



COUNCIL MINUTES

for the meeting

Tuesday 11 December 2018

in the Council Chamber,
Adelaide Town Hall



Members - The Right Honourable the Lord Mayor [Sandy Verschoor] (Presiding);
Deputy Lord Mayor (Councillor Abiad)
Councillors Abrahamzadeh, Couros, Dr Donovan, Hou, Hyde, Khera, Knoll,
Martin, Moran and Simms.

Acknowledgement of Country

At the opening of the Council Meeting, the Lord Mayor stated:

'Council acknowledges that we are meeting on traditional Country of the 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.'

Acknowledgement of Colonel William Light

The Lord Mayor stated:

'The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six (6) squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia's planning heritage.'

Prayer

Upon the completion of the Acknowledgement of Colonel Light by the Lord Mayor, the Chief Executive Officer asked all present to pray -

'Almighty God, we ask your blessing upon the works of the City of Adelaide; direct and prosper its deliberations to the advancement of your glory and the true welfare of the people of this City. Amen'

Memorial Silence

The Lord Mayor asked all present to stand in silence in memory of those who gave their lives in defence of their Country, at sea, on land and in the air.

Apologies and Leave of Absence

Nil

Councillor Hyde entered the Council Chamber at 6.08pm.

Confirmation of Minutes

- Item 6 - Confirmation of Minutes – 27/11/2018**
Moved by Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Hyde –

That the Minutes of the meeting of the Council held on 27 November 2018, be taken as read and be confirmed as an accurate record of proceedings.

Carried

Deputation

2. Item 7.1 – Deputation – Jan Chorley, CEO Australia Day Council SA – The strategic direction of the Australia Day Council of SA & Australia Day in the City 2019 [C]

Ms Jan Chorley addressed the Council in relation to:

- The future strategic direction of the Australia Day Council of South Australia and the 2019 Australia Day in the City event.

The Lord Mayor thanked Ms Jan Chorley for her presentation.

Lord Mayor's Reports

3. Item 10.1 – Lord Mayor's Report [2018/04064] [C]

The Lord Mayor addressed the meeting on the following:

Meetings with:

- Senior ADF Officer - Edinburgh Defence Precinct, Air Vice Marshal Joe Iervasi to introduce incoming Air Commodore Phil Gordon
- Hon Steven Marshall MP, Premier of South Australia
- The Honourable Michelle Lensink MLC, Minister for Human Services
- Hon Mick Gentleman MLA, Minister for Planning and Environment, ACT Government
- Consul General of India Mr Vanlalvawna Bawitlung
- Ms Louise Miller Frost and Mr David Pearson, Don Dunstan Foundation
- Peter Joy, Chair, Rundle Mall Management Authority, and
- Mr Manuel Ortigosa, CEO, Global Intertrade

Functions:

- Official launch of the Innovation, Incubator, Start-up and Growth Hub at Lot Fourteen
- Australian of the Year Luncheon
- Pitch@Palace On Tour at the University of South Australia
- Place of Courage Campaign Launch, Spirit of Woman
- Adelaide Motorsport Festival
- Merry Widow opera at the Adelaide Festival Centre
- The 13th annual Ruby Awards
- Opening of Anglicare SA's new Magdalene Centre
- Women's Mayoral Lunch - hosted by the Hon Michelle Lensink MLC and the Hon Vickie Chapman MP, and
- Launch of Adelaide Central Market book: Stories, People & Recipes

Speaking engagements:

- Adelaide Fringe Festival 2019 Program Launch
- Adelaide Motorsport Festival Gouger Street Party
- Lighting of the Victoria Square/Tarntanyangga Christmas Tree
- Chinatown Christmas Function
- Naming ceremony for Josie Agius Park / Wikaparntu Wirra (Park 22)
- 88 O'Connell Street Twilight Markets, and
- City of Adelaide Christmas Gala Concert at Adelaide Town Hall
- Lord Mayor's Christmas Lunch

It was then -

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

That the report be received and noted.

Carried

The Lord Mayor advised the meeting that due to there being members of the public in the gallery with an interest in Items 12.10 and Motions without Notice, those items would be moved up the Agenda to be considered after Item 11.1.

Councillors' Reports

4. Item 11.1 - Reports from Council Members [2018/04064] [C]

Moved by Councillor Moran,
Seconded by Deputy Lord Mayor (Councillor Abiad) -

That the report be received and noted.

Carried

Reports for Council (Chief Executive Officer's Reports)

5. Item 12.10 – Treasury Policy Revision [2018/03945] [C]

Moved by Councillor Simms,
Seconded by Councillor Martin -

THAT COUNCIL:

1. Notes that the Audit Committee is satisfied the revised Treasury Policy, as set out in Attachment A to Item 5.4 on the Agenda for the meeting of the City of Adelaide Audit Committee held on 5 October 2018, provides appropriate direction to Council and the Administration in managing the key financial risk exposures of the Corporation; and
2. Adopts the proposed Treasury Policy, as contained in Attachment A, to Item 12.10 on the Agenda for the meeting of the Council held on 11 December 2018.

Discussion ensued

Amendment –

Moved by Councillor Khera,
Seconded by Deputy Lord Mayor (Councillor Abiad) -

That part 2 of the motion be amended to read as follows:

- '2. Adopts the proposed Treasury Policy, as contained in Attachment A, to Item 12.10 on the Agenda for the meeting of the Council held on 11 December 2018, excluding all reference to giving preference to banks and other financial agencies that do not invest in the fossil fuel industry.'

Much discussion ensued

The amendment was then put and carried

Councillor Martin then requested that a division be taken on the amendment

Division

For (7):

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

Against (4):

Councillors Dr Donovan, Martin, Moran and Simms.

The division was declared in favour of the amendment

The motion, as amended, was then put and carried

Motion without Notice

6. Item 16.1 – Councillor Moran – Motion without Notice – Hotel at Adelaide Oval [C]

Moved by Councillor Moran
Seconded by Councillor Simms -

That;

Council strongly opposes the Adelaide Oval Stadium Management Authority plan to build a hotel on the Park Lands and asks the Lord Mayor to immediately write to the Premier and the members of State Cabinet setting out Council's position on the development while also foreshadowing the inclusion of the matter on the agenda of the next meeting of the Capital City Committee.

Councillor Knoll disclosed a potential perceived conflict of interest in Item 16.1 [Councillor Moran – Motion without Notice – Hotel at Adelaide Oval], pursuant to Sections 75 & 75A of the Local Government Act 1999 (SA), on that basis it could not be reasonably taken, from the perspective of an impartial, fair-minded person, that he has a perceived conflict of interest in a matter where State Government's views and those of his son, Minister Stephan Knoll, may or may not oppose his views representing Council, a fact that wouldn't compromise impartiality/objectivity at the Council meeting and he would therefore remain in the Council Chamber.

Discussion ensued

The motion was then put and carried unanimously

Reports for Council (Chief Executive Officer's Reports)

7. Item 12.1 – UPark Refurbishment and Façade Remediation Gawler Place - Prudential and Award of Contract Report [2018/03945] [C]

Moved by Councillor Martin,
Seconded by Councillor Couros -

THAT COUNCIL:

1. Receives and notes the Prudential Issues Report as contained in Attachment A, titled Gawler Place UPark Project Prudential Issues Report to Item 12.1 on the Agenda for the meeting of the Council held on 11 December 2018.

