

6. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 12.2.1 [Activating Eighty-Eight O'Connell] listed on the Agenda for the meeting of Council held on 15 December 2020 was received, discussed and considered in confidence pursuant to Section 90 (3) (d) of the *Local Government Act 1999 (SA)*, the meeting of Council do order that:
 - 6.1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2027.
 - 6.2. The confidentiality of the matter be reviewed in December 2021.
 - 6.3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Discussion ensued, during which Councillor Mackie left the Council Chamber at 10.02 pm and re-entered at 10.03 pm

The motion was then put and carried

Councillor Hyde requested that a division be taken on the motion

Division

For (9):

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

Against (1):

Councillor Martin

The division was declared in favour of the motion

Councillor Simms advised the meeting that he would withdraw his Motions on Notice and left the meeting at 10.07 pm

27. Confidential Item 12.2.2 - Unnamed public road off Tom's Court [2020/01605] [C]

Moved by Councillor Hyde,
Seconded by Councillor Knoll -

THAT COUNCIL

1. Approves to grant Karidis Corporation an authorisation and permit under sections 221 and 222 of the *Local Government Act 1999 (SA)* for a limited term of 6 months and otherwise on conditions that are to be determined by the Chief Executive Officer, in respect of the proposal by Karidis Corporation to:
 - 1.1 Build a structure (up to four metres above ground) on the unnamed public road lettered "A" on Attachment A to Item 12.2.2 on the Agenda for the meeting of the Council held on 15 December 2020.
 - 1.2 Exclusively occupy (for a business purpose) the unnamed public road lettered "A" on Attachment A to Item 12.2.2 on the Agenda for the meeting of the Council held on 15 December 2020.
2. Approves that the Chief Executive Officer be delegated authority to extend, where the Chief Executive Officer sees fit, the term of the authorisation for a further period of up to 3 months.
3. Notes the Karidis Corporation, should it wish to occupy a portion of Tom's Court in connection with the operation of the Tom's Court Hotel beyond the term of the authorisation and permit granted by the Council, will submit for the Council's consideration, a revised proposal for a screen that minimises the impacts upon vehicle access to and from adjacent land.
4. In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 12.2.2 [Unnamed public road off Tom's Court] listed on the Agenda for the meeting of the Council held on 15 December 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (h) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:
 - 4.1 The resolution and Figure 1 in Attachment A become public information and included in the Minutes of the Council meeting.
 - 4.2 The report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2027.
 - 4.3 The confidentiality of the matter be reviewed in December 2021.

- 4.4 The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Discussion ensued, during which Councillor Martin left the Council Chamber at 10.14 pm

The motion was then put and carried unanimously

28. Confidential Item 12.2.3 - Contract Award Report - Moonta Street Construction [2020/00150] [C]

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

THAT COUNCIL

1. Approves awarding a contract to BMD Constructions as the successful tenderer, as identified by the process outlined in Attachment A to Item 12.2.3 on the Agenda for the meeting of the Council held on 15 December 2020, for the Moonta Street Construction project
2. Authorises the Chief Executive Officer or delegate to finalise the tender process and execute the relevant contracts as appropriate.
3. Authorises the Chief Executive Officer to approve any variation (financial and non-financial) to the contract awarded as a result of this procurement process as required.
4. In accordance with Section 91(7) and (9) of the Local Government Act 1999 (SA) and because Item 12.2.3 [Contract Award Report – Moonta Street Construction] listed on the Agenda for the meeting of the Council held on 15 December 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (d) of the *Local Government Act 1999* (SA), this meeting of the Council do order that:
 - 4.1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2027.
 - 4.2. The confidentiality of the matter be reviewed in December 2021.
 - 4.3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Discussion ensued, during which Councillor Martin re-entered the Council Chamber at 10.16 pm

The motion was then put and carried

29. Confidential Item 12.2.4 - Strategic Property Action Plan [2017/04450] [C]

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

THAT COUNCIL

1. Notes the status update and next steps for key asset opportunities identified by the Strategic Property Action Plan.
2. Notes that the public consultation outcomes for the James Place Public Toilets Community Land Revocation will be presented to Council for its consideration in early 2021.
3. Authorises the Chief Executive Officer to sign and affix as necessary the common seal with the signature of the Lord Mayor for all legal documentation to give affect to the sale of the James Place Public Toilets including the Contract for Sale and all documentation contemplated to be executed under the Contract for Sale, noting that the sale is subject to the Community Land revocation.
4. Notes the offer to purchase from Zhudnan Zhang for the Ergo Commercial Tenancy and two associated car parks at 33-37 Wright Street as contained within Attachment A to Item 12.2.4 on the Agenda for the meeting of the Council held on 15 December 2020.
5. Authorises the Chief Executive Officer to negotiate and execute an agreement with Zhudnan Zhang or its nominated entity for the sale of the Ergo Commercial Tenancy and associated car parks.
6. Authorises the Chief Executive Officer to sign and affix as necessary the common seal with the signature of the Lord Mayor for all legal documentation to give affect to the sale of the Ergo Commercial Tenancy and associated two car parks including the Contract for Sale and all documentation contemplated to be executed under the Contract for Sale.
7. Receives the 211 Pirie Street and Pirie Flinders UPark Divestment Strategy at Attachment B to Item 12.2.4 on the Agenda for the meeting of the Council held on 15 December 2020.