



COUNCIL AGENDA & REPORTS

for the meeting

Tuesday 16 July 2019
at 6.00pm

in the Council Chamber,
Adelaide Town Hall



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

1. Acknowledgement of Country

At the opening of the Council Meeting, the Deputy Lord Mayor will state:

‘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.’

2. Acknowledgement of Colonel William Light

Upon completion of the Kurna Acknowledgment, the Deputy Lord Mayor will state:

‘The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six 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.’

3. Apologies and Leave of Absence

Apology:

The Right Honourable the Lord Mayor [Sandy Verschoor].

On Leave:

Councillors Couros and Martin.

4. Confirmation of Minutes – 25/6/2019 & 2/7/2019

That the Minutes of the meeting of the Council held on 25 June 2019, and the Special meeting of the Council held on 2 July 2019, be taken as read and be confirmed as an accurate record of proceedings.

5. Deputations

Granted as at 11 July 2019

5.1. Deputation - Mr Darcy Lunn – United Nations Global Goals for Sustainable Development

5.2. Deputation – Dr Alice Clark – Shelter SA Make Renting Fair project

6. Petitions

6.1. Petition - Changes to Parking Regulations - Bower Street, North Adelaide [2018/04073] [Page 3]

6.2. Petition - Parking in the Western Section of North Adelaide [2018/04073] [Page 6]

6.3. Petition - Stop Proposed Parking Changes in Childers Street, North Adelaide [2018/04073] [Page 9]

6.4. Petition – North Adelaide Parking Changes [2018/04073] [Page 12]

7. Report of The Committee and Advice/Recommendation from Other Committees

7.1. Recommendations of The Committee – 2/7/2019 [2018/04062] [Page 15]

Recommendation 1 Greening Award Winners – background information

Recommendation 2 Communication in Other Languages

Recommendation 3 Community Consultation Policy

Recommendation 4 Proposals for multi-year event licences (2019-2024)

8. Reports for Council (Chief Executive Officer's Reports)

Strategic Alignment – Green

8.1. Parliament of SA Inquiry into the Recycling Industry Submission [2018/02571] [Page 18]

Strategic Alignment – Liveable

8.2. Appointment of Councillors to the Adelaide Central Market Authority Board Member Selection Panel [2015/02959] [Page 32]

9. Question on Notice

9.1. Councillor Moran – Question on Notice – Standing Orders [2018/04053] [Page 35]

9.2. Councillor Moran – Question on Notice – Old Le Cornu Site [2018/02324] [Page 36]

9.3. Councillor Moran – Question on Notice - Annual Rate Revenue – Le Cornu Site [Page 37]

9.4. Councillor Hyde – Question on Notice – Pollen Management in the City of Adelaide [Page 38]

10. Questions without Notice

11. Motions on Notice

11.1. Councillor Abrahamzadeh – Motion on Notice – Safety Measures for Cyclists [2019/00464] [Page 39]

11.2. Councillor Simms – Motion on Notice – Making Renting Fair [2019/01425] [Page 40]

11.3. Councillor Hyde – Motion on Notice - Preventing premature demolition of buildings in the City of Adelaide [2019/00951] [Page 41]

12. Motions without Notice

13. Exclusion of the Public

13.1. Exclusion of the Public [2018/04291] [Page 43]

For the following report of The Committee seeking consideration in confidence

14.1.1. Recommendations of The Committee in Confidence – 2/7/2019

Recommendation 1 Greening Awards [s 90(3) (a)]

14. Confidential Report

14.1. Confidential Report of The Committee

14.1.1. Recommendations of The Committee in Confidence – 2/7/2019 [2018/04062] [Page 47]

Recommendation 1 Greening Awards

15. Closure

Petition – Changes to Parking Regulations - Bower Street, North Adelaide

ITEM 6.1 16/07/2019
Council

2018/04073
Public

Program Contact:
Rudi Deco, Manager Governance
8203 7442

Approving Officer:
Clare Mockler, Acting Chief
Executive Officer

EXECUTIVE SUMMARY:

This report presents to Council a petition from residents of Bower Street, North Adelaide.

The petition contains 12 signatories objecting to the new parking conditions in Bower Street and requesting:

- Residential and visitor parking only to reflect Council's understanding that it is an aged residential housing community.
 - A 15kph speed limit on Bower Street.
-

RECOMMENDATION:

THAT COUNCIL

1. Notes the petition containing 12 signatories, distributed as a separate document to Item 6.1 on the Agenda for the meeting of the Council held on 16 July 2019, requesting residential and visitor parking only and a 15kph speed limit on Bower Street, North Adelaide.
-

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Not as a result of this report
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Petition presented for receipt in accordance with Standing Orders and the <i>Local Government (Procedures at Meetings) Regulations 2013</i>
Opportunities	Not as a result of this report
19/20 Budget Allocation	Not as a result of this report
Proposed 20/21 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
19/20 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. A petition has been received from residents of Bower Street, North Adelaide objecting to the new parking conditions in Bower Street and requesting residential and visitor parking only and a 15kph speed limit on Bower Street, North Adelaide.
2. If a petition is received the Chief Executive Officer must ensure the petition is placed on the agenda for the next ordinary meeting of Council. The original petition will be distributed to the Lord Mayor and Council Members separately. Members of the public may seek a copy of the original petition upon written request to the Chief Executive Officer.
3. To determine that a document presented is a petition under the Regulations, the following matters in conjunction with the requirements of Standing Orders (Regulation 10 *Local Government (Procedures at Meetings) Regulations 2013 (SA)*) are assessed prior to the presentation of a petition to the Council:
 - 3.1. *What is a Petition?*
A 'petition' is commonly defined as 'a formal document which seeks the taking of specified action by the person or body to whom it is addressed' or 'a written statement setting out facts upon which the petitioner bases a prayer for remedy or relief'.
 - 3.2. *Does the Petition contain original signatures or endorsements, accompanied by an address?*
A petition being a document of a formal nature must contain original signatures or endorsements (not copies) and those signatures, or endorsements, must be accompanied by an address.
 - 3.3. *Does each page of the Petition identify what the signature is for?*
Each signature must be on a true page of the petition which sets out the prayer for relief as part of that page - a sheet which contains signatures but not the prayer cannot be accepted as valid as there is no evidence as to what the signatories were attesting to; and
 - 3.4. *Language in the Petition?*
The request must be written in temperate language and not contain material that may, objectively, be regarded as defamatory or offensive in content.
4. To meet the requirements of Regulation 10 of *Local Government (Procedures at Meetings) Regulations 2013 (SA)* a petition must:
 - 4.1. be legibly written or typed or printed
 - 4.2. clearly set out the request or submission of the petitioners
 - 4.3. include the name and address of each person who signed or endorsed the petition
 - 4.4. be addressed to the Council and delivered to the principal office of the Council
5. The petition states the resident's objection to the new parking conditions in Bower Street and requests:
 - 5.1. Residential and visitor parking only to reflect Council's understanding that it is an aged residential housing community
 - 5.2. A 15kph speed limit on Bower Street
6. The petition contains 12 signatories.

ATTACHMENTS

Petition distributed separately to Lord Mayor and Councillors

- END OF REPORT -

Petition – Parking in the Western Section of North Adelaide

ITEM 6.2 16/07/2019
Council

2018/04073
Public

Program Contact:
Rudi Deco, Manager Governance
8203 7442

Approving Officer:
Clare Mockler, Acting Chief
Executive Officer

EXECUTIVE SUMMARY:

This report presents to Council a petition from the staff at St Dominic's Priory College.

