



COUNCIL MINUTES

for the meeting

Tuesday 30 April 2019

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, 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

Confirmation of Minutes

1. Item 6 - Confirmation of Minutes – 9/4/2019 [C]

Moved by Councillor Simms,
Seconded by Councillor Hyde –

That the Minutes of the meeting of the Council held on 9 April, be taken as read and be confirmed as an accurate record of proceedings.

Carried

Deputation

2. Item 7.1 – Deputation – Mr Shane Sody – Sponsorship of the Adelaide Park Lands Art Prize [C]

Mr Shane Sody addressed the Council to:

- Speak about Sponsorship of the Adelaide Park Lands Art Prize.

The Lord Mayor thanked Mr Shane Sody for his presentation.

Report of Committee and Advice from Adelaide Park Lands Authority (APLA)

3. Item 9.1 - Recommendations of The Committee – 16/4/2019 [2018/04062] [C]

The Lord Mayor advised the meeting that each recommendation would be dealt with separately.

It was then -

Moved by Councillor Moran,
Seconded by Councillor Khera –

Recommendation 1 - Pedestrian Safety at Traffic Signals [2018/02494]

That Council:

1. Notes the outcomes of the Stage 1 community and stakeholder engagement as presented in Item 5.1 on the Agenda for the meeting of The Committee held on 16 April 2019.
2. Notes that a smart technology trial to extend pedestrian crossing times at traffic signals on O’Connell and Hutt Streets will not be further pursued at this time.
3. Notes that the engagement undertaken as part of this project and any further investigations will inform the development of a future City of Adelaide Transport and Movement Plan.
4. Approves investigating opportunities to improve safety at traffic signals (where filtered turns are permitted) in cooperation with the Department of Planning, Transport and Infrastructure and key stakeholders who participated in the workshop.

Carried

Discussion ensued

It was then -

Moved by Councillor Donaldson,
Seconded by Councillor Knoll –

Recommendation 2 - Tainmuntilla Riparian Restoration Project – Woody Weed Removal [2017/03056]

That Council:

1. Approves the removal of ten (10) trees in Tainmuntilla Park 11, as outlined in Attachment A to Item 5.2 on the Agenda for the meeting of the Committee on 16 April 2019, excepting tree 9 which Administration will investigate options to relocate prior to removal.
2. Notes the revegetation of Tainmuntilla (Park 11) using approximately 300 suitable plants and trees is scheduled for the May/June 2019 planting season and is co-funded by the Department for Environment and Water.

Discussion continued

The motion was then put and carried

Discussion ensued

It was then -

Moved by Councillor Simms,
Seconded by Councillor Martin –

Recommendation 3 - Whitmore Square/Iparrityi Master Plan [2017/03690]

That the item be deferred until the administration reports back on actions previously undertaken.

Carried

It was then -

Moved by Councillor Moran,
Seconded by Councillor Couros –

Recommendation 4 - City-wide Crash and Black Spot Review [2018/03183]

That Council:

1. Approves the following locations as the forward Black Spot priority list for the City of Adelaide to inform future year funding submissions to the Australian Government:
 - Pulteney Street and Angas Street Intersection
 - King William Road, Brougham Place and O'Connell Street Intersection
 - Unley Road, South Terrace and Pulteney Street Intersection
 - Morphett Street and Currie Street (West) Intersection
 - Hutt Street and Halifax Street Intersection
 - Victoria Drive and Kintore Avenue Intersection
 - Pirie Street and Wyatt Street Intersection
 - Hutt Street and Gilles Street Intersection
 - King William Road and Kermode Street Intersection
2. Notes that this priority list will be reviewed annually and brought to Council for approval as part of the annual Black Spot application process.
3. Notes the key findings of the City-wide Crash Review, and that the outcomes of the review will be used to inform the development of a new City of Adelaide Transport and Movement Plan.

Carried

It was then -

Moved by Councillor Knoll,
Seconded by Councillor Khera –

Recommendation 5 - EOI Results - Carriage Way Park / Tuthangga (Park 17) [2019/00155]

That Council:

1. Notes the Expression of Interest (EOI) process that was undertaken for Carriage Way Park/Tuthangga (Park 17) and the five (5) applications received.
2. Approves Council entering into lease negotiations with:
 - 2.1. Christian Brothers College (CBC) for Zone 1;
 - 2.2. South Australian Croquet Association (Croquet SA) for Zone 2;
 - 2.3. Pembroke School for Zone 3;
 - 2.4. Touch Football South Australia (TFSA) for Zone 4;
3. Notes the application received from UniSA Football Club and that the we will work with this club to find suitable sub-leasing/licensing opportunities in the Park Lands and will collaborate to explain the responsibilities associated with leasing/licensing in the Park Lands.
4. Notes that Pembroke School and TFSA are working closely together to facilitate the handover of zone 4 and all associated infrastructure from Pembroke to TFSA.