Carried

8. Item 12.2 – By-Law Implementation Report [2018/02876] [C]

Moved by Councillor Moran,
Seconded by Councillor Martin -

THAT COUNCIL:

1. Adopts, in accordance with Section 246(5) of the *Local Government Act 1999* and Section 14C of the *Acts Interpretation Act 1915*, the expiation fees for alleged offences against Clause 5.1 of Council's *Permits and Penalties By-Law 2018* and Clause 8.1 of Council's *Rundle Mall By-Law 2018* included at Attachment A to Item 12.2 on the Agenda for the meeting of the Council held on 11 December 2018 effective on the date the By-Laws come into operation, subject to the following alterations:
 - By-Law 3 Local Government Land – Unintended use of a War Memorial (\$187.50)
 - By-Law 4 Roads - Damage or deface property (\$187.50)
2. Authorises in exercise of the power contained in Section 44 of the *Local Government Act 1999* and Section 14C of the *Acts Interpretation Act 1915*, the powers and functions under the following By-Laws and specified in the proposed Instruments of Delegation for By-Laws contained in the Attachments B - I to Item 12.2 on the Agenda for the meeting of the Council held on 11 December 2018 to be hereby delegated to the person occupying the office of Chief Executive Officer, or any person acting in the position of Chief Executive Officer effective on the date on which the By-Laws come into operation, subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instruments of Delegation for the By-Laws:
 - 2.1. *Permits and Penalties By-Law 2018*;
 - 2.2. *Local Government Land By-Law 2018*;
 - 2.3. *Roads By-Law 2018*;
 - 2.4. *Waste Management By-Law 2018*;
 - 2.5. *Rundle Mall By-Law 2018*
 - 2.6. *Dogs By-Law 2018*;
 - 2.7. *Cats By-Law 2018*;

- 2.8. *Lodging Houses By-Law 2018.*
3. Authorises the Chief Executive Officer to sub delegate the powers referred to in paragraph 2 to other employees of the Council:
 - 3.1. as the Chief Executive Officer considers fit; and
 - 3.2. in accordance with the relevant legislation; unless
 - 3.3. otherwise indicated in this report; or
 - 3.4. otherwise indicated in the Schedule of Conditions contained in the proposed Instruments of Delegation for the By-Laws.
 4. Approves and determines in accordance with Section 246(3)(e) of the *Local Government Act 1999* and clause 9 of Council's *Rundle Mall By-Law 2018* that Clause 5.9 of Council's *Rundle Mall By-Law 2018* (smoking) shall apply to the following parts of the area of the Council:
 - 4.1 Those parts of Rundle Mall depicted in purple on the plan included at Attachment J to Item 12.2 on the Agenda for the meeting of the Council held on 11 December 2018; and
 - 4.2. Those parts of the streets and laneways in the vicinity of Rundle Mall depicted in blue on the plan included at Attachment J to Item 12.2 on the Agenda for the meeting of the Council held on 11 December 2018 (namely, the identified portions of James Place, Stephens Place, Gawler Place, Francis Street, Lindes Lane, Charles Street, and Twin Street).
 5. Authorises the Chief Executive Officer to:
 - 5.1. Publish notice of the making of this determination in Paragraph 4 above in the South Australian Government Gazette and *The City*; and
 - 5.2. Erect (or maintain) such notices as the Chief Executive Officer deems necessary setting out the effect of this resolution in a prominent position on the land to which clause 5.9 of the *Rundle Mall By-Law 2018* applies by virtue of this resolution.

Carried

9. Item 12.3 – Adelaide Park Lands Authority Nominations [C]

Moved by Councillor Martin,
Seconded by Councillor Dr Donovan -

THAT COUNCIL:

1. Notes the Lord Mayor's intention to accept her statutory position as Presiding Member of the Board of Management of the Adelaide Park Lands Authority (the Authority).
2. Notes the requirements of the *Adelaide Park Lands Act 2005* concerning the knowledge, skills and experience of Members, as well as gender balance.
3. Notes the Action in the City of Adelaide's Reconciliation Action Plan 2018-2021 "*Explore opportunities for a designated Kaurna representative on APLA*", and considers this as part of discussions regarding APLA membership prior to 31 March 2019.
4. Supports the Minister for Planning's intention to re-appoint the existing State Government appointees for an interim period of three months from 1 January 2019 to 31 March 2019 as follows:
 - 4.1. Sally Smith (as Deputy Presiding Member
 - 4.2. Anita Allen
 - 4.3. Stephanie Johnston
 - 4.4. Roger Zubrinich
 - 4.5. Kirsteen Mackay
5. Appoints (contingent upon consultation with the Minister for Planning) four Board Members for the Authority for an interim period commencing 1 January 2019 and expiring 31 March 2019.

Discussion ensued

The motion was then put and carried

The Lord Mayor called for nominations for four Board Members to the Adelaide Park Lands Authority.

Councillor Martin nominated Councillors Moran, Simms and Dr Donovan, who all accepted the nomination.

Deputy Lord Mayor (Councillor Abiad) nominated Councillor Martin, who accepted the nomination.

Councillors Moran, Simms, Dr Donovan and Martin identified an actual conflict of interest in Item 12.3 [Adelaide Park Lands Authority Nominations] pursuant to Sections 75 & 75A of the Local Government Act 1999, because of remuneration associated with an appointment to the Adelaide Park Lands Authority, withdrew their chairs and left the Council Chamber at 7.17pm.

It was then –

Moved by Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Abrahimzadeh -

That Council appoints (contingent upon consultation with the Minister for Planning) Councillors Moran, Simms, Dr Donovan and Martin to the Board of the Adelaide Park Lands Authority for an interim period commencing 1 January 2019 and expiring 31 March 2019.

Carried

Councillors Moran, Simms, Dr Donovan and Martin re-entered the Council Chamber at 7.18pm.

10. Item 12.4 – Governance Structure [2018/04071] [C]

Moved by Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Knoll -

THAT COUNCIL:

1. Terminates the following Committees and revokes all delegations made to the following Committees established in the 2014-2018 municipal term of office, effective 11 December 2018:
The Committee
Strategic Planning & Development Policy Committee
Adelaide City Council Reconciliation Committee
2. Notes the continuing operation of the City of Adelaide Audit Committee for the 2018-2022 municipal term of office pursuant to section 41 and section 126 of the *Local Government Act 1999 (SA)*.

Establishment of Committees

3. Approves the proposed governance structure outlined in Attachment A to Item 12.4 on the Agenda for the meeting of the Council held on 11 December 2018 and authorises the Chief Executive Officer to undertake any necessary editorial amendments to the adopted text of the Standing Orders that do not change the substantive tone or message of the approved text to reflect Council's governance structure and notes that the effectiveness of these arrangements can be reviewed by Council throughout the 2018-2022 municipal term of office as required.
4. Establishes pursuant to Section 41 of the *Local Government Act 1999 (SA)* for the 2018-2022 municipal term of office:
 - 4.1. The Committee with a membership comprising the Lord Mayor and all Council Members.
 - 4.2. The Strategic Planning and Development Policy Committee in accordance with section 101A of the *Development Act 1993 (SA)*, with a membership comprising the Lord Mayor and all Councillors.
 - 4.3. The City of Adelaide Reconciliation Committee with a membership of 11 comprising:
 - 4.3.1. the Lord Mayor (Ex Officio)
 - 4.3.2. three (3) Councillors
 - 4.3.3. three (3) strategic agency representatives
 - 4.3.4. three (3) Aboriginal and/or Torres Strait Islander representatives
 - 4.3.5. one (1) Kaurna specific representative
 - 4.3.6. two proxies for the 2018-2022 municipal term of office.
5. Applies the provisions of Parts 1, 3 and 4 of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)* (as a matter of law) to all meetings of:
 - 5.1. The Committee
 - 5.2. Strategic Planning & Development Policy Committee
 - 5.3. City of Adelaide Audit Committee
 - 5.4. City of Adelaide Reconciliation Committee

Terms of Reference

6. Adopts the Terms of Reference for the three (3) Committees established in part 4 herein as set out in Attachment B, to Item 12.4 on the Agenda for the meeting of the Council held on 11 December 2018, and delegates authority to the Chief Executive Officer to alter content to reflect matters determined by the Council at its meeting on 11 December 2018.
7. Notes the Terms of Reference for the City of Adelaide Audit Committee as set out in Attachment B to Item 12.4 on the Agenda for the meeting of the Council held on 11 December 2018, and delegates authority to the Chief Executive Officer to alter content to reflect matters determined by the Council at its meeting on 11 December 2018.