The petition contains 82 signatories regarding the proposed changes to parking restrictions on Molesworth Street, Hill Street, Mills Terrace and Barnard Street in North Adelaide and requesting that the City of Adelaide incorporate the following amendments to the parking restrictions:

- Provide unrestricted parking along the entire length of the western side of Mills Terrace, as a priority
- Provide unrestricted parking on both sides of Molesworth Street between Hill Street and Mills Terrace
- Increase the number of unrestricted car parks on Barnard Street.

RECOMMENDATION:

THAT COUNCIL

1. Notes the petition containing 82 signatories, distributed as a separate document to Item 6.2 on the Agenda for the meeting of the Council held on 16 July 2019, requesting that the City of Adelaide incorporate amendments to the parking restrictions on Molesworth Street, Hill Street, Mills Terrace and Barnard Street in North Adelaide.
-

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Not as a result of this report
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Petition presented for receipt in accordance with Standing Orders and the <i>Local Government (Procedures at Meetings) Regulations 2013</i>
Opportunities	Not as a result of this report
19/20 Budget Allocation	Not as a result of this report
Proposed 20/21 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
19/20 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. A petition has been received from the staff at St Dominic's Priory College regarding the proposed changes to parking restrictions on Molesworth Street, Hill Street, Mills Terrace and Barnard Street in North Adelaide and requesting that the City of Adelaide incorporate amendments to the parking restrictions
2. If a petition is received the Chief Executive Officer must ensure the petition is placed on the agenda for the next ordinary meeting of Council. The original petition will be distributed to the Lord Mayor and Council Members separately. Members of the public may seek a copy of the original petition upon written request to the Chief Executive Officer.
3. To determine that a document presented is a petition under the Regulations, the following matters in conjunction with the requirements of Standing Orders (Regulation 10 *Local Government (Procedures at Meetings) Regulations 2013 (SA)*) are assessed prior to the presentation of a petition to the Council:
 - 3.1. *What is a Petition?*
A 'petition' is commonly defined as 'a formal document which seeks the taking of specified action by the person or body to whom it is addressed' or 'a written statement setting out facts upon which the petitioner bases a prayer for remedy or relief'.
 - 3.2. *Does the Petition contain original signatures or endorsements, accompanied by an address?*
A petition being a document of a formal nature must contain original signatures or endorsements (not copies) and those signatures, or endorsements, must be accompanied by an address.
 - 3.3. *Does each page of the Petition identify what the signature is for?*
Each signature must be on a true page of the petition which sets out the prayer for relief as part of that page - a sheet which contains signatures but not the prayer cannot be accepted as valid as there is no evidence as to what the signatories were attesting to; and
 - 3.4. *Language in the Petition?*
The request must be written in temperate language and not contain material that may, objectively, be regarded as defamatory or offensive in content.
4. To meet the requirements of Regulation 10 of *Local Government (Procedures at Meetings) Regulations 2013 (SA)* a petition must:
 - 4.1. be legibly written or typed or printed
 - 4.2. clearly set out the request or submission of the petitioners
 - 4.3. include the name and address of each person who signed or endorsed the petition
 - 4.4. be addressed to the Council and delivered to the principal office of the Council
5. The petition requests that the City of Adelaide incorporate the following amendments to the parking restrictions on Molesworth Street, Hill Street, Mills Terrace and Barnard Street in North Adelaide:
 - 5.1. Provide unrestricted parking along the entire length of the western side of Mills Terrace, as a priority
 - 5.2. Provide unrestricted parking on both sides of Molesworth Street between Hill Street and Mills Terrace
 - 5.3. Increase the number of unrestricted car parks on Barnard Street.
6. The petition contains 82 signatories.

ATTACHMENTS

Petition distributed separately to Lord Mayor and Councillors

- END OF REPORT -

Petition – Stop Proposed Parking Changes in Childers Street, North Adelaide

ITEM 6.3 16/07/2019
Council

2018/04073
Public

Program Contact:
Rudi Deco, Manager Governance
8203 7442

Approving Officer:
Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY:

This report presents to Council a petition from the residents of Childers Street, North Adelaide.

The petition contains 20 signatories regarding the three hour parking zone and control changes across North Adelaide along with a residential parking permit trial and requesting that the proposed changes not go ahead.

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RECOMMENDATION:

THAT COUNCIL

1. Notes the petition containing 20 signatories, distributed as a separate document to Item 6.3 on the Agenda for the meeting of the Council held on 16 July 2019, requesting that the proposed parking changes in Childers Street, North Adelaide not go ahead.
-

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Not as a result of this report
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Petition presented for receipt in accordance with Standing Orders and the <i>Local Government (Procedures at Meetings) Regulations 2013</i>
Opportunities	Not as a result of this report
19/20 Budget Allocation	Not as a result of this report
Proposed 20/21 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
19/20 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. A petition has been received from the residents of Childers Street, North Adelaide regarding the three hour parking zone and control changes across North Adelaide along with a residential parking permit trial and requesting that the proposed changes not go ahead.
2. If a petition is received the Chief Executive Officer must ensure the petition is placed on the agenda for the next ordinary meeting of Council. The original petition will be distributed to the Lord Mayor and Council Members separately. Members of the public may seek a copy of the original petition upon written request to the Chief Executive Officer.
3. To determine that a document presented is a petition under the Regulations, the following matters in conjunction with the requirements of Standing Orders (Regulation 10 *Local Government (Procedures at Meetings) Regulations 2013 (SA)*) are assessed prior to the presentation of a petition to the Council:
 - 3.1. *What is a Petition?*
A 'petition' is commonly defined as 'a formal document which seeks the taking of specified action by the person or body to whom it is addressed' or 'a written statement setting out facts upon which the petitioner bases a prayer for remedy or relief'.
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 - 3.3. *Does each page of the Petition identify what the signature is for?*
Each signature must be on a true page of the petition which sets out the prayer for relief as part of that page - a sheet which contains signatures but not the prayer cannot be accepted as valid as there is no evidence as to what the signatories were attesting to; and
 - 3.4. *Language in the Petition?*
The request must be written in temperate language and not contain material that may, objectively, be regarded as defamatory or offensive in content.
4. To meet the requirements of Regulation 10 of *Local Government (Procedures at Meetings) Regulations 2013 (SA)* a petition must:
 - 4.1. be legibly written or typed or printed
 - 4.2. clearly set out the request or submission of the petitioners
 - 4.3. include the name and address of each person who signed or endorsed the petition
 - 4.4. be addressed to the Council and delivered to the principal office of the Council
5. The petition calls for a stop to the to the proposed parking changes in Childers Street, North Adelaide.
6. The petition contains 20 signatories.

ATTACHMENTS

Petition distributed separately to Lord Mayor and Councillors

- END OF REPORT -

Petition – North Adelaide Parking Changes

ITEM 6.4 16/07/2019
Council

2018/04073
Public

Program Contact:
Rudi Deco, Manager Governance
8203 7442

Approving Officer:
Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY:

This report presents to Council a petition from residents of William Buik Court, North Adelaide.

The petition contains 14 signatories objecting to the proposed changes to parking conditions in William Buik Court and requesting that the current parking conditions be retained.

