



BOARD MINUTES

for the Meeting of the Adelaide Park Lands Authority

Thursday 21 March 2019

in the Colonel Light Room,
Adelaide Town Hall

A subsidiary of



Membership: The Lord Mayor; and
4 other members appointed by the Council; and
5 members appointed by the Minister.

Present:

Presiding Member - The Right Honourable the Lord Mayor [Sandy Verschoor]
Board Members - Councillor Helen Donovan,
Ms Stephanie Johnston
Ms Kirsteen Mackay,
Councillor Phillip Martin,
Councillor Anne Moran,
Councillor Robert Simms and
Mr Roger Zubrinich.

Apologies –

Deputy Presiding Member - Ms Sally Smith
Board Member - Ms Anita Allen

Acknowledgement of Country

At the opening of the Board Meeting, the Presiding Member Lord Mayor Sandy Verschoor stated:

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

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

Confirmation of Minutes

1. Item 2 – Confirmation of Minutes – 21/2/2019 [APLA]

Moved by Councillor Robert Simms,
Seconded by Mr Roger Zubrinich -

That the Minutes of the meeting of the Board of the Adelaide Park Lands Authority held on 21 February 2019 be taken as read and be confirmed as an accurate record of proceedings.

Carried

Presiding Member Verbal Report

Nil

Questions on Notice (Nil)/ Motions on Notice

2. Item 4.1 – Councillor Robert Simms – Motion on Notice – Park Lands Foundation [2019/00464] [APLA]

Moved by Councillor Robert Simms,
Seconded by Councillor Anne Moran -

That the Adelaide Park Lands Authority:

Requests the Executive Officer to explore the feasibility of establishing a Park Lands foundation to secure philanthropic and other funds to support the:

- Research, understanding and purpose of the Park Lands
- Enhancement of the Park Lands

Noting and addressing:

- The requirements and process regarding establishment and achieving tax deductibility status
- Required set-up costs
- The need for a high-profile patron and foundation membership
- Means for generating donations
- The need for continuity and a long-term plan
- What makes a successful Foundation
- The benefit of pursuing a separate foundation and tax-deductibility compared with the available mechanism of the Adelaide Park Lands Fund.

Discussion ensued during which with the consent of the mover, seconder and Board meeting the first line of the motion was varied to include the words 'or other mechanisms' after the word 'foundation'.

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

Questions without Notice / Motions without Notice

3. **Item 5 – Councillor Phillip Martin – Motion without Notice – February 2019 Request for Legal Implications Advice [2007/00341] [APLA]**

Moved by Councillor Phillip Martin,
Seconded by Councillor Anne Moran -

That APLA:

Conveys to the CEO its disappointment that the City of Adelaide denied the legal advice the Authority requested in relation to the proposed Adelaide Oval Hotel development on the Park Lands in order to perform its role and requests;

- i) Council reconsiders its position in the context of the Park Lands Act 2005 which sets the obligations to fund investigations by the Authority
- ii) Provides to members before the Authority's next meeting the legal advice Council has received and which may also assist the Authority

Councillor Phillip Martin tabled correspondence from the City of Adelaide Chief Executive Officer to the Executive Officer of the Board responding to the Adelaide Park Lands Authority request for funding to engage legal counsel in relation to the proposed Adelaide Oval hotel redevelopment.

Ms Kirsteen Mackay disclosed a material conflict of interest in Item 5, pursuant to Section 4.3 of the *Adelaide Park Lands Authority Charter* and Sections 73 & 74 of the *Local Government Act 1999 (SA)*, arising from having been involved in the matter through the provision of advice in relation to the Adelaide Oval Hotel, left the meeting room at 5.48 pm and did not participate or contribute to the deliberations of the Adelaide Park Lands Authority on this matter.

