



COUNCIL AGENDA & REPORTS

for the meeting

Tuesday 11 February 2020
at 5.30pm

in the Council Chamber,
Adelaide Town Hall



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

1. Acknowledgement of Country

At the opening of the Council Meeting, the 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 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. Prayer

Upon completion of the Acknowledgment of Colonel William Light by the Lord Mayor, the Chief Executive Officer will ask 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'

4. Memorial Silence

The Lord Mayor will ask 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.

5. Apologies and Leave of Absence

Nil

6. Confirmation of Minutes – 28/1/2020

That the Minutes of the meeting of the Council held on 28 January 2020, be taken as read and be confirmed as an accurate record of proceedings.

7. Deputations

Granted at time of Agenda Publication – 6/2/2020

Nil

8. Petitions

Nil

9. Advice from Adelaide Park Lands Authority & Advice/Recommendation from Audit Committee

9.1. Advice of the Adelaide Park Lands Authority – 6/2/2020 [2018/04062]

To be distributed separately

9.2. Advice/Recommendation of the Audit Committee – 7/2/2020 [2018/04062]

To be distributed separately

10. Lord Mayor's Reports

11. Councillors' Reports

- 11.1 Reports from Council Members [2018/04064] [Page 4]

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

Strategic Alignment – Smart

- 12.1. Communication in Other Languages – Mandarin Translation Service Trial Outcomes [2016/02563] Presented to Committee 4/2/2020 [Page 7]

- 12.2. 2019-20 Quarter 2 Finance Report [2018/03947] [Page 11]

Strategic Alignment – Liveable

- 12.3. Neglected and/or Derelict Properties [2018/00331] Presented to Committee 4/2/2020 [Page 49]

- 12.4. Encroachment Policy – Balconies [2018/00478-2] Presented to Committee 4/2/2020 [Page 56]

- 12.5. North Terrace Public Realm [2016/03718] Presented to Committee 4/2/2020 [Page 77]

- 12.6. Golden Wattle Park Concept Plan & Community Land Management Plan [2018/00561] Presented to Committee 4/2/2020 [Page 81]

- 12.7. Sanitising Streets to Alleviate Asthma [2018/03956] Presented to Committee 4/2/2020 [Page 129]

- 12.8. Planning & Design Code – Heritage [2019/00626] Presented to Committee 4/2/2020 [Page 133]

Strategic Alignment - Corporate Activities

- 12.9. Creative Industries Discussion Paper Submission [2019/00027] Presented to Committee 4/2/2020 [Page 140]

- 12.10. Pre-Transition Development Plan Amendment [2019/00956] Presented to Committee 4/2/2020 [Page 160]

- 12.11. Planning & Design Code - Public Realm policies [2018/01363] Presented to Committee 4/2/2020 [Page 163]

- 12.12. Planning & Design Code draft submission [2018/04459] Presented to Committee 4/2/2020 [Page 169]

13. Questions on Notice

- 13.1. Deputy Lord Mayor (Councillor Hyde) – Question on Notice – Maintaining Our Public Realm [Page 197]

- 13.2. Councillor Martin – Question on Notice – Former Councillor Abiad [Page 198]

- 13.3. Councillor Martin – Question on Notice – Golf Links Park Lands [Page 199]

14. Questions without Notice

15. Motions on Notice

- 15.1. Councillor Simms – Motion on Notice – Supporting the Adelaide Fringe Festival [2019/01425] [Page 200]

- 15.2. Councillor Simms – Motion on Notice – Event Accessibility [2019/01425] [Page 201]

- 15.3. Councillor Simms – Motion on Notice - Recycling and Waste Management [2019/01444] [Page 202]

- 15.4. Deputy Lord Mayor (Councillor Hyde) – Motion on Notice - City of Adelaide Zero Waste Target [2019/01444] [Page 203]

- 15.5. Councillor Couros – Motion on Notice – Adelaide Aquatic Centre Consultation [2019/01387] [Page 204]

- 15.6. Councillor Couros – Motion on Notice – Kingston Terrace [2018/04053] [Page 206]

- 15.7. Councillor Martin – Motion on Notice – State & Federal Funding for Aquatic Centre Upgrade [2019/01387] [Page 207]

16. Motions without Notice

17. Exclusion of the Public

- 17.1. Exclusion of the Public [2018/04291] [Page 208]