Carried

It was then -

Moved by Councillor Simms,
Seconded by Councillor Hou –

Recommendation 6 - City Connector Bus [2012/03151]

That Council:

1. Notes that the Department of Planning, Transport and Infrastructure (DPTI) has advised the City of Adelaide (CoA) (Attachment A to Item 5.6 on the Agenda for the meeting of The Committee held on 16 April 2019) that as part of the review of the Adelaide Metro public transport network, the free City Connector has been considered and the following has been identified:
 - 1.1. The possibility of reducing the frequency of the free City Connector service where there is a duplication with the tram network
 - 1.2. That the State Government would be willing to work with City of Adelaide staff on a proposal to remove the 99A/99C services, which have the most duplication with the free tram network in the city.
2. Approves that the Chief Executive Officer write to the State Government to seek that we jointly review the routes and frequency of the free City Connector, including the following:
 - 2.1. Consideration of the current users of the service, ensuring the service remains free of charge
 - 2.2. Maintaining and/or extending high-use routes and reducing duplication with existing services in response to city changes
 - 2.3. Opportunities to enhance the service to encourage tourism and visitor use
 - 2.4. Options for the State Govt and the Council to continue funding the service, including integrating with the Adelaide Metro system
 - 2.5. Calls upon the State Government to continue to fund its contribution to this vital community service.
3. Approves that a report be prepared for Council's consideration and decision-making on the outcomes of the review by September 2019 in order to inform the City of Adelaide's 2020-21 Integrated Business Plan.

Carried

It was then -

Moved by Councillor Knoll,
Seconded by Councillor Abrahamzadeh –

Recommendation 7 - Proposal for Adelaide Cabaret Festival's 'The Famous Spiegel-tent' [2018/01354]

That Council:

1. Authorises the CEO to grant an event licence to Adelaide Festival Centre for the Adelaide Cabaret Festival 'The Famous Spiegel-tent' from Friday 24 May until Monday 1 July 2019.
2. Approves the 'Adelaide Cabaret Festival 2019' event to operate beyond 12 Midnight and until 1am on Thursday nights, and 2am on Friday, Saturday nights and Sunday of the long weekend during the event period as per the event management approach in Attachment A to Item 5.7 on the Agenda for the meeting of The Committee held on 16 April 2019.

Discussion ensued

The motion was then put and carried

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

Division

For (9):

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

Against (2):

Councillors Martin and Moran.

The division was declared in favour of the motion.

It was then -

Moved by Councillor Martin,
Seconded by Councillor Moran –

Recommendation 8 - 2018-19 Quarter 3 Finance Report [2017/03018]

That Council:

1. Notes the year to date Corporation Financial Performance for the period ended 31 March 2019, as detailed in Schedule 1 of Attachment A to Item 5.8 on the Agenda for the meeting of The Committee held on 16 April 2019.
2. Notes the year to date Treasury Report for the period ended 31 March 2019, as detailed in Schedule 2 of Attachment A to Item 5.8 on the Agenda for the meeting of The Committee held on 16 April 2019.
3. Notes the 2018-19 Proposed QF3 revised Long Term Financial Plan, forecasted Key Financial Indicators, and prudential borrowing ratios as detailed in Schedules 4-6 of Attachment A to Item 5.8 on the Agenda for the meeting of The Committee held on 16 April 2019.
4. Notes the 2018-19 QF3 Proposed Forecast Uniformed Presentation of Finances as detailed in Schedule 7 of Attachment A to Item 5.8 on the Agenda for the meeting of The Committee held on 16 April 2019.
5. Approves the 2018-19 proposed QF3 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 5.8 on the Agenda for the meeting of The Committee held on 16 April 2019.
6. Approves the proposed retiming of Operating and Capital Project budgets into 2019-20 as detailed in Schedules 10,11, 13 and 14 in Attachment A to Item 5.8 on the Agenda for the meeting of The Committee held on 16 April 2019.
7. Notes the Quarter 3 Capital Program Report for the period ended 31 March 2019 as included in Schedule 15 in Attachment A to Item 5.8 on the Agenda for the meeting of The Committee held on 16 April 2019.
8. Approves the proposed QF3 revised forecast for the Adelaide Central Market Authority (ACMA) as summarised in Schedule 16 and detailed in Schedule 17 of Attachment A to Item 5.8 on the Agenda for the meeting of The Committee held on 16 April 2019 subject to approval by the Board of the Adelaide Central Market Authority (ACMA) at its April Board Meeting on Thursday 18 April 2019.