Appointments

8. Determines the appointment of a Presiding Member (to be known as Chair) and a Deputy Chair to preside for the period of 1 January 2019 to 31 March 2019 and 1 April 2019 to 30 June 2019 for The Committee.
9. Determines the appointment of a Presiding Member (to be known as Chair) and a Deputy Chair to preside for the period of 1 January 2019 to 31 March 2019 and 1 April 2019 to 30 June 2019 for the Strategic Planning & Development Policy Committee.
10. Contingent upon the adoption of part 8 herein, calls for nominations for the appointment of a Presiding Member (to be known as Chair) and Deputy Chair to The Committee.
11. Contingent upon the adoption of part 9 herein, calls for nominations for the appointment of a Presiding Member (to be known as Chair) and Deputy Chair to the Strategic Planning and Development Policy Committee.
12. Notes the composition of the City of Adelaide Audit Committee being a membership of five (5) comprising:
 - 12.1. the Lord Mayor
 - 12.2. one (1) Councillor
 - 12.3. three (3) external independent members (appointed to February 2020).
13. Calls for nominations for the City of Adelaide Audit Committee:
 - 13.1. the appointment of one (1) Councillor for a two (2) year period.
 - 13.2. the appointment of one (1) proxy member for the Lord Mayor for a two (2) year period; and
 - 13.3. the appointment of one (1) proxy member for the one (1) Councillor for a two (2) year period.
14. Contingent upon the adoption of part 4.3 herein, calls for nominations for the appointment of three (3) Council Members to the City of Adelaide Reconciliation Committee for a two (2) year period.

Delegations

15. Delegates to The Committee in exercise of the power contained in Section 44 of the *Local Government Act 1999* (SA), the responsibility to the end of the 2018-2022 municipal term of office, to assist the Council in considering matters to provide recommendation to Council on the overall priorities, strategies and policies related to achieving Council's Strategic and Corporate Plan outcomes as set out in The Committee Terms of Reference.
16. Delegates to the City of Adelaide Audit Committee:
 - 16.1. in exercise of the powers contained in Section 44 of the *Local Government Act 1999* (SA), the responsibility to the end of the 2018-2022 municipal term of office, to assist the Council by considering matters as set out in the City of Adelaide Audit Committee's Terms of Reference.
 - 16.2. authority to determine a schedule of quarterly meetings to be held in the Colonel Light Room, Town Hall, Adelaide.
 - 16.3. authority to the Chief Executive Officer to vary the quarterly meeting schedule (including the commencement time, meeting place, date or cancellation of a committee meeting) after liaison with the City of Adelaide Audit Committee Presiding Member.
17. Delegates to the City of Adelaide Reconciliation Committee
 - 17.1. in exercise of the powers contained in Section 44 of the *Local Government Act 1999* (SA), the responsibility to the end of the 2018-2022 municipal term of office to provide advice to the Council by considering matters as set out in the Committees Term of Reference.
 - 17.2. at its first meeting the authority to determine the persons, one of whom shall be a City of Adelaide Council Member, to undertake Dual Charing and also one Deputy to preside for a period of two (2) years.
 - 17.3. the authority to determine the time and place of its quarterly meetings.
18. Notwithstanding parts 16.3 and 17.3 herein, the Chief Executive Officer be delegated the authority to not call a meeting of the City of Adelaide Audit Committee or City of Adelaide Reconciliation Committee should the Committee have no matters for consideration.

19. Delegates to Strategic Planning and Development Policy Committee in exercise of the power contained in Section 44 of the *Local Government Act 1999 (SA)*, the responsibility to the end of the 2018-2022 municipal term of office, to provide recommendation to Council on matters in relation to strategic planning and development policy issues as set out in the Strategic Planning and Development Policy Committee Terms of Reference.

Council/The Committee Meeting Schedule

20. Adopts the draft meeting schedule (inclusive of time and place) for ordinary meetings of the Council and The Committee, for the period up to and including December 2019, as set out in Attachment C to Item 12.4 on the Agenda for the meeting of the Council held on 11 December 2018.
21. Delegates authority to the Chief Executive Officer to vary the Council and The Committee meeting schedule (including the commencement time, meeting place, date or cancellation of a core committee meeting) after liaison with the relevant Presiding Member.
22. Notwithstanding parts 20 and 21, herein, delegates authority to the Chief Executive Officer to not call a meeting of The Committee within the meeting date schedule should there be no matters for deliberation.
23. Notes that the live streaming of meetings of The Committee will be considered for implementation as soon as is reasonably practical.

Discussion ensued

CEO Undertaking – Terms of Reference

In response to queries from Councillors, the Chief Executive Officer gave an undertaking to not include the following in the new Terms of Reference for The Committee until after a separate discussion on the standing orders:

8.2.7 – page 96 – one amendment, current practice is two

9.2.7 – page 104 – same rule as above

9.2.6.3 – SPDP Committee - where there are guests, committee members are not able to ask questions.

The motion was then put and carried

The Lord Mayor called for nominations to the positions of Presiding Member (to be known as Chair) and Deputy Chair to preside for the period of 1 January 2019 to 31 March 2019 for The Committee.

Deputy Lord Mayor (Councillor Abiad) nominated Councillor Moran to the position of Presiding Member and Councillor Martin to the position of Deputy Chair. Both Councillors accepted the nominations.

Councillor Moran identified an actual conflict of interest in Item 12.4 [Governance Structure] pursuant to Sections 75 & 75A of the Local Government Act 1999 (SA), because of remuneration associated with an appointment to the position of Chair, withdrew her chair and left the Council Chamber at 7.27pm.

It was then -

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

That Council appoints Councillor Moran to the position of Presiding Member (to be known as Chair) and Councillor Martin to the position of Deputy Chair to preside for the period of 1 January 2019 to 31 March 2019 for The Committee.

Carried

Councillor Moran re-entered the Council Chamber at 7.28pm.

The Lord Mayor called for nominations to the positions of Presiding Member (to be known as Chair) and Deputy Chair to preside for the period of 1 April 2019 to 30 June 2019 for The Committee.

Deputy Lord Mayor (Councillor Abiad) nominated Councillor Martin to the position of Presiding Member and Councillor Moran to the position of Deputy Chair. Both Councillors accepted the nominations.

Councillor Martin identified an actual conflict of interest in Item 12.4 [Governance Structure] pursuant to Sections 75 & 75A of the Local Government Act 1999 (SA), because of remuneration associated with an appointment to the position of Chair, withdrew his chair and left the Council Chamber at 7.29pm.

It was then -

Moved by Councillor Simms,
Seconded by Deputy Lord Mayor (Councillor Abiad) -

That Council appoints Councillor Martin to the position of Presiding Member (to be known as Chair) and Councillor Moran to the position of Deputy Chair to preside for the period of 1 April 2019 to 30 June 2019 for The Committee.

Carried

Councillor Martin re-entered the Council Chamber at 7.29pm.