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RECOMMENDATION:

THAT COUNCIL

1. Notes the petition containing 14 signatories, distributed as a separate document to Item 6.4 on the Agenda for the meeting of the Council held on 16 July 2019, objecting to the proposed changes to parking conditions in William Buik Court and requesting that the current parking conditions be retained.
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IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Not as a result of this report
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Petition presented for receipt in accordance with Standing Orders and the <i>Local Government (Procedures at Meetings) Regulations 2013</i>
Opportunities	Not as a result of this report
19/20 Budget Allocation	Not as a result of this report
Proposed 20/21 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
19/20 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. A petition has been received from residents of William Buik Court, North Adelaide objecting to the proposed changes to parking conditions in William Buik Court and requesting that the current parking conditions be retained.
2. If a petition is received the Chief Executive Officer must ensure the petition is placed on the agenda for the next ordinary meeting of Council. The original petition will be distributed to the Lord Mayor and Council Members separately. Members of the public may seek a copy of the original petition upon written request to the Chief Executive Officer.
3. To determine that a document presented is a petition under the Regulations, the following matters in conjunction with the requirements of Standing Orders (Regulation 10 *Local Government (Procedures at Meetings) Regulations 2013 (SA)*) are assessed prior to the presentation of a petition to the Council:
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 - 3.4. *Language in the Petition?*
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4. To meet the requirements of Regulation 10 of *Local Government (Procedures at Meetings) Regulations 2013 (SA)* a petition must:
 - 4.1. be legibly written or typed or printed
 - 4.2. clearly set out the request or submission of the petitioners
 - 4.3. include the name and address of each person who signed or endorsed the petition
 - 4.4. be addressed to the Council and delivered to the principal office of the Council
5. The petition states the objecting to the proposed changes to parking conditions in William Buik Court and requesting that the current parking conditions be retained.:
6. The petition contains 14 signatories.

ATTACHMENTS

Petition distributed separately to Lord Mayor and Councillors

- END OF REPORT -

Recommendations of The Committee - 16/7/2019

ITEM 7.1 16/07/2019
Council

Program Contact:
Rudi Deco, Manager Governance
8203 7422

2018/04062
Public

Approving Officer:
Clare Mockler, Acting Chief
Executive Officer

EXECUTIVE SUMMARY:

The Committee considered the following Items at its meeting held on 2 July 2019 and resolved to present to Council the following Recommendation for Council determination:

- Item 7.1 – Greening Award Winners – background information
- Item 7.2 – Communication in Other Languages
- Item 7.3 – Community Consultation Policy
- Item 7.4 – Proposals for multi-year event licences (2019-2024)

The Lord Mayor will seek a motion for the recommendation presented by The Committee below for determination by Council.

RECOMMENDATION:

1. **Recommendation 1** - Greening Award Winners – background information

That Council

1. Notes the report and the background information relevant to the 2018-19 Greening Awards contained in Attachment A to Item 7.1 on the Agenda for the meeting of The Committee held on 2 July 2019.

2. **Recommendation 2** - Communication in Other Languages

That Council:

1. Approves a three-month trial in which the City of Adelaide's Customer Centre will offer a free face-to-face translation service in Mandarin, with a view to assisting Adelaide's residents, businesses and visitors with Council services on a rostered basis.
 - 1.1 The trial will provide a translation service in Mandarin, available at certain days/times per week, for a three-month period.
 - 1.2 Information will be gathered about the service usage, and at the end of the trial period a report will be provided to Council with findings and a recommendation for future options.

3. **Recommendation 3** - Community Consultation Policy

That Council:

1. Adopts the updated Community Consultation Policy as detailed in Attachment A to Item 7.3 on the Agenda for the meeting of The Committee held on 2 July 2019.

4. Recommendation 4 - Proposals for multi-year event licences (2019-2024)

That Council:

1. Notes that all proposals for multi-year event licences as stated below are subject to the event management approaches as included in Attachment A to Item 7.4 on the Agenda for the meeting of The Committee held on 2 July 2019 and all necessary documentation being provided to execute the event licence.
2. Approves to grant a five year event licence to:
 - 2.1. Adelaide Horse Trials Management Inc for the use of Rymill Park/Murlawirrapurka (Park 14), Victoria Park/Pakapakanthi (Park 16) and King Rodney Park/Ityamai-itpina (Park 15) for the Mitsubishi Motors Australian International 3 Day Event from 2019-2023.
 - 2.2. Enventive Incorporated for the use of Red Gum Park/Karrawirra (Park 12) and Pinky Flat for Corporate Cup from 2019-2023.
 - 2.3. Catholic Church Endowment Society for the use of Veale Park/Walyu Yarta (Park 21) for the Marian Procession from 2020-2024.
3. Approves to grant a three year event licence to:
 - 3.1. Adelaide Festival Centre Trust for the use of the Adelaide Riverbank Lawn (Barr Smith Walk) for the Lucky Dumpling Market from 2019-2021.
 - 3.2. Cheesefest Australia Pty Ltd for the use of Rymill Park/Murlawirrapurka (Park 14) for Cheesefest&FERMENT from 2019-2021.
 - 3.3. Enventive Incorporated for the use of Peace Park for the Mother's Day Classic from 2020-2022.
 - 3.4. Skating At Pty Ltd for the use of Victoria Square/Tarntanyangga (South) for Skating At Victoria Square from 2020-2022.
 - 3.5. Hutt St Centre for the use of Victoria Park/Pakapakanthi (Park 16) and Peppermint Park/Wita Wirra (Park 18) for Walk a mile in my boots from 2019-2021.
4. Approves to grant a three year event licence with the option of a two-year extension to:
 - 4.1. L&W Entertainment Productions Pty Ltd for the use of Hindmarsh Square/Mukata for Cirque Africa from 2020-2024.
5. Approves to grant a five year event licence to Any Excuse... Pty Ltd for Vegan Festival from 2019-2023.
6. Approves that the granting of the above as outlined in paragraph 5 involves Vegan Festival being delivered in Rundle Park/Kadlitpina (Park 13) in 2019 with a hold on both Rundle Park/Kadlitpina (Park 13) and Victoria Square/Tarntanyangga (North) until 31 January 2020.
7. Authorises delegation to the Chief Executive Officer or delegate to finalise the site location for Vegan Festival (Rundle Park/Kadlitpina (Park 13) or Victoria Square/Tarntanyangga(North) for the remainder of their multi-year event licence, noting that this finalisation would occur by 31 January 2020.
8. Authorises delegated authority to the Chief Executive Officer or delegate to negotiate and finalise all multi-year event licence agreements over the term of the multi-year event licences (Refer paragraph 47 of Item 7.4 on the Agenda for the meeting of The Committee held on 2 July 2019).
9. Approves the request from the organisers of Glendi Greek Festival's for the closure of Reconciliation Plaza as part of their event for the remainder of the life of their multi-year event licence, as per their event management approaches as detailed in Attachment A to Item 7.4 on the Agenda for the meeting of The Committee held on 2 July 2019.
10. Approves the amendment of the existing multi-year event licence with Adelaide Festival Corporation for the Adelaide Festival Hub to include concerts as part of the Adelaide Festival Hub for the remainder of the life of their multi-year event licence, as per their event management approaches as detailed in Attachment A to Item 7.4 on the Agenda for the meeting of The Committee held on 2 July 2019.

DISCUSSION

1. The table below summarises the deliberations of The Committee that resulted in recommendations to Council for Council determination.

The Committee Agenda with reports for the public component of the meeting of The Committee can be viewed [here](#).

The Committee adopted the recommendations as presented in the Committee report under Items 7.1, 7.2, 7.3 and 7.4 recommendations 1 to 4 for Council determination.
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ATTACHMENTS

Nil

- END OF REPORT -

Parliament of SA Inquiry into the Recycling Industry Submission

ITEM 8.1 16/07/2019
Council

Program Contact:
Michelle English, AD
Sustainability 8203 7687

2018/02571
Public

Approving Officer:
Ian Hill, Director Growth

EXECUTIVE SUMMARY:

The waste management and resource recovery industry is a significant sector of the economy with an annual turnover of around \$1 billion. Extenuating circumstances, including the introduction of the China National Sword Policy in 2018 has led to prohibitively increasing operating costs impacting the industry and effectively creating a waste crisis.

Other factors contributing to the crisis include the abrupt restrictions the Environment Protection Authority (EPA) placed on the City of Adelaide's recycling contractor, the increase in distance to process materials and the increasing Solid Waste Levy. The challenges experienced offer an unprecedented opportunity for Federal and State level Governments to support Councils in building a robust, national waste management system geared toward the Circular Economy.

