In this section—

electoral advertising poster means a poster displaying electoral advertising made of—

- (a) corflute; or
- (b) plastic; or
- (c) any other material, or kind of material, prescribed by the regulations.

Intent – Reduce environmental impacts from corflute/plastic election signs and minimise visual pollution from election materials

BUT...

A poster that promotes a candidate in a LG Election is defined as an ***electoral advertising poster*** if it is made from corflute or plastic. If the same poster is made from an alternate material, it will be considered a ***local government election sign*** and is permitted on a public road but must not unreasonably –

- i. Restrict the use of the road; or
- ii. Endanger the safety of members of the public

(considered to be a moveable sign for the purposes of the LG Act)

COUNCIL BY-LAWS

Council's By-laws now determine permitted conditions of 'moveable signs' on Council land:

- CCS By-law No. 2 2021 - Movable Signs By-law
 - Specific exemption where the sign relates to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is otherwise authorized to be exhibited under Section 226 of the Local Government Act 1999
- CCS By-law No. 3 2021 – Local Government Land By-Law
 - Specific exemption relating to electoral material authorised by a candidate and which relate to an election under the Local Government Act 1999 or the Local Government (Elections) Act 1999 that occurs during the period commencing *four weeks immediately before the date that has been set for polling day and ending at the close of voting on polling day*
- CCS By-law No. 4 2021 – Roads
 - Specific exemption relating to electoral matters authorised by a candidate and which relate to an election under the Local Government Act 1999 or the Local Government (Elections) Act 1999 that occurs during the period commencing *four weeks immediately before the date that has been set for polling day and ending at the close of voting on polling day*

PRIVATE PROPERTY

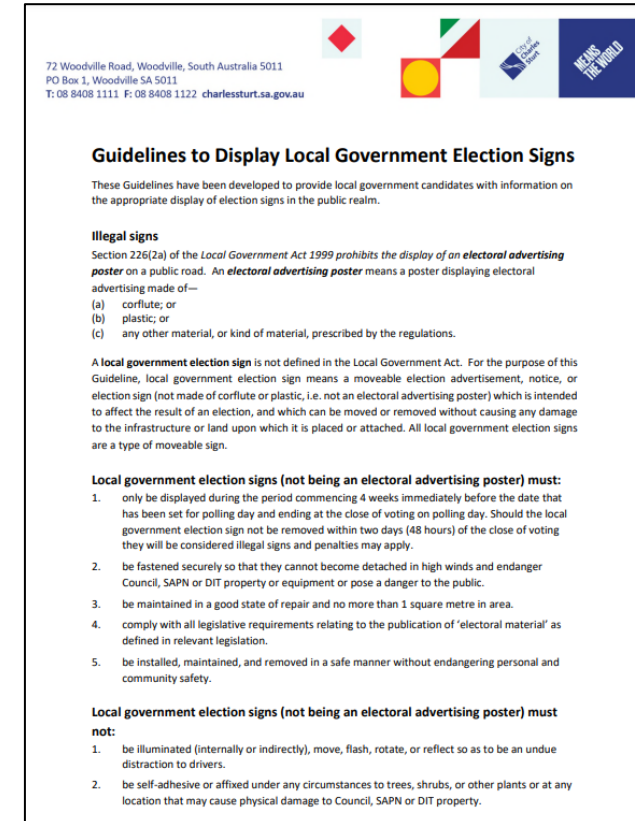
Candidates may obtain permission from a private property owner (or primary lease holder) to place local government election signs and electoral advertising posters on their property.

- Development Approval may be required (see [Clause 1\(F\) of Schedule 4 of the PDI \(General\) Regulations 2017](#))



HELP...

- Guidelines to Display Local Government Election Signs developed
 - Guidelines based upon 'General Approval Standards' developed by the LGA but can't be enforced at CCS due to the wording of our By-laws
- City of Charles Sturt Election Signs Policy revocation
 - No longer has legal application
 - Council meeting 22 August 2022
- SAPN / DIT General Approval still has relevance and needs to be adhered with – this enables the display of LG Election Sigs on public road infrastructure owned by these relevant authorities.