The Lord Mayor called for nominations to the positions of Presiding Member (to be known as Chair) and Deputy Chair to preside for the period of 1 January 2019 to 31 March 2019 for the Strategic Planning & Development Policy Committee.

Deputy Lord Mayor (Councillor Abiad) nominated Councillor Abrahamzadeh to the position of Presiding Member and Councillor Simms to the position of Deputy Chair. Both Councillors accepted the nominations.

Councillor Abrahamzadeh identified an actual conflict of interest in Item 12.4 [Governance Structure] pursuant to Sections 75 & 75A of the Local Government Act 1999 (SA), because of remuneration associated with an appointment to the position of Chair, withdrew his chair and left the Council Chamber at 7.30pm.

It was then -

Moved by Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Khera -

That Council appoints Councillor Abrahamzadeh to the position of Presiding Member (to be known as Chair) and Councillor Simms to the position of Deputy Chair to preside for the period of 1 January 2019 to 31 March 2019 for the Strategic Planning & Development Policy Committee.

Carried

Councillor Abrahamzadeh re-entered the Council Chamber at 7.31pm.

The Lord Mayor called for nominations to the positions of Presiding Member (to be known as Chair) and Deputy Chair to preside for the period of 1 April 2019 to 30 June 2019 for the Strategic Planning & Development Policy Committee.

Deputy Lord Mayor (Councillor Abiad) nominated Councillor Simms to the position of Presiding Member and Councillor Dr Donovan to the position of Deputy Chair. Both Councillors accepted the nominations.

Councillor Simms identified an actual conflict of interest in Item 12.4 [Governance Structure] pursuant to Sections 75 & 75A of the Local Government Act 1999 (SA), because of remuneration associated with an appointment to the position of Chair, withdrew his chair and left the Council Chamber at 7.31pm.

It was then –

Moved by Councillor Hou,
Seconded by Deputy Lord Mayor (Councillor Abiad) -

That Council appoints Councillor Simms to the position of Presiding Member (to be known as Chair) and Councillor Dr Donovan to the position of Deputy Chair to preside for the period of 1 April 2019 to 30 June 2019 for the Strategic Planning & Development Policy Committee.

Carried

Councillor Simms re-entered the Council Chamber at 7.32pm.

The Lord Mayor called for nominations for the appointment of one (1) Councillor, one (1) proxy for the Lord Mayor and one (1) proxy for the Councillor to the City of Adelaide Audit Committee for a period of two (2) years.

Deputy Lord Mayor (Councillor Abiad) nominated Councillor Martin to the Councillor position, Councillor Hyde as proxy for the Lord Mayor and Councillor Moran as proxy for the Councillor position. Councillors Martin and Hyde accepted the nomination, Councillor Moran declined the nomination.

Deputy Lord Mayor (Councillor Abiad) nominated Councillor Knoll as proxy for the Councillor position. Councillor Knoll accepted the nomination.

It was then -

Moved by Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Simms -

That Council appoints Councillor Martin to the Councillor position, Councillor Hyde as proxy for the Lord Mayor position and Councillor Knoll as proxy for the Councillor position on the City of Adelaide Audit Committee for a period of two (2) years.

Carried

The Lord Mayor called for nominations to the City of Adelaide Reconciliation Committee for a two (2) year period.

Councillor Simms nominated the Deputy Lord Mayor (Councillor Abiad) and Councillor Dr Donovan. The Deputy Lord Mayor (Councillor Abiad) declined the nomination and Councillor Dr Donovan accepted the nomination.

Councillor Abrahamzadeh nominated Councillor Simms, who accepted the nomination.

Deputy Lord Mayor (Councillor Abiad) nominated Councillor Abrahamzadeh, who declined the nomination.

Councillor Simms nominated Councillor Knoll, who accepted the nomination.

It was then -

Moved by Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Hou -

That Council appoints Councillors Dr Donovan, Simms and Knoll to the City of Adelaide Reconciliation Committee for a two (2) year period.

Carried

11. Item 12.5 – Appointment of External Members to the Reconciliation Committee [2014/04789-2] [C]

Moved by Councillor Moran,
Seconded by Councillor Martin -

THAT COUNCIL:

1. Appoints the following seven (7) external members and two (2) proxies to the City of Adelaide Reconciliation Committee for the term 2018-2022:
 - 1.1. Strategic Agency Representatives to be determined:
 - 1.1.1. Reconciliation South Australia;
 - 1.1.2. Aboriginal Affairs and Reconciliation, Department of State Development; and
 - 1.1.3. Employment Programs Directorate, Department of State Development
 - 1.2. Kurna Nation Cultural Heritage Association Committee representative
 - 1.2.1. Mr Jeffrey Newchurch.
 - 1.3. Aboriginal and/or Torres Strait Islander community representatives:
 - 1.3.1. Ms Yvonne Agius;
 - 1.3.2. Mr Ivan-Tiwu Copley; and
 - 1.3.3. Mr Eddie Peters.
 - 1.4. Proxies:
 - 1.4.1. Ms Lynette Crocker; and
 - 1.4.2. Ms Deanne Hanchant-Nichols.
2. Approves the payment of a sitting fee for eligible members as prescribed in **Attachment A** to Item 12.5 on the Agenda for the meeting of the Council held on 11 December 2018, in recognition of their expert advice and time commitment.

Carried

12. Item 12.6 – Appointment of Council Member to the Adelaide Central Market Authority [2018/04054] [C]

Moved by Councillor Moran,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL:

1. Nominates one (1) Council Member to be appointed to the Adelaide Central Market Authority Board for a two (2) year term from 11 December 2018 to 11 December 2020.

Carried

The Lord Mayor called for nominations for appointment to the Adelaide Central Market Authority Board for a two (2) year term from 11 December 2018 to 11 December 2020.

Councillor Abrahamzadeh nominated Councillor Abiad (Deputy Lord Mayor), who accepted the nomination.

Deputy Lord Mayor (Councillor Abiad) identified an actual conflict of interest in Item 12.6 [Appointment of Council Member to the Adelaide Central Market Authority] pursuant to Sections 75 & 75A of the Local Government Act 1999 (SA), because of remuneration associated with the position, withdrew his chair and left the Council Chamber at 7.39 pm.

It was then –

Moved by Councillor Moran,
Seconded by Councillor Hou -

That Council appoints Councillor Abiad (Deputy Lord Mayor) to the Adelaide Central Market Authority Board for a two (2) year term from 11 December 2018 to 11 December 2020.

Carried

Deputy Lord Mayor (Councillor Abiad) re-entered the Council Chamber at 7.40pm.

13. Item 12.7 – Appointment of Council Member to the Rundle Mall Management Authority [2018/04054] [C]

Moved by Councillor Martin,
Seconded by Councillor Dr Donovan -

THAT COUNCIL:

1. Approves the nomination of one (1) Council Member to be appointed to the Rundle Mall Management Authority for a two (2) year term commencing 11 December 2018.

Carried

The Lord Mayor called for nominations for appointment to the Rundle Mall Management Authority for a two (2) year term commencing 11 December 2018.

Deputy Lord Mayor (Councillor Abiad) nominated Councillor Knoll, who accepted the nomination.

Councillor Knoll identified an actual conflict of interest in Item 12.7 [Appointment of Council Member to the Rundle Mall Management Authority] pursuant to Sections 75 & 75A of the Local Government Act 1999 (SA), because of remuneration associated with the position, withdrew his chair and left the Council Chamber at 7.40pm.

It was then –

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Hyde -

That Council appoints Councillor Knoll to the Rundle Mall Management Authority for a two (2) year term commencing 11 December 2018.

Carried

Councillor Knoll re-entered the Council Chamber at 7.41pm.