The submission outlines the effects of the China's National Sword Policy on the City of Adelaide and puts forth several recommendations for the Parliament of South Australia's Inquiry into the Recycling Industry.

This report seeks Council endorsement for the City of Adelaide to submit this document to the Parliament of South Australia's Inquiry into the Recycling Industry.

RECOMMENDATION:

THAT COUNCIL

1. Endorses the submission prepared by the Administration in response to the Parliament of South Australia Inquiry into the Recycling Industry contained in Attachment A to Item 8.1 on the Agenda for the meeting of the Council held on 16 July 2019.
 2. Notes that feedback on the response to the Parliament of South Australia Inquiry into the Recycling Industry must be received by 19 July 2019.
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IMPLICATIONS AND FINANCIALS:

<p>City of Adelaide 2016-2020 Strategic Plan</p>	<p>Strategic Alignment – Green</p> <p>A detailed measure of reduction in kerbside and general waste will have been developed and influences our work</p> <ul style="list-style-type: none"> • By the end of 2017, develop and implement a waste recycling and reuse approach for the City that reflects world’s best practice and the use of smart technology. • By 2020, Council’s New Year’s Event will minimise waste to landfill and by 2018, clear guidelines will be developed for event organisers of larger community events on Council-operated areas to achieve zero-waste and carbon neutrality • Facilitate the reuse and recycling of equipment, consumables and materials used in festivals and events in the City • Achieve adoption of sustainable commercial practices through incentives, purchasing approaches, waste services and regulation.
<p>Policy</p>	<p>The relevant decisions of Council that relate to the Inquiry into the Recycling Industry include:</p> <p>In September 2018, the City of Adelaide provided input into the update of the ‘National Waste Policy 2009: less waste, resources – Discussion Paper’. Council supported a policy that incorporated principles of a circular economy and responds to external changes, such as the introduction of the China National Sword Policy.</p> <p>On 15 February 2015, Council resolved, that:</p> <p><i>“All Solid Waste Levy revenue allocated to the Waste to Resources Fund (\$20.868 million in 2014-15) should be used to establish and support the strategic priorities of Green Industries SA, and to stimulate economic activity in the green economy.</i></p> <p><i>If there is no intent to increase Green Industries SA funding via Solid Waste Levy revenue, then the Solid Waste Levy should be reduced accordingly.”</i></p>
<p>Consultation</p>	<p>Not in relation to this report</p>
<p>Resource</p>	<p>Not in relation to this report</p>
<p>Risk / Legal / Legislative</p>	<p>Not in relation to this report</p>
<p>Opportunities</p>	<p>Not in relation to this report</p>
<p>19/20 Budget Allocation</p>	<p>Not in relation to this report</p>
<p>Proposed 20/21 Budget Allocation</p>	<p>Not in relation to this report</p>
<p>Life of Project, Service, Initiative or (Expectancy of) Asset</p>	<p>Not in relation to this report</p>

19/20 Budget Reconsideration (if applicable)	Not in relation to this report
Ongoing Costs (eg maintenance cost)	Not in relation to this report
Other Funding Sources	Not in relation to this report

DISCUSSION

1. On 13 May 2019, the Parliament of South Australia's Environment, Resources and Development Committee resolved at their meeting to conduct an inquiry into the recycling industry in South Australia.
 - 1.1. On 20 May 2019, the City of Adelaide received an invitation to provide a written submission to the Inquiry ([Link 1](#)).
 - 1.2. The feedback must be received by Friday 19 July 2019.
2. The Parliament of South Australia is inviting feedback regarding six queries concerning the inquiry to the recycling industry including:
 - 2.1. That the Committee investigates and reports on whether a current crisis in waste management exists in South Australia as a result, at least in part, of China's National Sword Policy, with reference to:
 - 2.1.1. How South Australia has responded to China's recent restriction on its importation of recyclable material
 - 2.1.2. Examining current policy and legislative frameworks (and potential for desirable reforms) that govern resource recovery, in the context of China's National Sword Policy;
 - 2.1.3. Whether funding from the state government (including Green Industries SA funding) has been enough to support South Australian businesses and local councils affected by China's National Sword Policy;
 - 2.1.4. Identifying short- and long-term opportunities and solutions in response to China's restriction on the importation of recyclable material;
 - 2.1.5. Examining strategies more broadly to reduce waste generation and better managing commercial and industrial, municipal, and construction and demolition waste (and costs thereof), including, but not limited to:
 - 2.1.5.1. Product stewardship;
 - 2.1.5.2. Container deposit and other legislative responses;
 - 2.1.5.3. Improved sorting and processing;
 - 2.1.5.4. Re-manufacturing materials locally into desirable products (including energy production) and procurement policies and practices that support the use of remanufactured products; and
 - 2.1.6. Any other relevant matter.
3. The submission
 - 3.1. responds to the queries;
 - 3.2. identifies Council's position with regard to the current crisis in waste management in South Australia; and
 - 3.3. seeks Council endorsement to meet the 19 July 2019 submission deadline.
4. The submission outlines the effects, challenges and opportunities experienced in the wake of China's National Sword Policy including:
 - 4.1. Context and effects
 - 4.1.1. The introduction of China's National Sword Policy in 2018 reduced the acceptable level of contamination in source separated material from 5 -10% down to 0.5% and restricted the import of certain types of waste materials.
 - 4.1.2. Even with material recovery facilities (MRF) that sort these recyclables into various material streams, the contamination rates still surpass China's new stringent policy.
 - 4.1.3. This eliminated exportation of these materials to China causing industry-wide disruptions both locally and globally.
 - 4.1.4. Effects included stockpiling at SKM Recycling (the City of Adelaide's recycling contractor) and resulted in the issuance of restrictions by the EPA for non-compliance issues.
 - 4.1.5. The City of Adelaide was able to negotiate a temporary contract with an alternate recycling contractor, Northern Adelaide Waste Management Authority (NAWMA) to process a portion of the City's 1750 tonnes of annual recyclables, at an additional cost.

- 4.1.6. In addition, the waste levy in Metropolitan Adelaide has once again increased. In July 2019 it was raised to \$110/tonne and it is set to increase to \$140/tonne in January 2020.
- 4.1.7. Unspent levy payments that have been accrued in the Green Industry Fund totalled more than \$120 million as at 30 June 2018 (Green Industries SA, p11, 2018).
- 4.2. Challenges
- 4.2.1. Collectively the abrupt restrictions on the City's recycling contractor, the increase in distance to process materials and the increasing waste levy has generated unforeseen budgetary and operational pressures, effectively creating a waste crisis.
- 4.2.2. The impacts of China's National Sword Policy highlighted the reliance on international markets to process Australian recyclables.
- 4.3. Opportunities
- 4.3.1. The challenges offer an unprecedented opportunity for Federal and State level to support Local Government in building a robust, circular economy where waste avoidance and enhanced resource recovery is prioritised.
- 4.3.2. Recommendations include:
- 4.3.2.1. Implement a Federal/National Waste Management Strategy/Policy that supports a more resilient and local waste management system.
- 4.3.2.2. Spend the Waste Levy Fund to support the strategic priorities of Green Industries SA or reduce the Waste Levy fee accordingly.
- 4.3.2.3. Transition Australia to a robust circular economy where waste avoidance and enhanced resource recovery is prioritised. Fund National product stewardship strategies and policies to create disincentives and/or ban certain non-recyclable, environmentally harmful materials creating a demand for resource recovery.
- 4.3.2.4. Formally review and rewrite procurement policies for all for all tiers of government to require a level of recyclable content in materials procured, to assist in the creation of domestic markets.