Carried

It was then -

Moved by Councillor Moran,
Seconded by Councillor Simms –

Recommendation 9 - Owner Occupier Grant [2019/00224]

That Council:

1. Notes the report.

Carried

Discussion ensued

It was then -

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

Recommendation 10 – 2019-20 Draft Integrated Business Plan [2018/03947]

That Council:

1. Notes the revisions made to the draft 2019-20 Integrated Business Plan based on Elected Member feedback from discussions held during the Committee Workshop on 10 April 2019. These revisions are outlined in the discussion section of this report and have been incorporated in Attachment A to Item 5.10 on the Agenda for the meeting of The Committee held on 16 April 2019.
2. Approves the balancing adjustments for the draft 2019-20 Budget document following the Committee Workshop on Wednesday 10 April 2019 including:
 - 2.1. Forecast rate income of \$108.4m arising from valuation uplift and growth in new developments, noting that the rate in the dollar has been fixed for the fifth consecutive year.

- 2.2. The valuation cap for the Discretionary Rate Rebate remaining at 10%.
 - 2.3. On-street parking fees increased by 50c compared to 2018-19 fees to achieve \$0.7m additional income.
 - 2.4. The short fall of \$0.5m in achieving a balanced underlying position has been funded through an efficiency target.
 - 2.5. The allocation of a further \$1.7m for Adelaide Central Market Authority capital works, increasing the allocation of loan funding to the Adelaide Central Market Authority to \$3.3m for the 2019-20 financial year.
3. Approves the draft 2019-20 Integrated Business Plan document set out in Attachment A to Item 5.10 on the Agenda for the meeting of The Committee held on 16 April 2019 for the purpose of public consultation.
 4. Endorses the public consultation process to commence on Wednesday 8 May 2019 and conclude on Wednesday 29 May 2019.
 5. Authorises the Chief Executive Officer to make any necessary changes to the draft 2019-20 Integrated Business Plan document arising from this meeting, together with any editorial amendments and finalisation of the document's formatting and graphic design.

Discussion ensued

The motion was then put and carried

4. Item 9.2 - Advice of the Adelaide Park Lands Authority – 11/4/2019 [2018/04062] [C]

Discussion ensued

It was then -

Moved by Councillor Simms,
Seconded by Councillor Couros –

Advice 1 - Public Art Action Plan 2019-2022 [2018/02734]

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Supports the development of a revised Public Art Action Plan 2019-2022, and new Public Art Guidelines and separate Memorials Guidelines.

Carried

It was then -

Moved by Councillor Kherra,
Seconded by Councillor Couros –

Advice 2 - Rymill Park / Murlawirrapurka (Park 14) Draft Master Plan [2017/02686]

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Supports the Rymill Park / Murlawirrapurka (Park 14) Draft Master Plan (Attachment A to Item 8.2 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 11 April 2019) for key stakeholder and community consultation, including the vision, principles, actions and overall plan.

Discussion ensued

The motion was then put and carried

It was then -

Moved by Councillor Knoll,
Seconded by Councillor Couros –

Advice 3 - EOI Results – Carriage Way Park / Tuthangga (Park 17) [2019/00155]

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Notes the Expression of Interest (EOI) process that was undertaken for Carriage Way Park/Tuthangga (Park 17) and the five (5) applications received.

2. Supports Council entering into lease negotiations with:
 - 2.1. Christian Brothers College (CBC) for Zone 1;
 - 2.2. South Australian Croquet Association (Croquet SA) for Zone 2;
 - 2.3. Pembroke School for Zone 3;
 - 2.4. Touch Football South Australia (TFSA) for Zone 4;
3. Notes the application received from UniSA Football Club and that the Administration will work with this club to find suitable sub-leasing/licencing opportunities in the Park Lands and will collaborate to explain the responsibilities associated with leasing/licencing in the Park Lands.
4. Notes that Pembroke School and TFSA are working closely together to facilitate the handover of zone 4 and all associated infrastructure from Pembroke to TFSA.

Carried

It was then -

Moved by Councillor Donovan,
Seconded by Councillor Couros –

Advice 4 - Tainmuntilla Riparian Restoration Project – Woody Weed Removal [2017/03056]

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Supports the removal of trees outlined in Attachment A to Item 8.4 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 11 April 2019.
2. Notes the revegetation of Tainmuntilla (Park 11) using approximately 300 suitable plants and trees are scheduled for May/June 2019 planting season and will be co-funded by the Urban Greening Initiative Grant provided to the City of Adelaide by the Department for Environment and Water.
3. Notes the history of the Tainmuntilla Riparian Restoration Project outlined in Attachment B to Item 8.4 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 11 April 2019.