For the following reports of the Adelaide Park Lands Authority and Audit Committee seeking consideration in confidence

18.1.1 Advice of the Adelaide Park Lands Authority in Confidence – 6/2/2020

18.1.2. Advice/Recommendations of the Audit Committee – 7/2/2020

For the following reports for Council (Chief Executive Officer's Reports) seeking consideration in confidence

18.2.1. 2019-20 Quarter 2 Commercial Operations Report [s 90(3) (b)]

18.2.2 2019-20 Planning and Development Fund Projects [s 90(3) (b)]

18.2.3 Partnership Proposals 2019-20 [s 90(3) (b)]

18.2.4 Capital City Committee Update [s 90(3) (g) & (j)]

18.2.5 Appointment of Board Members to Rundle Mall Management Authority Board [s 90(3) (a)]

18. Confidential Reports

18.1 Confidential Advice of the Adelaide Park Lands Authority & Advice/Recommendations of the Audit Committee

18.1.1. Advice of the Adelaide Park Lands Authority in Confidence – 6/2/2020 [2018/04062]

To be distributed separately

18.1.2. Advice/Recommendations of the Audit Committee – 7/2/2020 [2018/04062]

To be distributed separately

18.2. Confidential Reports for Council (Chief Executive Officer's Reports)

Strategic Alignment – Smart

18.2.1. 2019-20 Quarter 2 Commercial Operations Report [2018/03947] [Page 215]

Strategic Alignment – Creative

18.2.2. 2019-20 Planning and Development Fund Projects [2019/00464] Presented to Committee 4/2/2020 [Page 230]

Strategic Alignment - Corporate Activities

18.2.3. Partnership Proposals 2019-20 [2020/00233] Presented to Committee 4/2/2020 [Page 242]

18.2.4. Capital City Committee Update [2013/00423] [Page 276]

18.2.5. Appointment of Board Members to Rundle Mall Management Authority Board [2015/02958] [Page 282]

19. Closure

Reports from Council Members

ITEM 11.1 11/02/2020
Council

2018/04064
Public

Program Contact:
Rudi Deco, Manager Governance
8203 7442

Approving Officer:
Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY:

This report is presented to:

1. Advise Council of Council Member activities and the functions that Council Members have attended on behalf of the Lord Mayor.
2. Provide a summary of Council Members' meeting attendance.

Council Members can table reports on activities undertaken on relevant external Boards and Committees where they are representing Council and these reports will be included in the Minutes of the meeting.

RECOMMENDATION:

THAT COUNCIL

1. Notes the Council Member activities and 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 11 February 2020).
2. Notes the summary of Council Members meeting attendance (Attachment B to Item 11.1 on the Agenda for the meeting of the Council held on 11 February 2020).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 11 February 2020 be included in the Minutes of the meeting.

ATTACHMENTS

Attachment A – Council Member activities and functions attended on behalf of the Lord Mayor

Attachment B – Summary of meeting attendance

- END OF REPORT -

FUNCTIONS ATTENDED ON BEHALF OF THE LORD MAYOR:			
COUNCIL MEMBER	DATE	EVENT TITLE	EVENT DETAILS
DLM Hyde	5-Feb-20	Opening of Parliament	Attended the Opening of the Second Session of the Fifty Fourth Parliament
	6-Feb-20	Opening Service for the 2020 State Parliamentary Year	Attended the 2020 Opening Service held at St Peter's Cathedral
Councillor Abrahamzadeh OAM	30-Jan-20	Chinatown Lunar New Year Pavement Art	Spoke at the opening of the Chinatown Lunar Year of the Rat official launch of its 2020 pavement art

COUNCIL MEMBER MEETINGS AND EVENTS ATTENDED :			
COUNCIL MEMBER	DATE	EVENT TITLE	EVENT DETAILS
Councillor Couros	5-Feb-20	AI3DE Board Meeting	Attended as Council representative
Councillor Hou	5-Feb-20	StudyAdelaide Board Meeting	Attended as Council representative