Discussion ensued during which:

- With the consent of the mover, seconder and Board meeting the motion was varied to read as follows:

'That APLA:

Notes the letter from the CEO in relation to the legal advice that the Authority requested in relation to the proposed Adelaide Oval Hotel development on the Park Lands in order to perform its role and requests;

- i) Council reconsiders its position in the context of the Park Lands Act 2005 to fund investigations by the Authority; and
- ii) Provides to members before the Authority's next meeting the legal advice Council has received and which may also assist the Authority.'

- The Board noted that the Executive Officer would liaise with Council to investigate the release of legal advice from Council.

The motion, as varied, was then put and carried

The tabled correspondence is attached for information at the end of the Minutes of the Board meeting.

4. Item 5 – Ms Stephanie Johnston – Question without Notice – Adelaide Oval Hotel – Stadium Management Authority Legislative Assessments [APLA]

Ms Kirsteen Mackay re-entered the Board meeting at 6.03 pm

In response to a Question from Ms Stephanie Johnston in relation to whether the Stadium Management Authority (SMA) has undertaken assessments under the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* regarding the proposed Adelaide Oval Hotel development, the Board noted that the Executive Officer would follow up with SMA and advise Board members.

Deputations

5. Item 6 – Deputation – Ms Kelly Henderson – Item 8.1 - Whitmore Square / Iparrityi Master Plan [2017/03690] [APLA]

The Presiding Member, Lord Mayor Sandy Verschoor, invited Ms Kelly Henderson to address the Board.

Ms Kelly Henderson addressed the Board to:

- Reject the Whitmore Square Master Plan and identify reasons for the Authority to reject the Master Plan including the vision, principles, Actions and Overall Plan.
- Request funding available in 2018-2019 be expended on the extremely high priority North-East Zebra Crossing and display an Australian Road Rules diagram in support of a zebra crossing over two lanes of vehicle traffic.

The Presiding Member, Lord Mayor Sandy Verschoor, thanked Ms Kelly Henderson for her Deputation.

The Australian Road Rules diagram reference in the Deputation is attached for information at the end of the Minutes of the Board meeting.

Presentations

Nil

Report for the consideration of the Board

6. Item 8.1 – Whitmore Square / Iparrityi Master Plan [2017/03690] [APLA]

At the request of the Presiding Member, Lord Mayor Sandy Verschoor, Ms Sky Allen, Senior Designer Strategy, City of Adelaide, addressed the meeting to provide a precis of the matter before the Board.

Discussion ensued

It was then -

Moved by Councillor Anne Moran,
Seconded by Councillor Helen Donovan -

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Supports the Whitmore Square / Iparrityi Master Plan (Attachment A to Item 8.1 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 21 March 2019), including the Vision, Principles, Actions and Overall Plan, subject to reconsideration of the zebra crossing and any additional permanent buildings in the Square.
2. Notes the quick win lighting improvements being delivered this financial year as part of the City of Adelaide 2018-19 Integrated Business Plan,.
3. Notes the community engagement feedback received during the Master Plan process.

Discussion continued

The motion was then put and carried

Executive Officer Verbal Report

The Executive Officer Mr Martin Cook addressed the Board to acknowledge the last meeting of the Board with the current composition concluding on 31 March 2019.

The Presiding Member, Lord Mayor Sandy Verschoor acknowledged Board members and thanked each for their participation and contribution to the Board.

Acclamation

Closure

The meeting of the Board closed at 6.53 pm

Lord Mayor, Sandy Verschoor
Presiding Member
Adelaide Park Lands Authority

Documents Attached for Reference

Minute 3 [Item 5 – Correspondence Tabled - Councillor Phillip Martin – Motion without Notice – February 2019 Request for Legal Implications Advice]

Minute 5 [Item 6 – Australian Road Rules diagram referenced - Deputation – Ms Kelly Henderson]



CITY OF
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Reference:

18 March 2019

Mr Martin Cook
Executive Officer,
Adelaide Park Lands Authority
Local Government Association
25 Pirie Street
Adelaide SA 5000