Carried

Lord Mayor's Reports

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

The Lord Mayor addressed the meeting on the following:

- Destination South Australia event hosted by Adelaide Convention Bureau
- Speeches to the Commonwealth Club and a CEDA luncheon
- Lord Mayor's Business Roundtable
- Welcoming event for Chinese International students
- Meeting with StudyAdelaide Malaysian student ambassadors
- Citizenship ceremony
- Royal Australian Air Force event at the Torrens Parade Ground
- Freedom of Entry, HMAS Adelaide and ceremonial sunset reception aboard the ship at Outer Harbour
- ANZAC Day commemorations – Dawn Service at the SA National War Memorial, Australian Light Horse service, viewing of the ANZAC Day march, service of remembrance at the Cross of Sacrifice and the Governor's reception at Government House
- Civic receptions – Adelaide Football Club Women's team and Hellenic Presidential Guard
- Launch of the History Festival and the North Adelaide Precinct Association rare and classic car show
- Domestic Violence Vigil in Elder Park
- To acknowledge the atrocious Easter Sunday terrorist attacks in Sri Lanka
- To accept a Governor's Multicultural Award - Public Sector Award for 2018 which was awarded to the Council's Participation and Inclusion team

During the presentation, Deputy Lord Mayor (Councillor Abiad) left the Council Chamber at 6.40pm.

It was then -

Moved by Councillor Hyde,
Seconded by Councillor Knoll -

That the report be received and noted.

Carried

Councillors' Reports

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

Moved by Councillor Simms,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL

1. Notes the functions attended on behalf of the Lord Mayor (Attachment A to Item 11.1 on the Agenda for the meeting of the Council held on 30 April 2019).
2. Notes the summary of Council Members meeting attendance for the period 20 March 2019 to 23 April 2019 (Attachment B to Item 11.1 on the Agenda for the meeting of the Council held on 30 April 2019).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 30 April 2019 be included in the Minutes of the meeting.

Carried

Reports for Council (Chief Executive Officer's Reports)

7. Item 12.1 – Adelaide Park Lands Authority Business Plan & Budget 2019/20 [2010/03030] [C]

Moved by Councillor Moran,
Seconded by Councillor Simms -

THAT COUNCIL

1. Approves the 2019/20 Business Plan and Budget for the Authority, as included in Attachment A to Item 12.1 on the Agenda for the meeting of Council on 30 April 2019, noting the following two specific items:
 - 1.1. A \$15k funding request from the Adelaide Park Lands Preservation Association for the Adelaide Park Lands Art Prize
 - 1.2. A \$100k funding request to explore the feasibility of World Heritage Nomination for the Adelaide Park Lands and City Layout (which could be reduced to \$50k if the State Government is forthcoming with a \$50k contribution).

Discussion ensued, during which:

- Deputy Lord Mayor (Councillor Abiad) re-entered the Council Chamber at 6.44pm.
- Councillor Hou left the Council Chamber at 6.44pm.

The motion was then put and carried

8. Item 12.2 – Progress of Motions by Elected Members [2018/04074] [C]

Moved by Councillor Martin,
Seconded by Councillor Khera -

That Council:

1. Notes the report.

Carried

Questions on Notice

9. Item 13.1 – Councillor Martin – Question on Notice – Adelaide Oval 2 [C]

The following Question was taken as read:

Question

In the last term of Council, approval was given to the Stadium Management Authority to enlarge Adelaide Oval 2 by removing trees and part of Montefiore Hill for the express purpose of facilitating additional sporting events. Permission was also granted to fence that part of the Park Lands. It has been claimed motor vehicles have since been allowed to occupy the entire grassed area of Adelaide Oval 2.

Could the Administration advise if;

1. the use of Adelaide Oval 2 as a car park is an approved use in accordance with the current Community Land Management Plan?
2. the Stadium Management Authority is required to seek the approval of Council for such a use and, if so, whether that has happened, and
3. has the Stadium Management Authority indicated whether it is intending to use Adelaide Oval 2 as a car park on future occasions?

Councillor Kherra left the Council Chamber at 6.45pm.

The Lord Mayor provided the following Reply:

Reply

1. The existing approved car parking areas of the Tarntanya Wama (Park 26) Community Land Management Plan (CLMP) 2009 identifies Adelaide Oval No 2 as an approved area for car parking.

Section 4.8 (CLMP) Car Parking, clause 7 states:

Parking should occur in the following order of priority:

- On Oval No 2 (200) capacity;
 - On the grassed areas to the north of the Oval (1,200 capacity);
 - In order to protect its visual qualities, Pinky Flat (500 capacity); (Parking on Pinky Flat is to cease after three years from 2009).
2. The Adelaide Oval Stadium Management Authority (AOSMA) is not required to seek Council consent to use Adelaide Oval 2 for car parking as it is permitted under the CLMP.
 3. The Administration has not been approached by AOSMA in relation to parking on Oval No 2 on future occasions as it is permitted under the CLMP.

Councillor Hou re-entered the Council Chamber at 6.46pm.