14. Item 12.8 – Council representation on External Boards and Committees/Groups [2014/04836] [C]

Moved by Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Moran -

THAT COUNCIL:

1. Notes that City of Adelaide representation is required under legislation on the following external bodies:
 - 1.1. Adelaide Festival Centre Trust
 - 1.2. Adelaide Festival Corporation Board
 - 1.3. Capital City Committee
 as outlined in Attachment A to Item 12.8 on the Agenda for the meeting of the Council held on 11 December 2018.
2. Notes the Lord Mayor Sandy Verschoor's continuing appointment to the Adelaide Festival Centre Trust, expiring on 11 September 2020.
3. Approves the nomination of three (3) Council Members to be put forward to the Adelaide Festival Corporation Board for the Minister to select one (1) appointee from.
4. Approves the appointment of two (2) nominated Council Members and one (1) proxy to the Capital City Committee for the 2018-2022 municipal term.
5. Notes the additional opportunities for City of Adelaide representation as summarised in Attachment B to Item 12.8 on the Agenda for the meeting of the Council held on 11 December 2018.

Carried

The Lord Mayor called for nominations to be put forward to the Adelaide Festival Corporation Board for the Minister to select one (1) appointee from.

Deputy Lord Mayor (Councillor Abiad) nominated the Lord Mayor and Councillors Simms and Khera, who all accepted the nomination.

The Lord Mayor and Councillors Simms and Khera identified an actual conflict of interest in Item 12.8 [Council representation on External Boards and Committees/Groups] pursuant to Sections 75 & 75A of the Local Government Act 1999 (SA), because of remuneration associated with the position, withdrew their chairs and left the Council Chamber at 7.43pm, whereupon the Deputy Lord Mayor (Councillor Abiad) took the Chair.

It was then –

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Moran -

That Council approves the nomination of the Lord Mayor and Councillors Simms and Khera to be put forward to the Adelaide Festival Corporation Board for the Minister to select one (1) appointee.

Carried

The Lord Mayor and Councillors Simms and Khera re-entered the Council Chamber at 7.44pm, whereupon the Lord Mayor retook the Chair.

The Lord Mayor called for nominations for appointment of two (2) nominated Council Members and one (1) proxy to the Capital City Committee for the 2018-2022 municipal term.

Councillor Abrahamzadeh nominated Councillors Abiad (Deputy Lord Mayor) and Hyde to the two (2) Council Member positions and Councillor Dr Donovan to the proxy position, with all Councillors accepting the nomination.

Councillor Simms nominated Councillor Dr Donovan to a Council Member position, who accepted the nomination.

There being three (3) nominations for two (2) Councillor positions, a ballot was conducted resulting in Councillors Abiad (Deputy Lord Mayor) and Hyde being selected for appointment, with Councillor Dr Donovan selected for appointment to the proxy position.

It was then –

Moved by Councillor Simms,
Seconded by Councillor Khera -

That Council appoints Councillors Abiad (Deputy Lord Mayor) and Hyde and Councillor Dr Donovan as proxy to the Capital City Committee for the 2018-2022 municipal term.

Carried

Councillor Moran left the Council Chamber at 7.50pm.

15. Item 12.9 – Appointment of Council Members to the Public Art Round Table [2018/00778] [C]

Discussion ensued

It was then –

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

THAT COUNCIL:

1. Approves the appointment of two (2) Council Members to the Public Art Round Table for the term of the current Council.

Carried

The Lord Mayor called for nominations of two (2) Council Members to the Public Art Round Table for the term of the current Council.

Councillor Dr Donovan nominated Councillors Khera and Martin, who accepted the nomination.

It was then –

Moved by Councillor Dr Donovan,
Seconded by Councillor Simms -

That Council appoints Councillors Khera and Martin to the Public Art Round Table for the term of the current Council.

Carried

16. Item 12.11 – 2018-19 Quarter 1 Finance Report [2017/03018] [C]

Discussion ensued

CEO Undertaking – Additional Meetings during Budget Deliberations

In response to queries and feedback from Council Members, the Chief Executive Officer gave an undertaking to schedule additional meetings if/when required during budget deliberations.

It was then –

Moved by Councillor Martin,
Seconded by Deputy Lord Mayor (Councillor Abiad) -

THAT COUNCIL:

1. Notes the year to date Corporation Financial Performance for the period ended 30 September 2018, as detailed in Schedule 1 of Attachment A to Item 12.11 on the Agenda for the meeting of the Council held on 11 December 2018.
2. Notes the year to date Treasury Report for the period ended 30 September 2018, as detailed in Schedule 2 of Attachment A to Item 12.11 on the Agenda for the meeting of the Council held on 11 December 2018.
3. Notes the 2018-19 QF1 Proposed Forecast Uniformed Presentation of Finances as detailed in Schedule 7 of Attachment A to Item 12.11 on the Agenda for the meeting of the Council held on 11 December 2018.
4. Notes the 2018-19 Proposed QF1 revised Long Term Financial Plan, forecasted Key Financial Indicators, and prudential borrowing ratios as detailed in Schedules 4-6 of Attachment A to Item 12.11 on the Agenda for the meeting of the Council held on 11 December 2018.
5. Approves the 2018-19 proposed QF1 revised forecast for Business Operations, General Operations, Operating and Capital Projects, the Infrastructure Program, and City Transformation Investments as summarised in Schedule 3 and detailed in Schedules 8-14 in Attachment A to Item 12.11 on the Agenda for the meeting of the Council held on 11 December 2018.
6. Approves the proposed retiming of Operating and Capital Project budgets to 2019-20 and 2020-21 as detailed in Schedules 10-11 in Attachment A to Item 12.11 on the Agenda for the meeting of the Council held on 11 December 2018.
7. Notes the Quarter 1 Capital Program Report for the period ended 30 September 2018 as included in Schedule 15 in Attachment A to Item 12.11 on the Agenda for the meeting of the Council held on 11 December 2018.
8. Approves the proposed QF1 revised forecast for the Adelaide Central Market Authority (ACMA) as summarised in Schedule 16 and detailed in Schedule 17 of Attachment A to Item 12.11 on the Agenda for the meeting of the Council held on 11 December 2018.
9. Notes the proposed approach and timeframes for the preparation of the 2019-20 Integrated Business Plan as outlined in the body of the Report and as summarised in Attachment B to Item 12.11 on the Agenda for the meeting of the Council held on 11 December 2018
10. Authorises, In accordance with the Local Government (Financial Management) Regulations 2011, the Chief Executive Officer and the Lord Mayor are authorised to certify the Annual Financial Statements in their final form for the 2018-19 to 2021-22 Financial Years.

Discussion continued

The motion was then put and carried

Discussion ensued, during which Councillor Moran re-entered the Council Chamber at 7.54pm.

17. Item 12.12 – Quarterly Forward Procurement Report [2018/03945] [C]

Moved by Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Martin -

THAT COUNCIL:

1. Receives and notes the report.

Carried

Question on Notice

18. Item 13.1 – Councillor Simms – Question on Notice – Status of Skate Park [C]

Councillor Simms asked the following Question:-

‘Can administration provide an update on their efforts to secure State Government funding for a permanent skate park in the City of Adelaide?’

Councillor Hyde left the Council Chamber at 7.58pm.

The Lord Mayor replied as follows:-

1. A draft City Skate Strategy (which includes location options) is currently being finalised to present to the Adelaide Park Lands Authority and Council in March/April 2019 seeking endorsement for a preferred site for a new City Skate Park.
2. Once a preferred site is selected by Council, further discussions and a partnering approach with the State Government for the funding, design and construction will be sought for 2019/20.'