NEXT STEPS

- Update to CCS website (CCS Election Signs Guideline) – 23 August 2022
 - Candidate Briefing Session – Provision of CCS Election Signs Guideline – 24 August 2022
 - Treatment of illegal signs being displayed:
 - Immediate removal of:
 - Electoral advertising posters (corflute or plastic)
 - LG Election signs displayed prior to Thursday 13 October 2022 (4 weeks before the date that has been set for polling day = Thursday 10 Nov 2022)
 - Election signs that unreasonably restrict the use of the road, or endangers the safety of members of the public
 - Signs not removed within 48 hours from the close of voting
- * Maximum penalty: \$5,000 and \$30 removal fee/sign

QUESTIONS?

6.74 PRESENTATION - ECONOMIC DEVELOPMENT STRATEGY 2022-26 FOR ENDORSEMENT**Brief**

Council had in place an 18-month Economic Development Recovery Strategy 2020-2022 to guide the recovery from the COVID-19 pandemic. This strategy has now reached the end of its life cycle and a draft Economic Development Strategy and Action Plan 2022- 2026 was presented to the City Services Committee in May 2022.

The draft Economic Development Strategy 2022-2026 was presented to the City Services Committee on 16 May 2022 (refer **CIS 16/05/2022, Item 4.10**) and endorsed by Council 23 May 2022, for the purposes of community and stakeholder engagement.

The City Services Committee at its meeting in May requested that a presentation be given to full Council at the conclusion of the community and stakeholder engagement, so that all members were able to ask questions and participate in the finalisation of the Strategy.

The purpose of this report is to provide an overview of the consultation undertaken with the community during June and July 2022, what feedback was received and to highlight any changes made to the draft Economic Development Strategy 2022-2026.

A presentation by staff will be provided in support of this report.

Councillor - Helen Hibeljic left the meeting at 9:23 PM

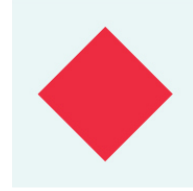
Moved Councillor - Paul Alexandrides

Seconded Councillor - George Turelli

Motion

- 1. That the report be received and noted.**
- 2. That Council endorse the City of Charles Sturt Economic Development Strategy 2022- 2026.**
- 3. That staff be thanked for their presentation and a copy be included in the Minutes.**

Carried Unanimously



ECONOMIC DEVELOPMENT STRATEGY 2022-26 for Endorsement

Council Presentation

22 August 2022

Presentation Outline

1. Business Climate Survey 2022 results
2. Economic Trends and Forecast
3. Draft Economic Development Strategy 2022-2026 overview
4. Engagement summary
5. Business Support Grants & Jobs Expo
6. Next steps

BUSINESS CLIMATE SURVEY - 156 RESPONSES

92.3% of responses were from businesses located across the City

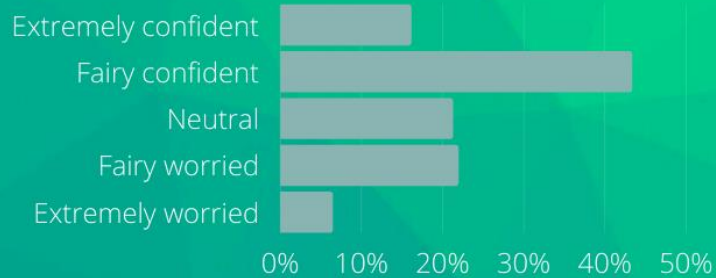
66 sectors

EXPERIENCE WORKING WITH COUNCIL

27 businesses out of 156 had not yet worked with us.



LOOKING TO THE FUTURE - CONFIDENT OR WORRIED ABOUT THE FUTURE



GROWTH OF THE BUSINESS IS RELIANT ON



- Developing an online presence and access to grants
- Funding and advice
- Access to supply chains, managing energy and utility costs
- Business promotion

HOW COUNCIL CAN SUPPORT BUSINESS GOALS, THE TOP FIVE RESPONSES



Provide information and advice.



Advocate to state and federal government for more funding.



Assist business owners in developing new skills.



Help to reduce business costs



Help businesses become more environmentally sustainable

HOW COUNCIL CAN SUPPORT BUSINESS GOALS? - OTHER



It was felt that Council could prioritise purchasing from local business



Planned program of events and activities developed that bring people to the region and include local business.



A local business directory



Road works to be scheduled at non-peak periods of the year

2. Economic Trends and Forecast Report

Key challenges

- Jobs growth rate slow and impacted by pandemic.
- Gap between local jobs and resident workers, skills and income.
- Lack of jobs for knowledge workers & commercial office space for growth.

What are we doing?