ATTACHMENTS

Attachment A – City of Adelaide Draft Submission to Parliament of SA Inquiry into the Recycling Industry.

- END OF REPORT -

19/07/2019

Parliament of South Australia
ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE
Inquiry into the Recycling Industry

That the Committee investigates and reports on whether a current crisis in waste management exists in South Australia as a result, at least in part, of China's National Sword Policy, with reference to the questions below:

The City of Adelaide welcomes the opportunity to provide input into the Parliament of South Australia's Inquiry into the Recycling Industry.

This document identifies Council's position with regard to the current crisis in waste management in South Australia and contains Council's response to the inquiry. The following recommendations are proposed and expanded on below:

1. Implement a Federal/National Waste Management Strategy/Policy that supports a more resilient and local waste management system.
2. Spend the Waste Levy Fund to support the strategic priorities of Green Industries SA or reduce the Waste Levy fee accordingly.
3. Transition Australia to a robust circular economy where waste avoidance and enhanced resource recovery is prioritised. Fund National product stewardship strategies and policies to create disincentives and/or ban certain non-recyclable, environmentally harmful materials creating a demand for resource recovery.
4. Formally review and rewrite procurement policies for all tiers of government to require a level of recyclable content in materials procured, to assist in the creation of domestic markets.

1. How South Australia has responded to China's recent restriction on its importation of recyclable material;

Recycling in South Australia:

The waste management and resource recovery industry is a significant sector of the economy with an annual turnover of around \$1 billion. It contributes more than \$500 million to the Gross State Product in South Australia (SA) employing around 4,800 individuals largely in the local government and the private sector (Green Industries SA). Extenuating circumstances, including the introduction of the China National Sword Policy in 2018 has led to prohibitively increasing operating costs impacting the entire industry and effectively creating a waste crisis.

Australian Territories and States, including SA, rely on the exportation of some recyclable material to foreign countries for processing. This includes materials such as plastic, paper and cardboard collected from kerbside, commercial and industrial sources. The introduction of the China National Sword policy reduced the acceptable level of contamination in source separated material from 5-10% down to 0.5% and restricted the import of certain types of waste materials (MRA Consulting, 2018).

Recyclable material collected in South Australia is generally considered high quality due to the container deposit system reducing glass fines in recovered paper, high-performing kerbside collection systems and Material Recovery Facilities (MRF). MRF's sort these recyclables materials, much of which is comprised of packaging waste, into various resource streams to be incorporated into recycled products.

Even with the technology available to source separate, the contamination rates still surpass China's new stringent policy. The new policy has effectively eliminated exportation of these materials to China causing over-supply in markets and industry-wide disruptions both locally and globally. With recyclable materials realizing a lower price in international commodity markets, operating costs for local processing services are increasing.

As a result, recycling facilities including SKM Recycling situated in both SA and Victoria began to stockpile recyclable material, which can lead to community health and safety issues. In 2017-18 three separate fires occurred at the SKM facility in Victoria, including one that burned for 11 days, led to the evacuation of 100 homes and fire water run-off entering waterways. Ongoing investigation and the discovery of 387 shipping containers filled with recyclable materials in SA in 2019 led to immediate restrictions issued by the Environment Protection Authority (EPA) for all three SKM plants in Victoria and two plants in SA (The Age, 2019).

The restrictions on SKM diminished a competitive market. It also caused wide-spread disruption for many South Australian councils, including the City of Adelaide where an alternative contractor was engaged to continue the delivery of this essential waste management service. Council was able to negotiate a temporary contract with Northern Adelaide Waste Management Authority (NAWMA) to process a portion of the City's 1750 tonnes of annual recyclables, at an additional cost.

In addition to the increase in cost to process the City's recyclable material at NAWMA, the waste levy in Metropolitan Adelaide has once again increased. In July 2019 it was raised to \$110/tonne from \$100/tonne and it is set to increase to \$140/tonne in January 2020 (Green Industries SA, 2018). Unspent levy payments that have been accrued in the Green Industry Fund totalled more than \$120 million as at 30 June 2018 (Green Industries SA, p11, 2018).

The waste levy is costly to councils. In 2015-2016, the City of Adelaide sent over 5,946 tonnes of kerbside collection waste to landfill which would equal to about \$369,000 in waste levy fees. In 2018-2019, although there was a slight decrease in tonnage sent to landfill, the waste levy fee increased costing the city about \$549,000. This cost excludes the collection and other associated costs of delivering this essential public health service to our community. If the city assumes a similar amount of waste sent to landfill in 2019-2020, the cost to send waste to landfill would increase to \$745,000 for the waste levy alone. Council would either need to absorb this fee or pass it on to ratepayers.

The City of Adelaide is a strong supporter of sustainable waste management initiatives including reducing waste to landfill. However, the additional challenges faced, such as the abrupt change in the City's recycling contractor, the increase in distance to process materials and the increasing waste levy has generated unforeseen budgetary and operational pressures.

These challenges offer an unprecedented opportunity for Federal and State Government to support councils and industry to build a robust, national waste management system geared toward the circular economy.

2. Examining current policy and legislative frameworks (and potential for desirable reforms) that govern resource recovery, in the context of China's National Sword Policy;

The City of Adelaide is a leader in waste reduction and other environmental initiatives as demonstrated in the City of Adelaide 2016-2020 Strategic Plan which sets out the following actions under the 'Green' theme.

- Develop and implement a waste recycling and reuse approach for the City that reflects world's best practice and the use of smart technology.
- Achieve adoption of sustainable commercial practices through incentives, purchasing approaches, waste services and regulation.

In September 2018, the City of Adelaide provided input into the update of the 'National Waste Policy 2009: less waste, resources – Discussion Paper'. Council supported a policy that incorporated principles of a circular economy and responds to external changes, such as the introduction of the China National Sword Policy.

While the City of Adelaide acknowledges that councils are responsible for the delivery of effective residential waste management services for sanitation and public health, councils are not immune to global market changes and financial pressures inflicted by low commodity values and abrupt increases to the Solid Waste Levy.

The increased recycling costs should, at least in part, be linked to the economic activities and to those responsible for generating the waste materials in the first place. Data collection should be mandated in a chain-of-custody type approach to lead transparency and accountability for those responsible for waste generation, management and disposal.

Our communities are increasingly seeking high quality, high frequency data that is acquired at a low cost to support service evaluation, decision making and environmental certification. An example of a rating tool includes the National Australian Built Environment Rating System (NABERS - Waste).

As costs and community expectations increase, chain-of-custody monitoring is emerging as an important contract management consideration to ensure loads are correctly disposed and processed so that products, services or organisational claims can be substantiated.

To enable this, South Australia's collection truck fleets should be equipped to enable customer identification, disposal weight data acquisition at a premise level and sharing of close to real time weight-based disposal information with customers.

Recommendation:

Implement a Federal/National Waste Management Strategy/Policy that supports a more resilient and local waste management system.

With most councils in Australia affected by the impacts of the China National Sword, a holistic top-down approach should be prioritised by Federal and State Government to stabilise the current crisis. The development of a waste strategy and policy that supports a circular economy and the expansion of data-driven, local waste management infrastructure would reduce reliance on external markets and create a more resilient local system.

Federal and State level policies surrounding responsible waste management and product stewardship should have clear and defined roles and responsibilities at all levels of government. Processes and guidelines should be in place to support the delivery of these policies including arrangements for any necessary transition periods. Appropriate State Government funding should be provided to support any delivery costs as Local Government is not able to absorb additional costs for ongoing requirements such as collecting, transporting and disposing responsibly of newly legislated materials.