The tabled Reply for Item 13.1 is attached for reference at the conclusion of the Minutes of this meeting.

19. Item 13.2 – Councillor Simms – Question on Notice – Edmund Wright House [C]

Councillor Simms asked the following Question:-

- (1) Given community concern about the State Government's disappointing decision to sell the historic Edmund Wright House on King William Street, can Administration advise Council as to the current status of this process?
- (2) As this property has recently been subject to littering and graffiti, has or will Administration advocate for the State Government to immediately put in place a maintenance program to rectify these issues?'

The Lord Mayor replied as follows:-

1. The property was introduced to market via a formal tender and the tender closed on 4 October 2018. All the tender's submissions were conditional on the approval of the South Australian Government (cabinet).
2. No formal announcement has been made regarding the process however we understand that the matter currently sits with the Hon Stephan Knoll - Minister for Transport, Infrastructure and Local Government and the Minister for Planning and a decision is imminent.
3. The Administration will engage with the relevant State Government agency and raise Council's concerns relating to presentation of the property (littering and graffiti) and seek a maintenance program that will address these concerns.'

The tabled Reply for Item 13.2 is attached for reference at the conclusion of the Minutes of this meeting.

20. Item 13.3 – Councillor Abiad – Question on Notice – Boxing Day Promotional Activity [C]

The Question and Reply were taken as read.

The tabled Reply for Item 13.3 is attached for reference at the conclusion of the Minutes of this meeting.

21. Item 13.4 – Councillor Abrahamzadeh – Question on Notice – Frome Road Traffic Management Plan [C]

The Question and Reply were taken as read.

The tabled Reply for Item 13.4 is attached for reference at the conclusion of the Minutes of this meeting.

Councillor Hyde re-entered the Council Chamber at 8.01pm.

22. Item 13.5 – Councillor Dr Donovan – Question on Notice – Bikeway Network Implementation Plan [C]

Councillor Dr Donovan asked the following Question:-

'Could Administration please provide an update on the progress of the Bikeway Network Implementation Plan as outlined as an action in the 2016-2018 Smart Move Interim Action plan?'

The Lord Mayor replied as follows:-

1. We are working through the Smart Move Interim Action Plan (2016-2018) actions, the preparation of a Bikeways Network Implementation Plan is one of the outstanding actions.
2. The preparation of a Bikeways Network Implementation Plan will be considered as part of the 2019/20 Integrated Business Plan and Budget process.'

The tabled Reply for Item 13.5 is attached for reference at the conclusion of the Minutes of this meeting.

Question without Notice

Discussion ensued

Motions on Notice

23. Item 15.1 – Councillor Couros – Motion on Notice – Car Park - 88 O’Connell Street [2018/04053] [C]

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

That Council:

- 1) Notes the recent closure of multiple businesses on O’Connell St and the impact this has had on the community.
- 2) Requests administration look for ways to open the Car Park at 88 O’Connell Street, North Adelaide, immediately and especially for the Christmas trade.

Discussion ensued

The motion was then put and carried

24. Item 15.2 – Councillor Couros – Motion on Notice - 88 O’Connell Street Box Park [2018/04053] [C]

Moved by Councillor Couros,
Seconded by Councillor Abrahamzadeh -

That Council:

1. Notes the ongoing Expression of Interest process for the development of Eighty-Eight O’Connell Street and the imperative to keep the site activated throughout this process.
2. Requests for administration to prepare a report on how a temporary activation, similar to a box park concept, can be established on the Eighty-Eight O’Connell Street site to attract complementing and non-competing operators to North Adelaide.
3. Requests for this report to be returned no later than February 2019.

Discussion ensued, during which Councillor Moran left the Council Chamber at 8.14pm, re-entered at 8.15pm, left at 8.15pm, re-entered at 8.16pm and left at 8.20pm.

The motion was then put and carried

25. Item 15.3 – Councillor Dr Donovan – Motion on Notice – Waste Management Policy [2009/01488] [C]

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

That Council Administration:

1. Prepares a report reviewing the Waste Management services provided by Council.
2. Prepares a Waste Management Policy for Council consideration which provides options for waste services (including organics) for city businesses.
3. This policy would also address applicable fee for service models, including reducing fees for strata groups.

Discussion ensued

The motion was then put and carried

26. Item 15.4 – Councillor Martin – Motion on Notice – Stadium [2018/04053] [C]

Moved by Councillor Martin,
Seconded by Councillor Simms -

That Council;

Is aware of the ongoing media reports calling for a stadium for soccer and other sports and speculation about its construction on or near the City of Adelaide Golf Links and so requests the Administration to publicly release by January 1st, 2019 an extract of the draft Golf Course Master Plan noting this Master Plan has been received but not approved by the elected body and is currently the subject of a confidentiality order made by Council.

The CEO be delegated authority to release this extract Golf Course Master Plan concept document which should;

1. Not include any information which is genuinely commercial in confidence or copyright protected.
2. Provide as many illustrations as possible to demonstrate the extent of the draft plan of the proposed redevelopment to create an international standard golf facility and, in doing so, the likely impact of any stadium or other project on any such redevelopment.

Discussion ensued, during which Councillor Moran re-entered the Council Chamber at 8.34pm.

It was then –

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

That the matter lie on the table.

Carried

Councillor Martin then requested that a division be taken on the motion

Division

For (7):

Councillors Abiad, Abrahamzadeh, Couros, Hou, Hyde, Khera and Knoll.

Against (4):

Councillors Dr Donovan, Martin, Moran and Simms.

The division was declared in favour of the motion

Exclusion of the Public

27. Item 17.1 – Exclusion of the Public from the Meeting to Consider [2017/00571] [C]

For the following Chief Executive Officer Reports seeking consideration in confidence:

Strategic Alignment – Green

18.2.1. UPark Refurbishment and Façade Remediation Gawler Place - Prudential and Award of Contract Report [s 90(3) (b), (d) & (h)]

Strategic Alignment – Corporate Activities

18.2.2. 2018-19 Quarter 1 Commercial and Business Operations Report [s 90(3) (b) & (d)]

18.2.3. CEO Update [s 90(3) (g)]

ORDER TO EXCLUDE FOR ITEM 18.2.1:

Moved by Councillor Hyde,
Seconded by Councillor Knoll -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (b), (d) & (h) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/12/2018 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2.1 [UPark Refurbishment and Façade Remediation Gawler Place - Prudential and Award of Contract Report] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

The confidential information in this Report contains information that could prejudice the commercial position of the Council in respect of its intended procurement activities. The Contract Award Report will be considered by Council in Item 18.2.1 on the Agenda for the meeting of Council held on 11 December 2018. The Contract Award Report seeks the approval to award the contract for the Project and that the Chief Executive Officer, or delegate, be authorised to finalise the tender process and execute the relevant contracts as appropriate. Release of the confidential information prior to execution of a contract could prejudice Council's position in respect of its tendering activities and commercial negotiations.

The confidential information in this Report contains sensitive information that is the subject of legal advice and determinations.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed because the disclosure of the confidential information as contained in **Attachments A and B** contains commercial in confidence information about Council's interests, legal advice and the commercial value of the Project. It may also prejudice Council's ability to complete commercial negotiations for the construction contract and achieve value for money for its ratepayers.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/12/2018 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 18.2.1 [UPark Refurbishment and Façade Remediation Gawler Place - Prudential and Award of Contract Report] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (b), (d) & (h) of the Act.

Carried

Councillor Moran left the Council Chamber at 8.40pm.