- Supporting a diverse and advanced economy that creates skilled jobs
- Supporting the key growth sectors identified to drive growth

Key opportunities

- Pipeline of \$21b non-residential building activity & revitalisation projects
34k direct jobs, 50k supply chain jobs
- Jobs & Skills - a skilled workforce for the future, forecasted increase in professional & community, personal services occupations.

What are we doing?

Developing entrepreneurial capabilities, digital literacy & supporting co-working.

Promoting pathways to employment, connecting people to training & jobs.



Urban Development

- _ Protecting employment lands, investment attraction
- _ Facilitating major developments that attract commercial investment
 - Bowden & West developments

Tourism – global pandemic impacts

- _ Marketing & promotion to attract visitors – Adel Beaches website, regional brand
- _ Attracting events and supporting local businesses – grants & networking

Defence & Advanced Manufacturing

- _ Promoting/facilitating employment & training opportunities
- _ Supporting the growth of supply chain capability, promoting government support and grants.

Health – population growth & ageing population

- _ Supporting the development of new health & aged care facilities
- _ Advocating for training & provision of aged care workers

Digital growth opportunities – low levels of digital literacy

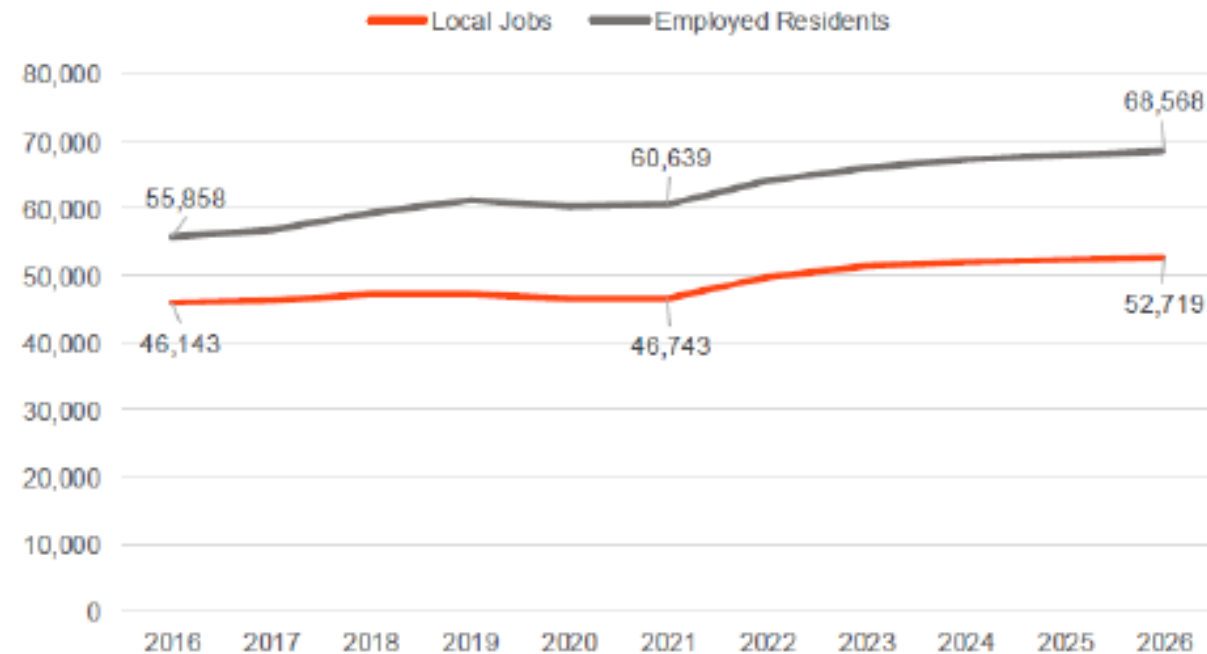
- _ Assisting business to transition to online & e-commerce platforms
- _ Offering digital programs & grants
- _ Running workshops & events



Stronger jobs growth in next 5 years

Forecast growth in jobs and employed residents

persons



Source: NIEIR, 2021; adjusted to 2022

Jobs forecast to grow by 2.4% per annum from 2021 to 2026. This rate is significantly more than 0.3% in the last 5 years.

But jobs growth not high enough to decrease jobs gap as employed residents forecast to grow by 2.5% per annum.

Jobs forecast to continue to be driven by population servicing industries. (e.g. Health, Hospitality, Education).

3. Economic Development Strategy 2022-26

Vision

The City of Charles Sturt is recognised as a vibrant, liveable and business friendly city with a diverse and advanced economy that supports knowledge and innovation.