3. Whether funding from the state government (including Green Industries SA funding) has been enough to support South Australian businesses and local councils affected by China's National Sword Policy;

The cascading consequences of the China National Sword, the elimination of market competition, the added distance to infrastructure and the increasing cost of the waste levy have resulted in a significant increased cost of delivering an essential waste service. Costs continue to increase. In South Australian Metropolitan areas, the waste levy has seen a 125% increase over 5 years: \$62 in 2015-2016, \$76 in 2016-2017, \$87 in 2017-2018, \$100 in 2018-2019, \$110 in July 2019 and \$140 in 2020 (EPA, 2019). With these increases, the City forecasts \$745,000 in waste levy fees alone in 2020. This fee does not include landfill gate fees, collection or transport costs.

State Government Funding including Green Industries SA funding has not been sufficient. In 2018, a \$12.4 million support package for local government and the recycling industry was initiated in response to China's National Sword Policy. Despite this, the City of Adelaide has not received any financial support in direct response to the China National Sword and the resulting EPA restrictions placed on SKM recycling plants. Although the SA Government's budget announced on 7 June 2019 that it will deliver \$12 million over four years to the Waste and Resource Recovery Modernisation and Council Transition Package, the City of Adelaide is not clear on any funding directed to the city.

Solely relying on an economic-incentive instrument like the waste levy to promote recycling and landfill diversion without developing supportive recycling infrastructure is a fragmented approach. This is especially important given the lack of reliable and transparent data available. Under the current context of export restrictions applicable to recyclable commodities, it imposes excessive costs to Local Governments. In its current form, it has minimum impact on the creation of local recycling markets or incentives for more environmentally minded packaging and materials.

Recommendation:

Spend the Waste Levy Fund to support the strategic priorities of Green Industries SA or reduce the Waste Levy fee accordingly.

The City of Adelaide made a submission regarding Council's position on the Waste Levy in both the Green Industries SA consultation paper in February 2015 and again in the response to the Container Deposit Scheme Discussion Paper in 2019. The relevant endorsed position of Council from that submission is:

"All Solid Waste Levy revenue allocated to the Waste to Resources Fund (\$20.868 million in 2014-15) should be used to establish and support the strategic priorities of Green Industries SA, and to stimulate economic activity in the green economy.

If there is no intent to increase Green Industries SA funding via Solid Waste Levy revenue, then the Solid Waste Levy should be reduced accordingly."

4. Identifying short- and long-term opportunities and solutions in response to China's restriction on the importation of recyclable material;

One of the challenges highlighted in the wake of the China National Sword is the reliance on international markets to process Australian recyclables. To gain control over the waste crisis, Australia must lessen its dependency on foreign markets to process its recyclable material by creating local demand for recycled products that are supported by local infrastructure.

Expanding local infrastructure to support demand would have exponential benefits. This includes creating a more robust local economy, job creation, expanding the recycling industry and supporting the diversion of recyclable material from landfill thereby reducing costs of the waste levy to councils. It would also reduce risk in a globally uncertain market and support a global circular economy.

To open markets and drive demand on the circular economy, legislation should be multi-level and include minimum sustainable packaging requirements such as minimum percentages of recycled content used in manufacturing and procurement.

For example, the National Television and Computer Recycling Scheme is a practical policy tool achieving meaningful engagement with product manufacturers and importers, designed to internalise actual recycling costs in product design, manufacturing, distribution and pricing decisions. This Federal-level Extended Producer Responsibility scheme has been successful in promoting local markets for processing electronic waste in Australia.

Funding provided by Federal and State Government would ensure that new targets are achievable by councils. This includes providing grants to build appropriate infrastructure and programs to subsidize implementing new procurement policies using more sustainable products. The approach should be systems based and holistic in nature.

5. Examining strategies more broadly to reduce waste generation and better managing commercial and industrial, municipal, and construction and demolition waste (and costs thereof), including, but not limited to:

- a. Product stewardship; b. Container deposit and other legislative responses;

The City of Adelaide is a strong supporter of waste reduction, reusing or repurposing resources, and other environmental initiatives as demonstrated in the *City of Adelaide 2016-2020 Strategic Plan* which sets out the following action under the 'Green' theme:

- By 2020, Council's New Year's Event will minimise waste to landfill and by 2018, clear guidelines will be developed for event organisers of larger community events on Council-operated areas to achieve zero-waste and carbon neutrality
- Facilitate the reuse and recycling of equipment, consumables and materials used in festivals and events in the City

The City of Adelaide has also demonstrated leadership to reduce and/or eliminate some single-use-plastics by publishing two sets of guidelines and supporting community implementation:

- [Compostable Package Supplies for SA](#) This identifies a list of known suppliers of certified compostable materials to the Adelaide market and is updated quarterly.
- [Sustainable Event Guidelines \(PDF\)](#) These guidelines were developed with input from the event and waste industries to provide clear guidance on practical measures to make events more sustainable and promote sustainability achievements.

In early 2019, the City of Adelaide welcomed the opportunity to respond to the two discussion papers (Green Industries SA 2019, EPA 2019) published by Hon. David Speirs MP, Minister for Environment and Water by supporting the regulation of single-use plastics and the expansion of the Container Deposit Legislation (CDL) in South Australia. Council suggested that the South Australian Government should consider a holistic and world-leading shift to a compostable carry bag and takeaway food container system. This shift should be systems-based, consumer focused and regulated to simplify and incentivise consumer experiences with single-use product recycling.

The CDL, initially implemented to target litter, has become a driving force to the circular economy by placing economic value on waste. With this legislation, South Australia leads the nation in the recovery, recycling and litter reduction of beverage containers with an overall return rate of 76.9%. With the CDL, beverage containers make up only 2.8% of litter. (EPA, 2009) The CDL has been so successful that it is unusual for the City of Adelaide to find large numbers of beverage containers in public place waste or recycling bins.

The CDL is an excellent case study of product stewardship legislation that prevents certain materials from entering landfill and supports responsible use of materials. High consumer participation indicates reception toward stewardship laws. Expanding on product stewardship approaches could include reviewing the National Environment Protection (Used Packaging Materials) Measure 2011, adopting programs such as the EU Green Dot and/or the Australasian Recycling Label for all consumer packaging sold in Australia and adopting a certification system for recycled content in line with the US or European models.

Recommendation

Transition Australia to a robust circular economy where waste avoidance and enhanced resource recovery is prioritised. Fund National product stewardship strategies and policies to create disincentives and/or ban certain non-recyclable, environmentally harmful materials creating a demand for resource recovery.

- b. Improved sorting and processing;
 - c. Re-manufacturing materials locally into desirable products (including energy production) and procurement policies and practices that support the use of remanufactured products; and
6. Any other relevant matter.

The City of Adelaide is committed to the consideration of environmental issues in our procurement practices and this is guided by the *2016-2020 Strategic Plan's* target to 'achieve adoption of sustainable commercial practices through incentives, purchasing approaches, waste services and regulation'.

Council Administration is currently working on developing a new Sustainable Procurement Initiative to transition the City of Adelaide's procurement practices to achieve the most positive environmental, social and economic impacts over the entire life cycle of procured products and services.

The Sustainable Procurement Initiative will be aligned with the guidance provided in the *International Standard Organisation's ISO20400:2017 – Sustainable Procurement*. In addition to a revised policy and strategy it will include a new organisational and process related documentation and resources for the City of Adelaide's procurement practices. The Sustainable Procurement Initiative will consider the use of recycled content when developing sourcing strategies for specific procurement categories.

Depending on the maturity of the market, financial impacts are likely to arise from sourcing goods and products with recycled content. Mandating Government procured products to include recycled content would create more demand for recycling and grow infrastructure supporting a circular economy via a top-down approach.

Recommendation

Formally review and rewrite procurement policies for all tiers of government to require a level of recyclable content in materials procured, to assist in the creation of domestic markets.