Dear Martin

RE Adelaide Park Lands Authority – Request for Funding

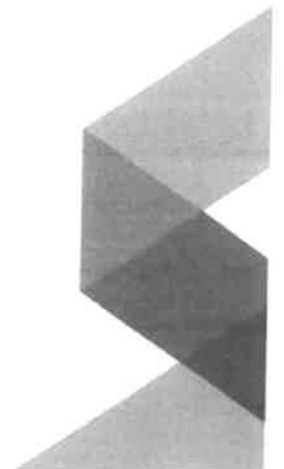
Thank you for your letter of 12 March 2019 requesting the provision of funds by the City of Adelaide for the Adelaide Park Lands Authority ("Authority") to engage legal counsel in relation to the proposed Adelaide Oval hotel redevelopment.

The City of Adelaide has many concerns with the project to develop a hotel at Adelaide Oval and has obtained legal advice to understand the implications of the proposed development. The legal advice obtained is confidential and subject to legal professional privilege. In the context of managing resources effectively and efficiently, the City of Adelaide currently does not support incurring additional legal expenditure through the Authority and possible duplication of legal work for this matter.

The City of Adelaide wishes to reassure the Authority that it has considered different streams of legal advice and arrived at an informed decision in relation to this matter and possible legal avenues.

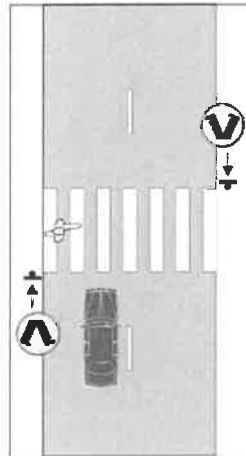
Regards

Mark Goldstone
Chief Executive Officer

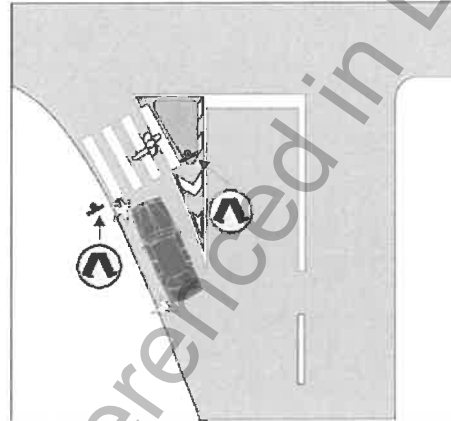


Examples—

Example 1
 Giving way to a pedestrian on a pedestrian crossing



Example 2
 Giving way to a pedestrian on a pedestrian crossing at a slip lane



In each of these examples, the driver must give way to the pedestrian on the crossing.

82—Overtaking or passing a vehicle at a children's crossing or pedestrian crossing

A driver approaching a children's crossing, or pedestrian crossing, must not overtake or pass a vehicle that is travelling in the same direction as the driver and is stopping, or has stopped, to give way to a pedestrian at the crossing.

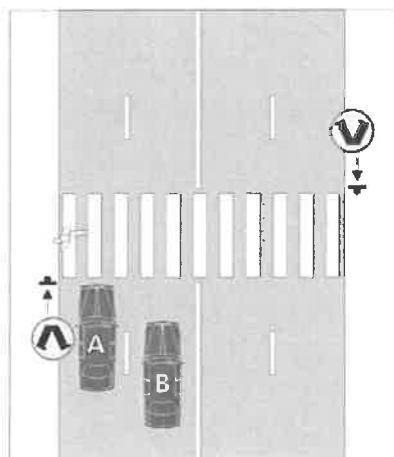
Offence provision.

Note—

Children's crossing is defined in rule 80, *overtake* is defined in the dictionary, and *pedestrian crossing* is defined in rule 81.

Example—

Driver not passing a vehicle that has stopped to give way to a pedestrian at a pedestrian crossing



In the example, vehicle A has stopped to give way to a pedestrian on the crossing. Vehicle B must not overtake or pass vehicle A.