Goal

An economically thriving city.



Our Key Pillars



Growth Sectors



PILLAR	Business Friendly	Diverse and Advanced Economy	Knowledge and Innovation	Vibrant and Liveable City
KEYWORDS	Leadership, advocacy, collaboration, support, promotion	Capacity building, advancement, resilience, growth, connection, buy local, celebrate success	Innovation, entrepreneurialism, jobs and skills	Events, sustainability, creatives, liveability
PRINCIPLES	<ul style="list-style-type: none"> • Understand the needs of our business • Advocate for business • Make it easy to start and grow a business • Embed economic outcomes into decision making • Cultivate community business leaders (business champions / ambassadors) • Champion the next generation of leading businesses, celebrate and promote our businesses • Be a business friendly Council. 	<ul style="list-style-type: none"> • Support the growth of the City's key sectors • Build local business capacity and resilience • Support business retention and expansion • Facilitate business to business connections • Maximise expenditure locally • Celebrate our businesses and business success • Facilitate region building projects and investment into the city. 	<ul style="list-style-type: none"> • Develop the entrepreneurial capabilities of our residents and business people • Promote and support co-working spaces • Support the local innovation ecosystem • Encourage entrepreneurship, collaboration and innovation • Connect people to training and jobs. 	<ul style="list-style-type: none"> • Showcase and promote the City as a premier business and visitor destination. • Promote the City as an ideal place to live • Facilitate the development of attractive and vibrant places and neighbourhoods • Attract events into the region • Lead and support environmental goals for sustainability, a growing circular economy and climate action. • Support the growth of the creative sectors.

4. Economic Development Strategy Consultation

***Your Say* consultation, 4 weeks - June & July**

Your Say – 367 visits, 157 EDS downloads

Your Say campaign – 550 (56%) opened the email
online feedback and written submissions – 11 submissions

Business Engagement

2 x Round table sessions with key stakeholders & businesses – 20 attendees

Western Business Leaders eNewsletter – 5,677 (75%) opened the email

Social Media

LinkedIn & Facebook – over 2,600 impressions

Summary of Feedback

Round table sessions

Feedback received on the way that Council can:

- further support business
- support events and business precincts
- support workforce, apprenticeships and skills

Sector specific feedback provided on:

- Tourism
- Health
- Advanced Manufacturing, skills and business attraction

Key changes

- Refined approach to supporting Advanced Manufacturing – supply chain & B2B
- Increased emphasis on working with SATC to support and grow the visitor sector
- Included support for Indigenous business start-ups and entrepreneurs.



5. Business Support Grants 2021/22

77 grants approved – Business Support Program

\$144 k in grants allocated

85% used it for digital marketing and services

Top sectors receiving grants

Accommodation & Food Services – 16

Retail Trade - 11

Education & Training – 9

Manufacturing – 7



75 Grant applications received already this financial year

Grants supporting our businesses, artists, venues and musicians



#shoplocal grants – 15 businesses supported
10 façade to street – 5 Customer experiences



Live and Local - 110 artists/ 80 performances
24 venues supported



Creative Cities – 38 artists supported, 44 creative outcomes, 17 venues



See how our Economic Support and Stimulus Package is making an impact across our City.