Conclusion:

The City of Adelaide acknowledges the Parliament of South Australia's initiative to formalise the Inquiry into the Recycling Industry and welcomes the invitation for submission. This document outlines the challenges the City of Adelaide is experiencing with regard to the impacts faced as a result of the China National Sword. It put forward several recommendations that the City of Adelaide trusts will be helpful in the Inquiry.

In closing, the implementation of the China National Sword highlights the heavy reliance on international markets to process Australian recyclables. This change in material acceptance criteria caused widespread disruption to the recycling industry, including the restrictions placed on SKM, which initiated chaos in many South Australian Councils including the City of Adelaide. The City of Adelaide was fortunate to adapt to changing circumstances and saw no recyclable materials go to landfill, however this was not the case for many Australian councils.

The City of Adelaide calls on the State Government for more support to transition Australia to a robust circular economy where waste avoidance, data acquisition, enhanced resource recovery, local reprocessing and market development are prioritised. This can be achieved by building a multi-level Government-led Waste Strategy that includes recovered materials.

The policies implemented should have clear and defined roles for all stakeholders as well as guidelines and appropriate funding drawn from the Waste Levy to support enactment of the policy. This approach will build the local economy, create ongoing employment, foster business innovation and remove the heavy reliance on international markets.

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Victoria EPA, Fire at SKM Recycling <https://www.epa.vic.gov.au/about-us/news-centre/news-and-updates/news/2018/july/08/fire-at-skm-recycling> [Accessed 07/03/2019].

Appointment of Councillors to the Adelaide Central Market Authority Board Member Selection Panel

ITEM 8.2 16/07/2019
Council

Program Contact:
Stephen Zaluski, Acting AD
Customer & People 8203 7641

2015/02959
Public

Approving Officer:
Ian Hill, Director Growth

EXECUTIVE SUMMARY:

In accordance with Clause 2.3.1 of the Adelaide Central Market Authority (ACMA) Charter, the ACMA Board shall consist of up to seven Board Members including the Chairperson appointed by Council.

The Adelaide Central Market Authority Charter states that appointment of Board Members to the Adelaide Central Market Authority (ACMA) requires a Board Member Selection Panel undertaking an expression of interest process and making recommendation to Council for Council's approval and appointment.

In accordance with section 2.4.2 of the Adelaide Central Market Authority Charter, the Board Member Selection Panel shall comprise three Council Members appointed by resolution of the Council.

Nominations are sought for three Council Members to form part of the Board Member Selection Panel for the 2018-2022 Council term.

RECOMMENDATION:

THAT COUNCIL

1. Appoints three Council Members to form part of the Board Member Selection Panel for the Adelaide Central Market Authority for the remainder of the 2018-2022 Council term.
-

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Liveable This report contributes to Council's 2016-2020 Strategic Plan by supporting the activities of the Adelaide Central Market Authority (Growth objective).
Policy	The Adelaide Central Market Authority Charter (2014) outlines the role and term of members of the ACMA Board and has informed the selection process.
Consultation	Not as a result of this report.
Resource	Not as a result of this report.
Risk / Legal / Legislative	In accordance with Clause 2.3.1 of the Adelaide Central Market Authority Charter, the Board shall consist of up to seven Board Members including the Chairperson appointed by Council who collectively have the knowledge, skills and experience set out in Clause 2.2.2.
Opportunities	Not as a result of this report.
19/20 Budget Allocation	Not as a result of this report.
Proposed 20/21 Budget Allocation	Not as a result of this report.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report.
19/20 Budget Reconsideration (if applicable)	Not as a result of this report.
Ongoing Costs (eg maintenance cost)	Not as a result of this report.
Other Funding Sources	Not as a result of this report.

DISCUSSION

1. The Adelaide Central Market Authority Charter states that appointment of Board Members to the Adelaide Central Market Authority (ACMA) requires a Board Member Selection Panel undertaking an expression of interest process and making recommendation to Council for Council's approval and appointment.
2. In accordance with section 2.4.2 of the ACMA Charter, the Board Member Selection Panel shall comprise:
'2.4.2.1 three Council Members appointed by resolution of the Council;
2.4.2.2 a recruitment consultant appointed by the Council's CEO;
2.4.2.3 the Chairperson;
2.4.2.4 the Council's CEO; and
2.4.2.5 the Chair of the Traders Advisory Group.'
3. The Council Members who were on the Selection Panel during the last Council term were Councillor Megan Hender, Councillor David Slama and Councillor Sandy Wilkinson.
4. The terms of two ACMA Board Members will expire on 31 July 2019.
5. Nominations are sought for the appointment of the three Council Member positions on the selection panel. These appointments will be ongoing for the remainder of the 2018-2022 Council term.

ATTACHMENTS

Nil

- END OF REPORT -

Standing Orders

ITEM 9.1 16/07/2019
Council

Council Member
Councillor Moran

2018/04053
Public

Receiving Officer:
Clare Mockler, Acting Chief
Executive Officer

QUESTION ON NOTICE:

Councillor Moran will ask the following Question on Notice:

Could the Administration:

1. explain the origin of 259 (259.1, 259.2) within the standing orders and in particular, where it mentions “contrary to public order or morality” and provide its definition;
2. is it included in any other standing orders Local, State or Federal levels of Government?

The Lord Mayor will provide a reply at the meeting, the reply and question will be included in the Minutes of the meeting.

- END OF REPORT -

Old Le Cornu Site

ITEM 9.2 16/07/2019
Council

Council Member
Councillor Moran

2018/02324
Public

Receiving Officer:
Clare Mockler, Acting Chief
Executive Officer

QUESTION ON NOTICE:

Councillor Moran will ask the following Question on Notice:

Why is the start date for a physical beginning of development on the old Le Cornu site now 2022 at the earliest?

The Lord Mayor will provide a reply at the meeting, the reply and question will be included in the Minutes of the meeting.

- END OF REPORT -

Annual Rate Revenue – Le Cornu Site

ITEM 9.3 16/07/2019
Council

Council Member
Councillor Moran

Public

Receiving Officer:
Clare Mockler, Acting Chief
Executive Officer

QUESTION ON NOTICE:

Councillor Moran will ask the following Question on Notice:

‘What was the annual rate revenue over the last 5 years on the Le Cornu Site prior to the Councils acquisition?’

The Lord Mayor will provide a reply at the meeting, the reply and question will be included in the Minutes of the meeting.

- END OF REPORT -

Pollen Management in the City of Adelaide

ITEM 9.4 16/07/2019
Council

Council Member
Councillor Hyde

Public

Receiving Officer:
Clare Mockler, Acting Chief
Executive Officer

QUESTION ON NOTICE:

Councillor Hyde will ask the following Question on Notice:

'What, if any, policy for the management of pollen, particularly that caused by Plane Trees does the administration currently have?

Is administration aware of the issues that inadequate pollen management causes, especially for those with allergies and asthmatics and also businesses in the City that have outdoor dining?'

The Lord Mayor will provide a reply at the meeting, the reply and question will be included in the Minutes of the meeting.

- END OF REPORT -

Safety Measures for Cyclists

ITEM 11.1 16/07/2019
Council

Council Member
Councillor Abrahamzadeh

2019/00464
Public

Receiving Officer:
Clare Mockler, Acting 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:

- (1) Notes the receipt of a petition to review cyclist safety at the intersection of North Terrace and George Street at the meeting held on 25/06/19;
- (2) Investigates safety measures to improve the safety for cyclists at this intersection.'

ADMINISTRATION COMMENT:

1. Should this motion be carried we will bring a report back to Council in September 2019 that considers measures that could be implemented to improve safety for people riding bikes at the intersection of North Terrace and George Street. The report will include a high-level cost estimate for implementation.
2. The bicycle infrastructure items proposed to improve safety for bike riders travelling westbound on North Terrace who are seeking to make a right turn in to George Street (north), as noted in the petition presented to Council at its meeting on 25 June 2019, will be considered as part of this report.