Meeting attendance

	Council 28 January 2020	Council Assessment Panel 3 February 2020	The Committee 4 February 2020	Meetings held	Meetings attended
Lord Mayor Sandy Verschoor	✓		✓	2	2
Councillor Houssam Abiad				1	0
Councillor Arman Abrahamzadeh	✓		✓	2	2
Councillor Mary Couros	✓		✓	2	2
Councillor Helen Donovan	✓		✓	2	2
Councillor Simon Hou	✓		✓	2	2
Councillor Alex Hyde	✓		✓	2	2
Councillor Jessy Khera	✓		✓	2	2
Councillor Franz Knoll	✓		✓	2	2
Councillor Phillip Martin	✓		✓	2	2
Councillor Anne Moran	✓	✓	✓	3	3
Councillor Robert Simms	✓		✓	2	2
# in Attendance	11	1	11		

Key:

	Apology
	Leave
	Not a Member
	Proxy Member

Communication in Other Languages – Mandarin Translation Service Trial Outcomes

ITEM 12.1 11/02/2020
Council

2016/02563
Public

Program Contact:
Vanessa Godden, AD Customer
& People 8203 7156

Approving Officer:
Clare Mockler, Deputy CEO &
Director Culture

EXECUTIVE SUMMARY

This report present outcomes of the 2 July 2019 Council Decision to trial a face-to-face Mandarin translation service at Council's Customer Centre.

To deliver the trial two student translators were engaged through the University of Adelaide on a work placement. The three-month trial occurred every Tuesday from 24 September to 10 December 2019.

The service was extensively promoted using posters and flyers in key locations, and digitally through Council's Facebook and WeChat accounts and websites, and digital screens located at the Central Market. Marketing collateral was also distributed to over 35 relevant partners and stakeholder agencies to share the content via their channels.

Community sentiment regarding the trial was positive, both from members of the public and the two work placement students. However, the service did not attract a high volume of usage, with 14 interactions across the three-month trial. Nine of those enquiries were non-council related.

Due to the low usage rate it is not planned to continue or broaden the face-to-face trial, but to redirect our focus on alternate methods to engage with our diverse community and customers.

Presented to The Committee on 4 February 2020.

RECOMMENDATION

THAT COUNCIL:

1. Notes the outcomes of the Mandarin translation service trial in the Customer Centre.
2. Notes Administration's intent to continue to broaden our engagement of diverse members of the community through other means, such as the use of digital technology for translation services that can be applied across all channels and languages.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Smart This report supports the Smart objective of the Strategic Plan by seeking to apply the use of digital technology in communicating with all visitors, workers, residents and businesses in the City.
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	The trial engaged University work placement students and internal City of Adelaide Marketing and Communications and Customer Service support.
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Not as a result of this report
19/20 Budget Allocation	The trial engaged University work placement students and internal City of Adelaide Marketing and Communications and Customer Service support; therefore, no direct costs were incurred. Costs would be required if this became an ongoing service and permanent resources were required.
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. At the 2 July 2019 meeting, Council resolved:
 - 1.1. *That Council*
 - 1.1.1. *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.*
 - 1.1.2. *The trial will provide a translation service in Mandarin, available at certain days/times per week, for a three-month period.*
 - 1.1.3. *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 the trial of a face-to-face translation service in the Customer Centre.*
2. Mandarin was chosen for the trial due to it being the most commonly spoken language other than English for City residents.
3. City of Adelaide collaborated with the University of Adelaide, in particular the Project Coordinator International Development, to engage the services of two international student translators.
4. As the translators were engaged as part of a work placement, there was no cost associated with the trial.
5. The service was extensively advertised using posters, flyers and through digital means such as Facebook, City of Adelaide's website, digital screens located at the Central Market, and WeChat.
6. Marketing collateral was also distributed to over 35 partners to share the content via their own channels, including: Australia China Business Council, Chinese Consul General, Chinese Business Association and the Chinese Chamber of Commerce SA.
7. There was positive sentiment from the community in response to the promotion of the service. As an example, Council's WeChat article was shared over 80 times which is very high for a Council post.
8. From 24 September to 10 December 2019, the trial service was offered from 9am-5pm every Tuesday in the Customer Centre.
9. Throughout the three months, 14 enquiries were made via the translation service.
10. Nine enquiries were non-council related. Of the five council-related interactions:
 - 10.1. Two related to Development Assessment
 - 10.2. Two related to general business advice
 - 10.3. One related to Council's Australia Day event
11. Positive outcomes from the trial included:
 - 11.1. Community sentiment regarding the service.
 - 11.2. The valuable experience gained for the international students on work placement, with exposure to working in local government and translation experience to support their studies. Both students were extremely grateful for their experience, as was the University.
 - 11.3. There were several documents translated by our placement students during this time.
12. Other learnings from the trial included:
 - 12.1. Uptake was not strong, with a low volume of people accessing the service.
 - 12.2. If the trial were to continue, a paid translator would need to be resourced as it is not appropriate to resource ongoing through placement students.
 - 12.3. As this would be a cost to Council, it would not represent best value for money given the low volume of usage combined with the fact the translator needs to be seated with a City of Adelaide staff member to source the information for the translator to pass on to customers.
 - 12.4. The service only assisted those who attended in person. Our phone, email and webchat enquiries were not managed by the translation service.
13. Based on the low utilisation of the service and the requirement to fund a translator for ongoing services, it is proposed that we do not continue the service or broaden it to other languages.
14. To offer cost effective solutions to engage with our diverse language groups, we will continue to trial and develop our use of the ever-increasing range of digital translation service options.