2,692 views

Published 5 days ago



SHARE



Business Support Program



All items



#shoplocal



All items



Creative Cities Program



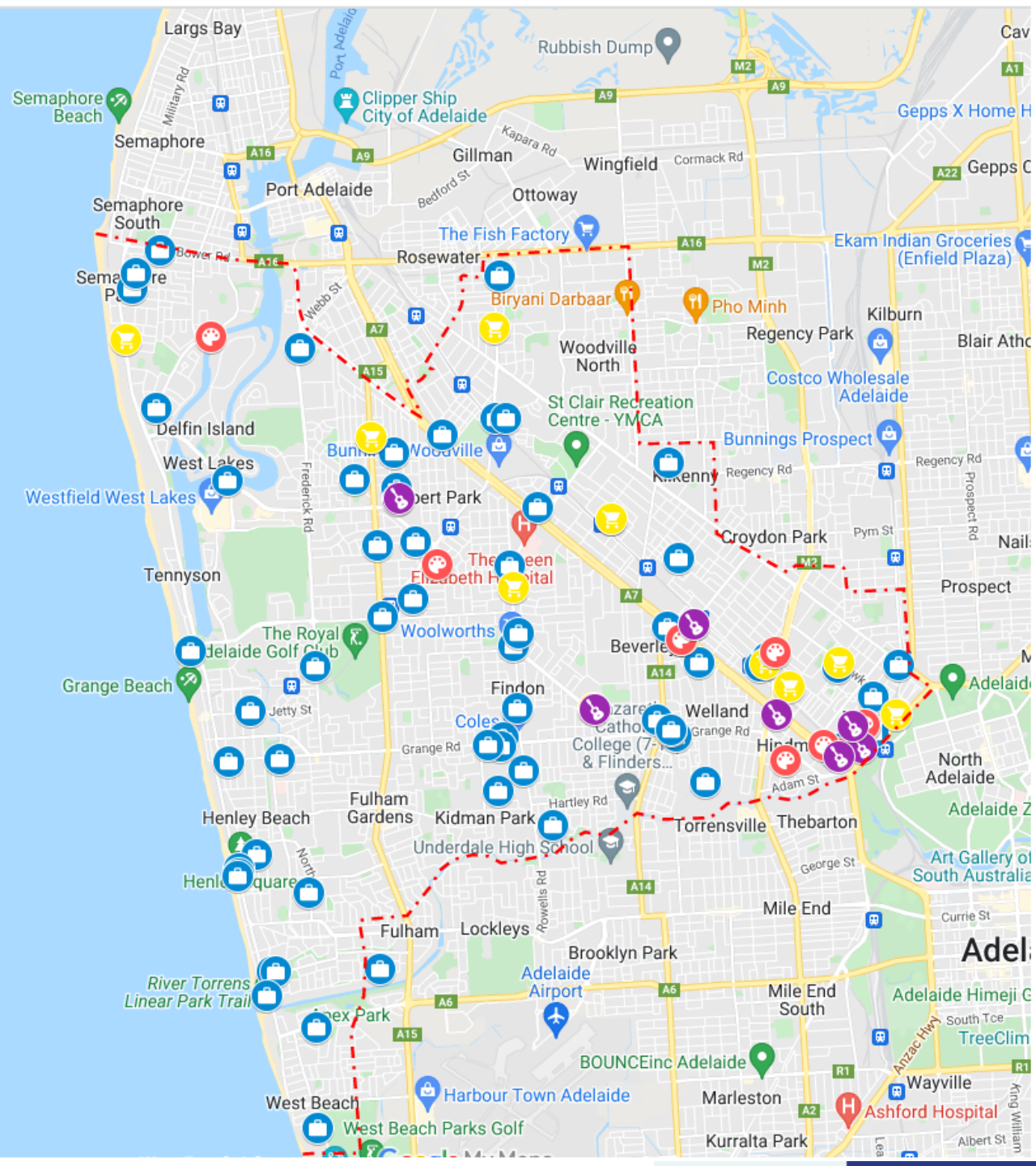
All items



Live & Local



All items







Despite COVID impacts in 2021/22 we hosted 15 events and workshops with 946 attendees



Jobs Expo - May 22

1,100 jobseekers including
300 school students

85 exhibitors shared over **300 job** opportunities

An additional **200 jobs displayed** on the Jobs Board

A comprehensive program:

- Information on current vacancies and employment pathways
- Migrant opportunities
- Advice from employers/ Employer panel
- Interview success tips
- Resume writing assistance
- LinkedIn headshots.

110 positions were offered to Jobseekers on the day



6. Economic Development Strategy Next Steps

Prepare a final version of the strategy and publish

Advise stakeholders and engagement participants of Council's decision and where they can view the final copy of the strategy on *Your Say Charles Sturt*.

Focus on delivery and do what we promised - implementation, feedback and evaluation.

6.75 SEAVIEW ROAD AND TERMINUS STREET GRANGE - NORTHBOUND BICYCLE LINK THROUGH PARTIAL ROAD CLOSURE - FOLLOW UP REPORT**Brief**

This report discusses the outcome of a meeting held with residents regarding the capital works project to install a bicycle link through an existing partial road closure at Seaview Road and Terminus Street in Grange.

It also discusses the Department for Infrastructure and Transport's (DIT) proposal to install bicycle lanes on Military Road, in the parallel section to this Seaview Road segment (Terminus Street to Fort Street).