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

10. Item 13.2 – Councillor Martin – Question on Notice – Adelaide Oval Hotel [C]

The following Question and Reply were taken as read:

Question

Now that the Adelaide Park Lands Preservation Association has publicly released the opinion it obtained on the possibility of any success likely from a court challenge to the legality construction of the Adelaide Oval Hotel, would the Administration also release the only details of the legal opinion the City of Adelaide sought and received on the same matter in January this year?

Reply

1. While media reports have stated that the Adelaide Park Lands Preservation Association has published its legal advice online, at the time of preparing a response, we have not been able to access any online formal legal opinion obtained by the Adelaide Park Lands Preservation Association in relation to this matter. It is our understanding that legal advice has been sought by them but it is still being finalised.
2. In any event it is still not considered appropriate to release confidential and privileged legal advice. Irrespective of the basis upon or purposes for which any legal advice is being released (i.e. even if being released on the basis that it is to be kept "confidential"), the release will still as a matter of fact (not opinion) waive privilege.
3. The advice if released could be used against Council if there was any aspect of the matter that may still lead to legal proceedings, including if Council was to be joined in any proceedings initiated by third parties. Further, producing the advice may compromise the action of other third parties that chose to pursue the matter.
4. To support release the Chief Executive Officer would be required to lift the current confidentiality order in relation to the legal opinion provided to Council.

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

Questions without Notice

Discussion ensued, during which Councillor Khera re-entered the Council Chamber at 6.49pm.

Motions on Notice

11. **Item 15.1 – Councillor Simms – Motion on Notice – Social Benefit Criteria for Procurement [2018/04233] [C]**

Moved by Councillor Simms,
Seconded by Councillor Moran -

That Council:

- supports the inclusion of social benefit (including providing employment and other opportunities for people living with disability and/or social disadvantage) as criteria within its procurement policies and guidelines;
- requests that administration report back to Council on progress in this area by October 2019.

Discussion ensued

The motion was then put and carried

12. **Item 15.2 – Councillor Simms – Motion on Notice – Campaign Signage Prohibition [2018/04233] [C]**

Moved by Councillor Simms,
Seconded by Councillor Martin -

That Council requests that administration investigate options for prohibiting election campaign signage (eg corflutes) from streets in the city and North Adelaide for future election campaigns.

Discussion ensued

The motion was then put and lost

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

Division

For (5):

Councillors Donovan, Hyde, Martin, Moran and Simms.

Against (6):

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

The division was declared against the motion.

13. **Item 15.3 – Deputy Lord Mayor (Councillor Abiad) – Motion on Notice - City Small Business Micro Tender Opportunities [2018/04233] [C]**

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

That Council reviews its procurement policy and identifies outcomes that can create micro Tender Opportunities for Small Businesses that are located in the City of Adelaide.

Discussion ensued

The motion was then put and carried

14. **Item 15.4 – Councillor Hou – Motion on Notice – International Ambassador Program [2018/01326] [C]**

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

That Council:

1. Investigate the opportunity for an 'International Ambassador' style Program with the aim to engage members of Adelaide's international and multicultural business communities, initially focusing on China, to advocate for the City of Adelaide as a destination to live, invest, study and visit.

2. Investigations to consider a program that would aim to be budget-neutral to Council and could include training, promotional and other opportunities for 'International Ambassador.

Discussion ensued, during which Councillor Hyde left the Council Chamber at 7.18pm.

The motion was then put and carried

15. Item 15.5 – Councillor Moran – Motion on Notice – Childcare Facilities [C]

Moved by Councillor Moran,
Seconded by Councillor Couros -

That Council:

- Requests administration investigate the current state of childcare services supply within the City of Adelaide and provide a report which contains:
 - An outline of current services available, indicating the number of places available and a percentage figure of current capacity within the city and North Adelaide;
 - An estimate of future demand based on existing jobs growth numbers and anticipated residential development;
 - An exploration of partnerships and/or opportunities to work with property developers in the city to provide such care as is required;
 - An investigation for the inclusion of childcare facilities in its own properties, such as the Colonel Light Centre and development proposals, namely the, 88 O'Connell Street and the Adelaide Central Market Arcade development.
- Requests administration undertake a separate review of what planning regulations and stipulations exist which prevent the retrofitting of office buildings to accommodate childcare facilities.
- Encourages the State Government to create regulations which better facilitate new and existing buildings to accommodate child care services as part of the state planning reform process.

Discussion ensued, during which Councillor Hyde re-entered the Council Chamber at 7.26pm.

The motion was then put and carried

16. Item 15.6 – Councillor Couros - Motion on Notice – Homelessness [2018/02560] [C]

Moved by Councillor Couros,
Seconded by Councillor Moran -

That Council:

- Notes the well-established link between drug use, poor mental health and homelessness.
- Asks that the Lord Mayor write to the Minister for Human Services, Hon Michelle Lensink MLC, to advocate for increased funding for mental health, drug and alcohol services in the 2019/20 State Budget to better cater for the needs of the South Australian community.