ORDER TO EXCLUDE FOR ITEM 18.2.2:

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

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (b) & (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/12/2018 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2.2 [2018-19 Quarter 1 Commercial and Business Operations Report] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This item is commercial information of a confidential nature where confidence consideration is sought to protect the commercial position of the council and the operating position of Council's business entities operating in a competitive market place prior to the effective date of 1 October 2018. Disclosure of this information to competitors in advance may be to Council's commercial detriment.

Public Interest

Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because disclosure of this information to competitors in advance may be to Council's commercial detriment.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/12/2018 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 18.2.2 [2018-19 Quarter 1 Commercial and Business Operations Report] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (b) & (d) of the Act.

Carried

The Lord Mayor advised the meeting that there was an additional confidential Item – 18.2.3 – CEO Update.

ORDER TO EXCLUDE FOR ITEM 18.2.3:

Moved by Councillor Martin,
Seconded by Deputy Lord Mayor (Councillor Abiad) -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (g) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/12/2018 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 18.2.3 [CEO Update].

Grounds and Basis

Matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty; as we have a duty to keep federal and state government funding information in confidence until released by the government(s) for public information.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)* this meeting of the Council dated 11/12/2018 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 18.2.3 [CEO Update], on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (g) of the Act.

Carried

The public and members of Corporation staff not directly involved with Items 18.2.1, 18.2.2 and 18.2.3 left the Council Chamber at 8.41pm.

Confidential Item 18.2.1

UPark Refurbishment and Façade Remediation Gawler Place - Prudential and Award of Contract Report

Section 90 (3)(b), (d) & (h) of the *Local Government Act (SA) 1999*

Page 18

Confidential Item 18.2.2

2018-19 Quarter 1 Commercial and Business Operations Report

Section 90 (3) (b) & (d) of the *Local Government Act (SA) 1999*

Page 18

Confidential Item 18.2.3

CEO Update

Section 90 (3) (g) of the *Local Government Act (SA) 1999*

Page 19

The Council Chamber re-opened to the public at 8.45pm.

Confidentiality Orders

Minute 28 - Item 18.2.1 - UPark Refurbishment and Façade Remediation Gawler Place - Prudential and Award of Contract Report [C]

Confidentiality Order

In accordance with Sections 91(7) & (9) of the Act and on the grounds that Item 18.2.1 on the Agenda for the meeting of the Council held on 11 December 2018 was received, discussed and considered in confidence pursuant to Section 90(3)(b), (d) & (h) of the Act this meeting of the Council, do order that:

1. the resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until February 2020.
2. the confidentiality of the matter be reviewed in December 2019.
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.

Minute 29 - Item 18.2.2 - 2018-19 Quarter 1 Commercial and Business Operations Report [C]

Confidentiality Order

In accordance with Section 91(7) & (9) of the Local Government Act 1999 and on the grounds that Item 18.2.2 listed on the Agenda for the meeting of the Council on 11 December 2018 to be discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the Local Government Act 1999, this meeting of the Council, do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2025;
2. The confidentiality of the matter be reviewed in December 2019; and
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.

Minute 30 - Item 18.2.3 – CEO Update [C]

Confidentiality Order

That in accordance with Section 91(7) & (9) of the Local Government Act 1999 and on the grounds that Item 18.2.3 [CEO Update] for the meeting of the Council on 11 December 2018 to be discussed and considered in confidence pursuant to Section 90(3) (g) of the Local Government Act 1999, this meeting of the Council, do order that:

1. 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 2025;
2. The confidentiality of the matter be revoked upon announcement by the State Government.
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.

Closure

The meeting closed at 8.45pm.

Mark Goldstone,
Chief Executive Officer

Sandy Verschoor,
Lord Mayor.

The documents referenced in:

- Minute 18 – Item 13.1 - Councillor Simms – Question on Notice - Status of Skate Park, Tabled Reply
- Minute 19 – Item 13.2 - Councillor Simms – Question on Notice – Edmund Wright House, Tabled Reply
- Minute 20 – Item 13.3 - Councillor Abiad – Question on Notice – Boxing Day Promotional Activity, Tabled Reply
- Minute 21 – Item 13.4 - Councillor Abrahamzadeh – Question on Notice – Frome Road Traffic Management Plan, Tabled Reply
- Minute 22 – Item 13.5 - Councillor Dr Donovan – Question on Notice – Bikeway Network Implementation Plan, Tabled Reply

are attached for reference.

Status of Skate Park

ITEM 13.1 11/12/2018
COUNCIL

Council Member:
Councillor Simms

2018/04053
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

QUESTION ON NOTICE:

Councillor Simms will ask the following Question on Notice:

'Can administration provide an update on their efforts to secure State Government funding for a permanent skate park in the City of Adelaide?'

REPLY:

1. A draft City Skate Strategy (which includes location options) is currently being finalised to present to the Adelaide Park Lands Authority and Council in March/April 2019 seeking endorsement for a preferred site for a new City Skate Park.
2. Once a preferred site is selected by Council, further discussions and a partnering approach with the State Government for the funding, design and construction will be sought for 2019/20.

- END OF REPORT -

Council Member:
Councillor Simms2014/03412-2
PublicReceiving Officer:
Mark Goldstone, Chief Executive
Officer

QUESTION ON NOTICE:

Councillor Simms will ask the following Question on Notice:

'That:

Given community concern about the State Government's disappointing decision to sell the historic Edmund Wright House on King William Street, can Administration advise Council as to the current status of this process?

As this property has recently been subject to littering and graffiti, has or will Administration advocate for the State Government to immediately put in place a maintenance program to rectify these issues?'

REPLY:

1. The property was introduced to market via a formal tender and the tender closed on 4 October 2018. All the tender's submissions were conditional on the approval of the South Australian Government (cabinet).
2. No formal announcement has been made regarding the process however we understand that the matter currently sits with the Hon Stephan Knoll - Minister for Transport, Infrastructure and Local Government and the Minister for Planning and a decision is imminent.
3. The Administration will engage with the relevant State Government agency and raise Council's concerns relating to presentation of the property (littering and graffiti) and seek a maintenance program that will address these concerns.

- END OF REPORT -

Boxing Day Promotion Activity

ITEM 13.3 11/12/2018
COUNCIL

Council Member:
Deputy Lord Mayor (Councillor
Abiad)

2015/02567
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

QUESTION ON NOTICE:

Deputy Lord Mayor (Councillor Abiad) will ask the following Question on Notice:

'That:

Noting the State Government's recent announcement to allow all South Australian shops to trade on Boxing Day, can Council Administration please provide an update on what marketing promotional activities the City of Adelaide (CoA) is undertaking to encourage shopping in the City on Boxing Day 2018?'

The response may consider CoA businesses such as U-Park and the Rundle Mall Management Authority (RMMA).

REPLY:

1. A multi-channel campaign highlighting the City's unique retail offerings, will be activated in the week preceding Boxing Day. The campaign will highlight the City's superior range of brands, unique and flagship stores, unmissable offers and extended shopping hours, whilst promoting flat rate parking availability at all U-Parks.
2. The RMMA has developed and funded an extensive Boxing Day Activity plan that includes above and below the line media and public relations, major prize promotions, on-mall activations, pop-ups and unique retail offers. CoA will support the RMMA campaign in addition to broader shopping in the City and North Adelaide messaging.
3. The Administration will also execute additional marketing and communication activities to include:
 - 3.1 Digital Advertising – an extensive digital marketing campaign will commence from 22 December 2018 to 26 December 2018 leveraging Google and Facebook advertising in line with target shopper demographics and communication preferences. The campaign will be monitored and enhanced throughout execution to ensure maximum reach and effectiveness.
 - 3.2 Owned Media Channels – the CoA will utilise established media channels including social media, CoA website, Adelaide Living Blog, 'What's On' and electronic direct mail (EDM) to engage audiences and drive awareness of Boxing Day activity in the city. Additional support will include digital walkway screens, digital billboards and U-Park signage.
 - 3.3 U-Park – U-Park will conduct a targeted digital marketing campaign to promote the flat \$8.00 "Boxing Day" rate for city shoppers.