Perceived Declaration of Interest

Councillor - Matt Mitchell declared a perceived conflict of interest pursuant to section 75A of the Local Government Act for Item 6.75. The nature of Councillor - Matt Mitchell's perceived conflict is that an affected resident, Don Lewis, is known to him through his late grandmother and their shared community roles including the Grange Institute Library of which he is a member. Further, he is an employee of RAA who as an organisation performed an audit of this intersection, though he works in an unrelated department. Neither matter affects his ability to consider this matter fairly and impartially in the public interest. Councillor - Matt Mitchell dealt with the conflict of interest in the following transparent and accountable way and remained in the meeting.

Councillor - Paul Alexandrides left the meeting at 9:55 PM

Moved Councillor - Sarah McGrath

Motion

1. That Council note the proposal to relocate the bicycle link at the Seaview Road and Terminus Street intersection to the western path of Seaview Road, as requested by local residents, and endorse the plan in Appendix 1 for construction under the 2022/23 capital works 'sustainable transport infrastructure' program, subject to the receipt of a State Bicycle Fund grant.
2. That staff provide comments to the Department for Transport and Infrastructure regarding their proposal to install bicycle lanes on Military Road, as per the comments in the Report section of this agenda item.

Councillor - Paul Alexandrides entered the meeting at 9:57 PM

Seconded Councillor - Gerard Ferrao

Carried Unanimously

6.76 STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) ACT 2021 - LEGISLATIVE UPDATE - ELECTION RELATED AMENDMENTS AND UPDATES**Brief**

On the 7 July 2022, the Governor proclaimed relevant sections of the Statutes Amendment (Local Government Review) Act 2021 that make amendments to sections of the Local Government (Elections) Act 1999, effective on the same day of proclamation. This report provides a summary of the changes.

Moved Councillor - Tolley Wasylenko

Seconded Councillor - Sarah McGrath

Motion

That Council notes the amendments to the Local Government (Elections) Act and associated Regulations that commenced on 7 July 2022.

Carried Unanimously

6.77 CODE OF CONDUCT REPORT - COUNCILLOR GERARD FERRAO**Brief**

In accordance with the Council Member Code of Conduct Policy, a report is to be presented to Council on all Code of Conduct complaints. This report relates to two complaints made against Councillor Gerard Ferrao in relation to a potential breach of the Council Member Code of Conduct.

Actual Declaration of Interest

Mayor - Angela Evans declared an actual conflict of interest in pursuant to section 75A of the Local Government Act for Item 6.77. The nature of Mayor - Angela Evans' actual conflict is due to her being a complainant in this matter and left the meeting.

In the absence of the Deputy Mayor the Chief Executive Officer took the Chair until Council resolved to appoint a presiding member.

Mayor - Angela Evans left the meeting at 9:58 PM

Moved Councillor - Matt Mitchell

Seconded Councillor - Sarah McGrath

Motion

That Councillor - Paul Alexandrides preside over the meeting in the absence of the Mayor and Deputy Mayor for Item 6.77.

Carried Unanimously

Material Declaration of Interest

Councillor - Gerard Ferrao declared a material conflict of interest pursuant to section 73 of the Local Government Act for Item 6.77. The nature of Councillor - Gerard Ferrao's material conflict is that he is the subject of the complaint and left the meeting.

Councillor - Gerard Ferrao left the meeting at 9:59 PM

Perceived Declaration of Interest

Councillor - Matt Mitchell declared a perceived conflict of interest pursuant to section 75A of the Local Government Act for Item 6.77. The nature of Councillor - Matt Mitchell's perceived conflict is that he is a member of the social media group mentioned in the report. This does not affect his ability to consider this fairly and impartially. Councillor - Matt Mitchell dealt with the conflict of interest in the following transparent and accountable way and remained in the meeting.

Moved Councillor - Kelly Thomas

Seconded Councillor - Sarah McGrath

Motion

- 1. That Council notes two complaints were received regarding Councillor Gerard Ferrao's public posts and comments on the Friends of the Duck Pond West Lakes Facebook social media page.**
- 2. That Council acknowledges that the complaints were referred to Deputy Mayor Tom Scheffler as Mayor Evans was one of the complainants.**
- 3. That Council acknowledges that Deputy Mayor Tom Scheffler requested the initial assessment of the complaints be undertaken by an external provider, and this assessment was undertaken by EMA Legal.**
- 4. That Council acknowledges that Deputy Mayor Tom Scheffler accepted the initial recommendation from EMA Legal that an investigation should be undertaken as a breach may have occurred.**
- 5. That Council acknowledges that EMA Legal were engaged to undertake the investigation under Part 2 - Behavioural complaints.**