Discussion ensued

The motion was then put and carried

17. Item 15.7 – Councillor Abrahamzadeh – Motion on Notice – Pulteney Street Clearway [C]

Item 15.7 [Administration Comment], distributed separately, was before Council Members.

It was then -

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Donovan -

That Council:

- Notes the recent announcement by the State Government that they will extend the time of clearways on major roads into the city to reduce traffic congestion
- Requests that Administration adjust the time of the clearway on Pulteney Street to align with the changes on major roads into the city to reduce traffic congestion.

Discussion ensued, during which Councillor Moran left the Council Chamber at 7.47pm and re-entered at 7.50pm.

The motion was then put and carried

Item 15.7 [Administration Comment], distributed separately to the Agenda is attached for reference at the conclusion of the Minutes of this meeting.

18. Item 15.8 – Councillor Martin – Motion on Notice – Adelaide Football Club [C]

Item 15.8 [Administration Comment], distributed separately, was before Council Members.

It was then -

Moved by Councillor Martin,
Seconded by Councillor Simms -

That Council;

1. Notes the Administration has undertaken to convene a workshop at which the elected body will be given the opportunity to create guiding or first principles to assist the Adelaide Football Club with its proposed demolition of the Adelaide Aquatic Centre and planning for a new Crows headquarters on Park 2.
2. Asks that the matters canvassed be not limited to, but include consideration of;
 - i) the square metres considered appropriate for the building/s footprint and whether the footprint should be a single or multiple built form,
 - ii) the height and setbacks required for that built form,
 - iii) the volume and nature of any associated car parking on the Park Lands, likely vehicle access to the built form and surrounding ovals and likely traffic management issues associated with the development, such as parking in nearby residential streets,
 - iv) whether Council will approve the removal of any Park Land trees and vegetation and, if so, under what conditions
 - v) the view of Council to allowing fencing around the built form and to fencing around the surrounding ovals for which access has been requested by the Crows, as well as the possibility or otherwise of public access to those ovals and other parts of Park 2 and consequent limitations on use of the ovals by the current community based licence and lease holders, such as Blackfriars School
 - vi) the ability to of Council to stop community use of Park 2 by cancelling any current licences and leases
 - vii) the view of Council to the AFC incorporating in their development sites for cafes, bars, restaurants and other commercial enterprises which would compete with North Adelaide businesses, together with a position on the trading hours of such Crows businesses, if agreed
 - viii) the attitude of Council to whether licence and lease fees should be charged to the Crows and, if so, whether such charges should be the same as those generally applied to community groups or if a higher fee structure should be applied, together with Council rates
 - ix) the minimum facilities Council would require the AFC to replace the Adelaide Aquatic Centre and whether such facilities should include a willingness to host school, club and community swimming events currently conducted at the site, learn to swim classes, child care and/or gym facilities
 - x) the minimum access the Crows would provide through their facility to the broader community of South Australia and the capacity of Council to have any influence over operating times and entry fees charged
 - xi) the extent to which Council is prepared to contribute any ratepayer funds to either the construction of the complex or to its operations
 - xii) the path for Council to develop a clear policy and guidelines to aid other professional sporting bodies to establish bases on other parts of the Park Lands
3. Requests the Administration arrange for the elected body to vote on the agreed guiding or first principles to be presented to the Adelaide Football Club rather than allow the internal Council project group to determine these principles and to avoid, alternatively, the AFC to creating a concept that has not been informed by the elected members of Council on behalf of the ratepayers of the City of Adelaide.

Discussion ensued, during which Councillor Khera left the Council Chamber at 7.58pm and re-entered at 8.01pm.

It was then –

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Hyde -

That the motion be put.

Carried
The motion was then put and lost

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

Division

For (4):

Councillors Donovan, Martin, Moran and Simms.

Against (7):

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

The division was declared against the motion.

Item 15.8 [Administration Comment], distributed separately to the Agenda is attached for reference at the conclusion of the Minutes of this meeting.

Exclusion of the Public

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

For the following report of The Committee seeking consideration in confidence

18.1.1 Recommendation of The Committee in Confidence – 16/4/2019

Recommendation 1 2018-19 Quarter 3 Business Operations Report
[s90 (3) (b) & (d)]

ORDER TO EXCLUDE FOR ITEM 18.1.1:

Moved by Councillor Moran,
Seconded by Councillor Knoll -

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 30/4/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.1.1 [Recommendation 1 - 2018-19 Quarter 3 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 confidential as it includes 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 31 March 2019.

The disclosure of information in this report to competitors in advance may be to Council's commercial detriment.

Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the 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 30/4/2019 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 18.1.1 [Recommendation 1 - 2018-19 Quarter 3 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

Councillor Abrahamzadeh, the public and members of Corporation staff not directly involved with Item 18.1.1 left the Council Chamber at 8.07pm.