- END OF REPORT -

Frome Road Traffic Management Plan

ITEM 13.4 11/12/2018
COUNCIL

Council Member
Councillor Abrahamzadeh

2018/04364
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

QUESTION ON NOTICE:

Councillor Abrahamzadeh will ask the following Question on Notice:

'Noting the Adelaide Botanic High School will be opening for Term 1, 2019;

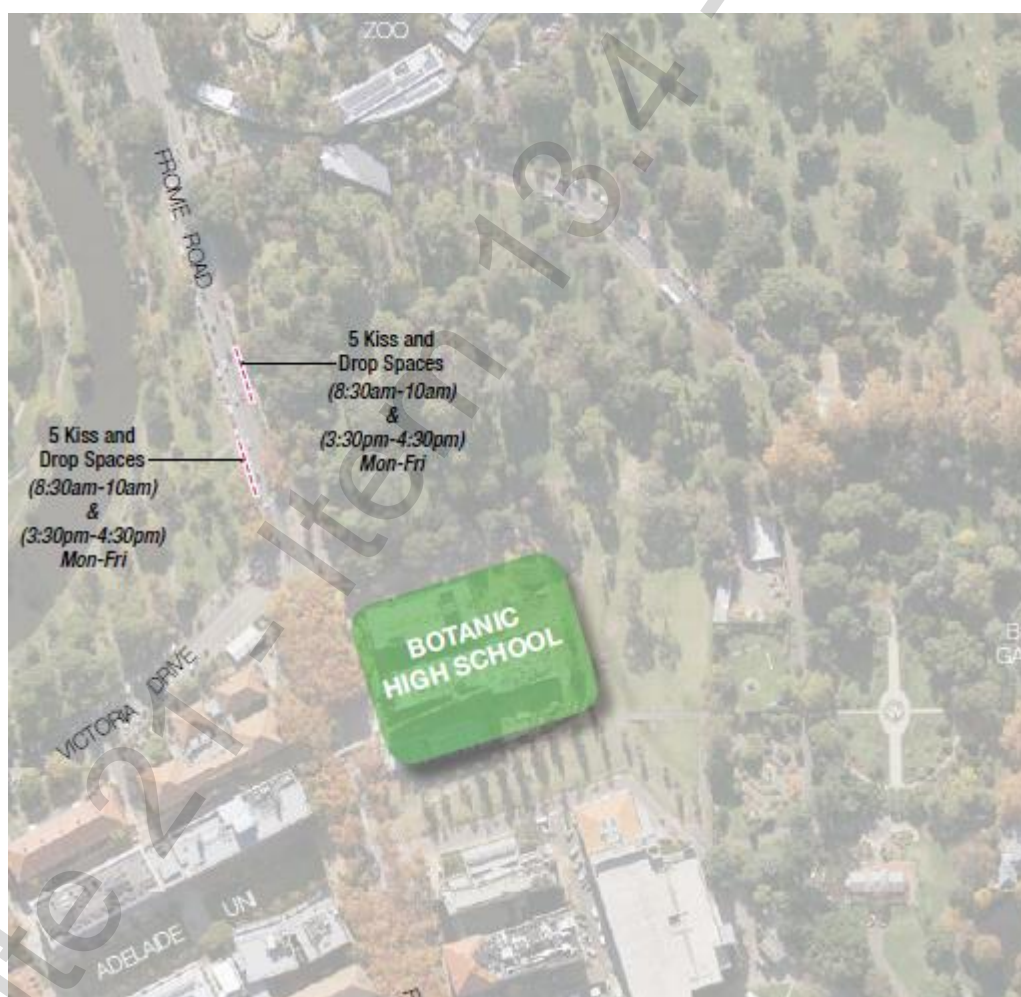
Is Council Administration able to provide an update on what traffic management arrangements, if any, have been made for the portion of Frome Road between North Terrace and Victoria Drive to accommodate the additional traffic?'

REPLY:

1. Adelaide Botanic High School will open on Tuesday 29 January 2019, with Year 8 and 9 students only (approximately 350 students). The capacity of the school is planned to be 1,250 students by 2022.
2. The school has a vision for all students and staff to access the school either by foot, bike or public transport (noting car parking on the site is very limited) and are actively implementing measures from day one of opening to encourage this behaviour. These measures include:
 - 2.1. commencing school start at 9.25am (10.15am on Wednesdays) and finishing at 4pm, which will generally enable students to travel outside of peak commuter travel times
 - 2.2. providing off-street parking spaces for two cars, which will store two pool cars for staff, as well as storage for more than 170 bikes along with change rooms and lockers
 - 2.3. providing 200 students with a free student Metrocard (valued at \$5). A Metrocard charging station will be located at the school, offering a 5% discount for students and staff.
3. We have been working with the Adelaide Botanic High School to assist in managing travel demand. This includes:
 - 3.1. installation of two drop-off/pick-up areas ('kiss & drop'), comprising of 10 spaces, on Frome Road (to the north of Victoria Drive). Refer to **Figure 1** below for location.
 - 3.2. improvements to the traffic signals at Frome Road and Victoria Drive to reduce pedestrian wait times during school drop-offs and pick-ups.
 - 3.3. arranging a bike education course for students to support and encourage students to ride to school. This course is planned to take place in the second half of the first term, focusing on bike skills and safe bike riding techniques.

- 3.4. installation of education 'decals' on the Frome Road bike path in front of the school and surrounding shared use paths to encourage appropriate riding behaviour and etiquette.
 - 3.5. refreshing the traffic and bike lane line marking on Frome Road between North Terrace and Victoria Drive (including footpath and on-street) which are currently faded.
 - 3.6. providing our Parking and Information Officers to assist with managing drop-off's and pick-ups on the school Welcome Day held on 3 December and will do again during the first week of school opening.
4. Recent counts have indicated that traffic on Frome Road has reduced significantly, from around 16,000 vehicles per day in September 2015 to 12,000 vehicles per day in August 2018. This is considered to be as a result of a number of significant land-use changes and major projects in the area, including the relocation of the Royal Adelaide Hospital, Frome Street lane restrictions for various projects and the North Terrace tram works.
 5. We will continue working with Adelaide Botanic High School to support safe access to the school for students, and the management of any traffic issues that may arise.
 6. Discussions have commenced between ourselves, relevant State agency (Department of Planning Transport & Infrastructure and Renewal SA in the context of Lot 14), Botanic High and the University of Adelaide regarding a plan for the Frome Precinct, Council will be kept informed on the progress of this work.

Figure 1 Adelaide Botanic High School Frome Road proposed designated pick-up and drop-off areas



- END OF REPORT -

Bikeway Network Implementation Plan

ITEM 13.5 11/12/2018
COUNCIL

Council Member
Councillor Dr Donovan

2009/01458
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

QUESTION ON NOTICE:

Councillor Dr Donovan will ask the following Question on Notice:

'Could Administration please provide an update on the progress of the Bikeway Network Implementation Plan as outlined as an action in the 2016-2018 Smart Move Interim Action plan?'

REPLY:

1. We are working through the Smart Move Interim Action Plan (2016-2018) actions, the preparation of a Bikeways Network Implementation Plan is one of the outstanding actions.
2. The preparation of a Bikeways Network Implementation Plan will be considered as part of the 2019/20 Integrated Business Plan and Budget process.

- END OF REPORT -