6. That Council acknowledges that the complainants and Councillor Ferrao were provided with a copy of the Initial Investigation Report and were given the opportunity to provide a response to this report.
7. That Council acknowledges that the responses provided to the Initial Investigation Report were read and considered by EMA Legal and, where applicable, have been addressed in the Final Report.
8. That Council receives the final investigation report from EMA Legal (refer Appendix 1) and accepts the findings of the investigation that Councillor Ferrao breached the following clauses:
 - 2.1 Show commitment and discharge duties conscientiously;
 - 2.2 Act in a way that generates community trust and confidence in the Council;
 - 2.3 Act in a reasonable, just, respectful and non-discriminatory way when dealing with people;
 - 2.4 Show respect for others if making comments publicly; and
 - 2.5 Ensure that personal comments to the media or other public comments, on Council decisions and other matters, clearly indicate that it is a private view, and not that of the Council;
9. That Council resolves that Councillor Ferrao is required to:
 - make a public apology for his conduct by 5 September 2022; and
 - make a public apology on the Friends of the Duck Pond Facebook Page by 5 September 2022; and
 - apologise to the complainants by 5 September 2022; and
 - attend training on appropriate and respectful communication.
10. That Council consider the recommendation from EMA Legal in relation to a Clause 2.23 of the Code that states *Repeated or sustained breaches of this Part by the same Council member may be referred, by resolution of the Council, to the relevant authority for a breach of Part 3* and that Council resolves to refer the complaint to the SA Ombudsman being the relevant authority.
11. That, after Caretaker Period has concluded, a report is provided to Council from staff on how the ongoing behaviours and values of Freeman are evaluated.

Carried Unanimously

At 10:23 PM Mayor Evans entered the meeting, resumed her seat and the Chair.

Councillor - Gerard Ferrao entered the meeting at 10:23 PM

6.78 RESPONSE TO MOTION ON NOTICE - COUNCIL'S APPROACH TO PRODUCTS MANUFACTURED BY MULTINATIONAL COMPANIES THAT CONTINUE TO OPERATE IN RUSSIA**Brief**

A report further to a Motion on Notice to Council on Monday, 11 April 2022 (refer CL22-04-11, Item 7.03) received from Councillor Sarah McGrath requesting that Council does not support purchase of products or have suppliers supply products that are manufactured by multinational companies that continue to operate in Russia, and that staff investigate and provide a report on what products are currently being supplied to Council either directly or indirectly, by companies listed in the Yale University report, dated 4 April 2022 (under the heading of 'digging in' or 'buying time').

Moved Councillor - Sarah McGrath**Seconded Councillor - Paul Alexandrides****Motion**

Council notes the report and review conducted of all suppliers utilised by Council, referenced in line with the Yale University School of Management Report which identified indirect expenditure with one supplier. Further, Council notes employees have already substituted alternate products at no additional costs to Council or ratepayers.

Carried Unanimously**7. MOTIONS ON NOTICE**

Nil

8. QUESTIONS ON NOTICE

Nil

9. MOTIONS WITHOUT NOTICE

[As previously identified and agreed by the Presiding Member]

Nil

10. QUESTIONS WITHOUT NOTICE

Nil

11. BUSINESS - PART 11 - CONFIDENTIAL ITEMS**11.12 CONFIDENTIAL COVER REPORT - CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2021-2022****Moved** Councillor - George Turelli**Seconded** Councillor - Edgar Agius**Recommendation - Exclusion of the Public (from 10:25 PM)****That**

- a. pursuant to Section 90(2) of the Local Government Act 1999 Council hereby orders that the public be excluded from attendance at this meeting with the exception of General Manager Corporate Services, Manager Governance and Operational Support, Manager Media, Marketing and Communication, Manager People and Culture and Team Leader Governance and Business Support currently in attendance at the meeting in order to consider ITEM 11.12 - CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2021-2022 in confidence.
- b. in accordance with Section 90(3) of the Local Government Act 1999 Council is satisfied that it is necessary that the public be excluded to consider the information contained in report ITEM 11.12 - CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2021-2022 on the following grounds:

Confidential Legislation

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

Recommended Action

- c. accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.

Carried Unanimously**Moved** Councillor - Tolley Wasylenko**Seconded** Councillor - Sarah McGrath**Motion**

That Council continues past 10:30 PM in accordance with the Code of Practice for Meeting Procedures to the conclusion of the business.