Confidential Item 18.1.1

Recommendation of The Committee in Confidence – 16/4/2019

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

Page 14

The Council Chamber re-opened to the public at 8.08pm.

Confidentiality Order

Minute 20 - Item 18.1.1 - Recommendation of The Committee in Confidence – 16/4/2019 [C]

Confidentiality Order

Recommendation 1 - 2018-19 Quarter 3 Business Operations Report

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Recommendation 1 – 2018-19 Quarter 3 Business Operations Report of Item 18.1.1 listed on the Agenda for the meeting of the Council held on 30 April 2019 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*, 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 2026.
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.

Closure

The meeting closed at 8.09pm.

Mark Goldstone,
Chief Executive Officer

Sandy Verschoor,
Lord Mayor.

The documents referenced in:

- Minute 9 – Item 13.1 - Councillor Martin – Question on Notice – Adelaide Oval 2, Tabled Reply
- Minute 10 – Item 13.2 - Councillor Martin – Question on Notice – Adelaide Oval Hotel, Tabled Reply
- Minute 17 – Item 15.7 - Councillor Abrahamzadeh – Motion on Notice – Pulteney Street Clearway, Administration Comment, Distributed Separately
- Minute 18 – Item 15.8 - Councillor Martin – Motion on Notice – Adelaide Football Club, Administration Comment, Distributed Separately

are attached for reference.

Council Member
Councillor Martin

2011/03223-3
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

QUESTION ON NOTICE:

Councillor Martin will ask the following Question on Notice:

'In the last term of Council, approval was given to the Stadium Management Authority to enlarge Adelaide Oval 2 by removing trees and part of Montefiore Hill for the express purpose of facilitating additional sporting events. Permission was also granted to fence that part of the Park Lands. It has been claimed motor vehicles have since been allowed to occupy the entire grassed area of Adelaide Oval 2.

Could the Administration advise if;

1. the use of Adelaide Oval 2 as a car park is an approved use in accordance with the current Community Land Management Plan?
2. the Stadium Management Authority is required to seek the approval of Council for such a use and, if so, whether that has happened, and
3. has the Stadium Management Authority indicated whether it is intending to use Adelaide Oval 2 as a car park on future occasions?'

REPLY:

1. The existing approved car parking areas of the Tarntanya Wama (Park 26) Community Land Management Plan (CLMP) 2009 identifies Adelaide Oval No 2 as an approved area for car parking.
Section 4.8 (CLMP) Car Parking, clause 7 states:
Parking should occur in the following order of priority:
 - On Oval No 2 (200) capacity;
 - On the grassed areas to the north of the Oval (1,200 capacity);
 - In order to protect its visual qualities, Pinky Flat (500 capacity); (Parking on Pinky Flat is to cease after three years from 2009).
2. The Adelaide Oval Stadium Management Authority (AOSMA) is not required to seek Council consent to use Adelaide Oval 2 for car parking as it is permitted under the CLMP.
3. The Administration has not been approached by AOSMA in relation to parking on Oval No 2 on future occasions as it is permitted under the CLMP.

- END OF REPORT -

Council Member
Councillor Martin

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

Public

QUESTION ON NOTICE:

Councillor Martin will ask the following Question on Notice:

'Now that the Adelaide Park Lands Preservation Association has publicly released the opinion it obtained on the possibility of any success likely from a court challenge to the legality construction of the Adelaide Oval Hotel, would the Administration also release the only details of the legal opinion the City of Adelaide sought and received on the same matter in January this year?'

REPLY:

1. While media reports have stated that the Adelaide Park Lands Preservation Association has published its legal advice online, at the time of preparing a response, we have not been able to access any online formal legal opinion obtained by the Adelaide Park Lands Preservation Association in relation to this matter. It is our understanding that legal advice has been sought by them but it is still being finalised.
2. In any event it is still not considered appropriate to release confidential and privileged legal advice. Irrespective of the basis upon or purposes for which any legal advice is being released (i.e. even if being released on the basis that it is to be kept "confidential"), the release will still as a matter of fact (not opinion) waive privilege.
3. The advice if released could be used against Council if there was any aspect of the matter that may still lead to legal proceedings, including if Council was to be joined in any proceedings initiated by third parties. Further, producing the advice may compromise the action of other third parties that chose to pursue the matter.
4. To support release the Chief Executive Officer would be required to lift the current confidentiality order in relation to the legal opinion provided to Council.

- END OF REPORT -

Pulteney Street Clearway

ITEM 15.7 30/04/2019

Council

Council Member

Councillor Abrahamzadeh

2019/00464

Public

Receiving Officer:

Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

Councillor Abrahamzadeh will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

- Notes the recent announcement by the State Government that they will extend the time of clearways on major roads into the city to reduce traffic congestion
- Requests that Administration adjust the time of the clearway on Pulteney Street to align with the changes on major roads into the city to reduce traffic congestion.'