15. As an example of digital options, such technology was used effectively on the 14 January 2020, with a member of the public attending the Customer Centre speaking only Mandarin. Our Customer Centre team were able to use the 'Google Home Mini' we have at counter to translate English/Mandarin in a conversation style setting and were able to fully resolve the customer's enquiry.
16. While fairly new, this technology is increasing rapidly in usability and enables assistance across multiple languages.

ATTACHMENTS

Nil

- END OF REPORT -

2019-20 Quarter 2 Finance Report

ITEM 12.2 11/02/2020
Council

2018/03947
Public

Program Contact:
Tracie Dawber, AD Finance &
Procurement 8203 7002

Approving Officer:
Clare Mockler, Deputy CEO &
Director Culture

EXECUTIVE SUMMARY:

The 2019-20 Quarter 2 Finance Report summarises:

- The year to date financial performance for the quarter ended 31 December 2019
- Proposed adjustments to the 2019-20 Budget to fund emerging priorities and adjust income and expenditure in line with the 2019-20 Quarter 2 Revised Forecast.

The financial result for the first quarter is a net funding deficit of (\$4.4m) including subsidiaries, which is \$13.9m favourable to budget. This is primarily due to the timing variations in the delivery of projects \$4.2m, timing and net favourable variances in operational income and expenditure \$3.5m, timing of commercial opportunities \$3.1m, infrastructure delivery \$1.8m and subsidiaries \$1.2m mainly capital expenditure timing.

The proposed net adjustments for Quarter 2 are (\$18.5m) including subsidiaries. This includes an adjustment on the timing of property activities (\$25.0m) and additional requests of (\$2.7m), offset by savings of \$3.9m and carry forwards of \$5.4m. These adjustments would increase the net funding deficit for 2019-20 to (\$34.2m), and the forecasted borrowings at 30 June 2020 to (\$81.6m). This level of borrowing is within our current Prudential Borrowing Limits.

The Long Term Financial Plan has been updated to incorporate recent Council decisions regarding strategic property activities. This forecasts Council's current Prudential Borrowing Limits will be exceeded in the second half of the 2020-21 financial year. Council's forecast borrowings are presently subject to Council's Strategic Property Review. Remedial action will be considered and implemented as part of the 2020-21 Business Plan and Budget process.

RECOMMENDATION:

That Council:

1. Notes the year to date Financial Performance for the quarter ended 31 December 2019, as detailed in Schedule 1 of Attachment A to Item 12.2 on the Agenda for the meeting of Council on 11 February 2020.
2. Notes the year to date Treasury Report for the quarter ended 31 December 2019, as detailed in Schedule 2 of Attachment A to Item 12.2 on the Agenda for the meeting of Council on 11 February 2020.
3. Notes the 2019-20 Proposed Quarter 2 revised Long-Term Financial Plan, forecasted Key Financial Indicators, and prudential borrowing ratios as detailed in Schedules 4-6 of Attachment A to Item 12.2 on the Agenda for the meeting of Council on 11 February 2020.
4. Notes the 2019-20 Uniform Presentation of Finances and Budgeted Financial Statements as detailed in Schedule 8 of Attachment A to Item 12.2 on the Agenda for the meeting of Council on 11 February 2020.
5. Notes the Quarter 2 Capital Program Report for the period ended 31 December 2019 as included in Schedule 16 in Attachment A to Item 12.2 on the Agenda for the meeting of Council on 11 February 2020.
6. Notes Audit Committee reviewed the Quarter 2 Finance Report and Attachment A to Item 12.2 on the Agenda for the meeting of Council on 11 February 2020 and endorses the proposed 2019-20 Quarter 2 Revised Forecast at the meeting of City of Adelaide Audit Committee held on 7 February 2020.