- END OF REPORT -

Make Renting Fair

ITEM 11.2 16/07/2019
Council

Council Member
Councillor Simms

2019/01425
Public

Receiving Officer:
Clare Mockler, Acting Chief
Executive Officer

MOTION ON NOTICE:

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

That Council:

1. Notes that:
 - 58.3 per cent of City of Adelaide residents are renters (Australian Bureau of Statistics 2016 Census)
 - According to the Australian Housing and Urban Research Centre Report on Housing in SA, increasing numbers of South Australians are now living in long term private rental due to the shortage of social and affordable housing
 - The State Government are currently convening a task force to respond to the findings of the report
 - Shelter SA is running a campaign to *Make Renting Fair*, focussed on 3 broad aims:
 - “Landlords and real estate agents should welcome pets;
 - No cause evictions must be abolished; and
 - Resources for tenant education, information, advice and advocacy must be increased”.
2. Endorses the Shelter SA *Make Renting Fair* Campaign by authorising the listing of the City of Adelaide as a supporting organisation on the Shelter SA website.
3. Requests that the Lord Mayor write to the Minister for Human Services Michelle Lensink MLC to advise the State Government of Council’s support for the campaign.
4. Requests that administration hold a public meeting to hear about the experiences of renters in the City of Adelaide and share the findings with the State Government.

ADMINISTRATION COMMENT:

1. The *Make Renting Fair* campaign in South Australia builds on the success of similar campaigns in the eastern states. In September 2018, Victoria passed the Residential Tenancies Amendment Bill 2018, that included a suite of changes aimed at providing a more secure and equitable private rental sector.
2. The three aims of the South Australian campaign focus on mostly education and advocacy. Abolishing ‘no cause’ evictions is the only strategy that requires legislative change.
3. The City of Adelaide has previously supported awareness campaigns including the *Raise the Rate* campaign to raise Newstart and the *Everybody’s Home Campaign* to address the shortage of social and affordable housing across the country.

- END OF REPORT -

Preventing premature demolition of buildings in the City of Adelaide

ITEM 11.3 16/07/2019
Council

Council Member
Councillor Hyde

2019/00951
Public

Receiving Officer:
Clare Mockler, Acting Chief
Executive Officer

MOTION ON NOTICE:

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

'That Council:

1. Requests the Lord Mayor write to the Minister for Planning as well as the State Planning Commission to:
 - a. Continue discussions about the critical importance of maintaining demolition controls in the planning system within the City of Adelaide.
 - b. Request a review of the development application process to ensure sites are not left vacant unnecessarily, with a focus on preventing existing buildings from being demolished until construction is ready to commence.
 - c. Collaborate with the City of Adelaide on demolition controls for State Heritage Places and Local Heritage Places in the Planning and Design Code.'

ADMINISTRATION COMMENT:

1. The current *Development Regulations 2008 (SA)* has a regulation unique to the City of Adelaide which requires that planning consent is required prior to a building being demolished.
 - 1.1. This is a historic legacy of the City of Adelaide and has aided in preventing the unnecessary and premature demolition of buildings leading to vacant sites which provide little or no economic benefit to the city. It also results in reduced activation opportunities and negative impacts to city streetscapes.
 - 1.2. In the draft *Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019 (SA)*, this regulation had been removed. At their meeting 26 February 2019, Council determined to provide a response to these draft regulations, which included conveying Council's view that demolition controls for the City of Adelaide must be maintained.
 - 1.3. On 27 June 2019, the *Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019 (SA)*, includes amending the regulation relating to demolition. Whilst documentation released by the State Planning Commission, indicates that this regulation will exclude the City of Adelaide; however, we understand that the desired demolition outcome will need to be achieved through the yet to be drafted Planning and Design Code.
 - 1.4. At its meeting 25 June 2019, Council determined to write a letter to the State Planning Commission generally supporting the proposed framework for heritage in the new planning system. Council concurrently resolved to request that the Minister involves the City of Adelaide in detailed discussion with the Commission on policies which relate to demolition of heritage places.

- 1.5. It is appropriate that the Lord Mayor should write to the Minister for Planning and State Planning Commission again to again reinforce Council's position that:
 - 1.5.1. demolition of buildings within the City of Adelaide should require planning consent, and
 - 1.5.2. robust policies are required to ensure that buildings are not prematurely demolished.

- END OF REPORT -

Exclusion of the Public

ITEM 13.1 16/07/2019
Council

Program Contact:
Rudi Deco, Manager
Governance 8203 7442

2018/04291
Public

Approving Officer:
Mark Goldstone, Chief
Executive Officer

EXECUTIVE SUMMARY:

It is the recommendation of the Chief Executive Officer that the public be excluded from this Council meeting for the consideration of information and matters contained in the Agenda.

For the following report of The Committee seeking consideration in confidence

14.1.1. Recommendations of The Committee in Confidence – 2/7/2019

Recommendation 1 Greening Awards [s 90(3) (a)]

The Order to Exclude for Item 14.1.1:

1. Identifies the information and matters (grounds) from s 90(3) of the *Local Government Act 1999 (SA)* utilised to request consideration in confidence;
2. Identifies the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public; and
3. In addition identifies for the following grounds – s 90(3) (b), (d) or (j) - how information open to the public would be contrary to the public interest.

ORDER TO EXCLUDE FOR ITEM 14.1.1:

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (a) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 16/7/2019 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 14.1.1 [Recommendations of The Committee in Confidence – 2/7/2019] 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 contains recommendations of award recipients and includes assessment and discussion regarding the merits of proposals from identified individual members or groups from the community.

The early disclosure of these recommendations and discussion may prejudice the judging process and implicate individual members or groups from the community.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 16/7/2019 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 14.1.1 [Recommendations of The Committee in Confidence – 2/7/2019] 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) (a) of the Act.
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DISCUSSION

1. s 90(1) of the *Local Government Act 1999 (SA)*, directs that a meeting of Council must be conducted in a place open to the public.
 2. s 90(2) of the *Local Government Act 1999 (SA)*, states that a Council may order that the public be excluded from attendance at a meeting if Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in s 90(3).
 3. s 90(3) prescribes the information and matters that a Council may order that the public be excluded from.
 4. s 90(4) of the *Local Government Act 1999 (SA)*, advises that in considering whether an order should be made under s 90(2), it is irrelevant that discussion of a matter in public may:
 - 4.1 cause embarrassment to the council or council committee concerned, or to members or employees of the council; or
 - 4.2 cause a loss of confidence in the council or council committee.’
 - 4.3 involve discussion of a matter that is controversial within the council area; or
 - 4.4 make the council susceptible to adverse criticism.
 5. s 90(7) of the *Local Government Act 1999 (SA)* requires that an order to exclude the public:
 - 5.1 Identify the information and matters (grounds) from s 90(3) of the *Local Government Act 1999 (SA)* utilised to request consideration in confidence;
 - 5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public; and
 - 5.3 In addition identify for the following grounds – s 90(3) (b), (d) or (j) - how information open to the public would be contrary to the public interest.
 6. s 83(5) of the *Local Government Act 1999 (SA)* has been utilised to identify in the Agenda and on the Report for the meeting, that the following report is submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 14.1.1 – Recommendation of The Committee in Confidence – 2/7/2019:
 - 6.1.1 Is subject to an Existing Confidentiality Order dated 2/7/2019.
 - 6.1.2 Recommendation 1 – Greening Awards - The grounds utilised to request consideration in confidence is s 90(3) (a)
 - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
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ATTACHMENTS

Nil

- END OF REPORT -

Confidential Item 14.1.1

Recommendations of The Committee in Confidence – 2/7/2019

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

Pages 47 to 49