ADMINISTRATION COMMENT:

1. On 15 April 2019 the State Government announced that several key clearway operating times would be extended as part of its *Keeping Metro Traffic Moving* plan targeting traffic congestion. The extended operating times affect Unley Road through to Greenhill Road, and will provide for part time bicycle lanes and clearway lanes both into and out of the city at peak times (citybound 7am to 10am, and outbound 3pm to 7pm, all Monday to Friday).
2. The city does not operate clearways, but we do operate bus lane timings (Part Time Bus Lanes), which work as the equivalent to clearways during peak times.
3. The State Government's extended clearway operating times along Unley Road through to Greenhill Road feed traffic directly into Pulteney Street, which has current bus lane timings of:
 - 3.1. AM: Northbound 7:30am-9:00am
 - 3.2. PM: Southbound 4:00pm-6:00pm
4. Subject to the approval of this motion we will extend the bus lane timings in Pulteney Street to align with the new clearway State Government times:
 - 4.1. AM: Northbound 7:00am-10:00am
 - 4.2. PM: Southbound 3:00pm-7:00pm
5. There will be a reduction on parking availability on either the northbound or southbound roadways during these extended times. However, our parking statistics (recorded June 2018) demonstrate that there is sufficient parking availability on the opposite side of the road to meet the demand at these times.
6. Alterations to parking require consultation though our normal consultation policy. Subject to Council's support of this motion, that consultation will consist of notification only.
7. Unley Road between Greenhill Road and South Terrace has not been identified for a change of no-stopping times to align to these changes on the roadway either side, and so we will also investigate changing these no-stopping times.

8. The State Government's new clearway times will be implemented by the end of June. Subject to approval of this motion we will align our proposed changes in Pulteney Street to this timeframe.

- END OF REPORT -

Minute 17 - Item 15.7 - Distributed Separately

Council Member
Councillor Martin

2019/00350
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

Councillor Martin will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

That Council;

1. Notes the Administration has undertaken to convene a workshop at which the elected body will be given the opportunity to create guiding or first principles to assist the Adelaide Football Club with its proposed demolition of the Adelaide Aquatic Centre and planning for a new Crows headquarters on Park 2.
2. Asks that the matters canvassed be not limited to, but include consideration of;
 - i) the square metres considered appropriate for the building/s footprint and whether the footprint should be a single or multiple built form,
 - ii) the height and setbacks required for that built form,
 - iii) the volume and nature of any associated car parking on the Park Lands, likely vehicle access to the built form and surrounding ovals and likely traffic management issues associated with the development, such as parking in nearby residential streets,
 - iv) whether Council will approve the removal of any Park Land trees and vegetation and, if so, under what conditions
 - v) the view of Council to allowing fencing around the built form and to fencing around the surrounding ovals for which access has been requested by the Crows, as well as the possibility or otherwise of public access to those ovals and other parts of Park 2 and consequent limitations on use of the ovals by the current community based licence and lease holders, such as Blackfriars School
 - vi) the ability to of Council to stop community use of Park 2 by cancelling any current licences and leases
 - vii) the view of Council to the AFC incorporating in their development sites for cafes, bars, restaurants and other commercial enterprises which would compete with North Adelaide businesses, together with a position on the trading hours of such Crows businesses, if agreed
 - viii) the attitude of Council to whether licence and lease fees should be charged to the Crows and, if so, whether such charges should be the same as those generally applied to community groups or if a higher fee structure should be applied, together with Council rates
 - ix) the minimum facilities Council would require the AFC to replace the Adelaide Aquatic Centre and whether such facilities should include a willingness to host school, club and community swimming events currently conducted at the site, learn to swim classes, child care and/or gym facilities
 - x) the minimum access the Crows would provide through their facility to the broader community of South Australia and the capacity of Council to have any influence over operating times and entry fees charged
 - xi) the extent to which Council is prepared to contribute any ratepayer funds to either the construction of the complex or to its operations
 - xii) the path for Council to develop a clear policy and guidelines to aid other professional sporting bodies to establish bases on other parts of the Park Lands

3. Requests the Administration arrange for the elected body to vote on the agreed guiding or first principles to be presented to the Adelaide Football Club rather than allow the internal Council project group to determine these principles and to avoid, alternatively, the AFC to creating a concept that has not been informed by the elected members of Council on behalf of the ratepayers of the City of Adelaide.'

ADMINISTRATION COMMENT:

1. The development of guiding principles is a critical aspect of Stage 2 of the Unsolicited Bid Process to ensure Council's interests are identified and to assist Council in its deliberations.
2. Administration will convene a workshop with Elected Members (currently scheduled for 4 June 2019, to be confirmed) to further refine the draft guiding principles identified from the Special Council Committee workshop on 23 February 2019.

- END OF REPORT -