Carried Unanimously

11.12 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2021-2022

CONFIDENTIAL

Brief

This report seeks to finalise the Chief Executive Officer (CEO) Performance Review for 2021/2022. Allison Ashby of Ashby Magro (AM) Consulting has provided a report based on feedback from the Council CEO Review Panel and the survey results collated from the Elected Members, a number of Council Officers and relevant external stakeholders against the agreed criteria and performance plan for 2021/2022 together with a CEO Salary Benchmarking Report detailing CEO remuneration across Local Government Councils in South Australia.

Moved Councillor - Tolley Wasylenko

Seconded Councillor - George Turelli

Motion

1. Confidential Motion.

2. Confidential Motion.

3. Confidential Motion.

4. Confidential Motion.

5. That ITEM 11.12 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2021-2022 having been considered in confidence pursuant to section 90(3)(a) of the Local Government Act 1999, the Council hereby orders, in accordance with section 91(7) of the Local Government Act 1999 that the report, appendices and the minutes of this item be kept confidential until the contract of employment documents has been updated and signed by the Mayor and CEO.

Carried

Division called by Councillor – Gerard Ferrao

Voters	For	Against	Not Vote
Councillor – Edgar Agius	X		
Councillor – George Turelli	X		
Councillor – Gerard Ferrao	X		
Councillor – Kelly Thomas		X	
Councillor – Kenzie van den Nieuwelaar	X		
Councillor – Matt Mitchell		X	
Councillor – Oanh Nguyen	X		
Councillor – Paul Alexandrides	X		
Councillor – Sarah McGrath	X		
Councillor – Stuart Ghent	X		
Councillor – Tolley Wasylenko	X		
Mayor – Angela Evans			X

The motion to Item 11.12 was Carried.

11.13 CONFIDENTIAL COVER REPORT - LEGAL ACTION RELATED TO THIRD PARTY ADVICE IN REGARDS TO LOCAL GOVERNMENT JOINT ELECTRICITY CONTRACT**Moved** Councillor - Sarah McGrath**Seconded** Councillor - George Turelli**Recommendation - Exclusion of the Public (from 11:12 PM)****That**

- a. pursuant to Section 90(2) of the Local Government Act 1999 Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, General Manager Corporate Services, General Manager City Services, Manager Media, Marketing and Communications, Manager People and Culture and Team Leader Governance and Business Support currently in attendance at the meeting in order to consider ITEM 11.13 - LEGAL ACTION RELATED TO THIRD PARTY ADVICE IN REGARDS TO LOCAL GOVERNMENT JOINT ELECTRICITY CONTRACT in confidence.
- b. in accordance with Section 90(3) of the Local Government Act 1999 Council is satisfied that it is necessary that the public be excluded to consider the information contained in report ITEM 11.13 - LEGAL ACTION RELATED TO THIRD PARTY ADVICE IN REGARDS TO LOCAL GOVERNMENT JOINT ELECTRICITY CONTRACT on the following grounds:

Confidential Legislation

- h. legal advice.
- i. information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council.

Recommended Action

- c. accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.

Carried Unanimously

11.13 LEGAL ACTION RELATED TO THIRD PARTY ADVICE IN REGARDS TO LOCAL GOVERNMENT JOINT ELECTRICITY CONTRACT**CONFIDENTIAL****Brief**

Councils via the LGA SA and the State Government (DIT) for Street Lighting purposes, have jointly procured power. A third party was used to assist in negotiations with the retail market and arising from the performance of this third party a legal dispute has occurred between them and the associated Councils and the State Government.

Moved Councillor - Oanh Nguyen

Seconded Councillor - George Turelli

1. Confidential Motion.
2. That ITEM 11.13 - LEGAL ACTION RELATED TO THIRD PARTY ADVICE IN REGARDS TO LOCAL GOVERNMENT JOINT ELECTRICITY CONTRACT having been considered in confidence pursuant to Section 90(3)(h) and (i) of the Local Government Act 1999, the Council hereby orders, in accordance with Section 91(7) of the Local Government Act 1999 that the report, appendices and the minutes of this item be kept confidential until the dispute is resolved and appeal rights exhausted.

Carried Unanimously

12. REPORTS OF COMMITTEES - PART 11 - CONFIDENTIAL ITEMS

Nil

13. MEETING CLOSURE

The meeting concluded at 11.18 PM.