7. Approves the 2019-20 proposed Quarter 2 revised forecast for General Operations, Business Operations, Projects, the Infrastructure Program, Major Projects (City Transformation Investments) and Commercial Opportunities as summarised in Schedule 3 and detailed in Schedules 9-15 in Attachment A to Item 12.2 on the Agenda for the meeting of Council on 11 February 2020.
 8. Approves the 2019-20 proposed Quarter 2 revised forecast for General Operations, Business Operations, Projects, the Infrastructure Program, Major Projects (City Transformation Investments) and Commercial Opportunities as summarised in Schedule 3 and detailed in Schedules 9-15 in Attachment A to Item 12.2 on the Agenda for the meeting of Council on 11 February 2020.
 9. Approves the proposed carry forwards for Projects and Major Projects as summarised in Schedule 3 and detailed in Schedules 11 and 14 in Attachment A to Item 12.2 on the Agenda for the meeting of Council on 11 February 2020.
 10. Approves the proposed Quarter 2 amendments for the Adelaide Central Market Authority as summarised in Schedule 17 and detailed in Schedule 18 of Attachment A to Item 12.2 on the Agenda for the meeting of Council on 11 February 2020.
 11. Notes that Council's current Prudential Borrowing Limits are forecast to be exceeded in the second half of the 2020-21 financial year, and that remedial action will be considered and implemented as part of the 2020-21 Business Plan and Budget process and Strategic Property Review.
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IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Smart The deliverables and objectives set out in the Quarter 2 Revised Forecast (QF2) document are directly aligned to the delivery of year 4 of the 2016-2020 City of Adelaide Strategic Plan.
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	The quarterly review meets Council's obligations under the <i>Local Government Act 1999</i> and <i>Local Government (Financial Management) Regulations 2011</i> . Schedule 6 provides the revised Prudential Borrowing Ratios based on the proposed Quarter 2 Revised Forecast adjustments. These indicate that Council's current Prudential Borrowing Limits will be exceeded in the second half of the 2020-21 Financial Year. Council's forecast borrowings are presently subject to Council's Strategic Property Review. Remedial action will be considered and implemented as part of the 2020-21 Business Plan and Budget process.
Opportunities	Not as a result of this report
19/20 Budget Allocation	Adjustments to the 2019-20 Budget are detailed throughout the Report and Attachment A .
Proposed 20/21 Budget Allocation	Proposed carry forwards of \$5.4m from 2019-20 into 2020-21 (\$2.4m) and 2021-22 (\$3.0m) as summarised in Schedule 3 and detailed in Schedules 11 and 14 in Attachment A .
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
19/20 Budget Reconsideration (if applicable)	Yes. Proposed adjustments to the budget arising from the Quarter 2 revised forecast for Operating and Capital Projects, the Infrastructure Program, Major Projects (City Transformation Investments) and Commercial Opportunities are summarised in Schedule 3 and detailed in Schedules 9-15 and subsidiaries summarised in Schedule 17 and detailed in Schedule 18 in Attachment A . The net funding surplus for 2019-20 is forecast to increase from (\$15.8m) to (\$34.2m).
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. **Attachment A** provides a summary of the financial performance for the quarter ended 31 December 2019 and proposes adjustments to the 2019-20 Budget arising from the Quarter 2 Revised Forecast (QF2).
2. Schedule 1 compares the year to date financial performance to 31 December 2019 and shows a net funding deficit of (\$4.4m) inclusive of subsidiaries which is \$13.9m favourable to the year to date budget. The favourable variance is primarily due to:
 - 2.1. Timing variations in the delivery of projects for City of Adelaide \$4.2m.
 - 2.2. Favourable variances in rate income, resource costs, contractual expenditure and interest expense within General Operations \$3.1m.
 - 2.3. Favourable variances in Business Operations of \$0.4m including Property and the Aquatic Centre.
3. Schedule 2 provides the Treasury Report for the first quarter and shows borrowings as at 31 December 2019 of \$46.8m which is within our Prudential Borrowing Limits.
4. Schedule 3 provides a summary of all proposed adjustments to income and expenditure arising from emerging priorities, additional costs, savings, transfers between categories and carry forwards recommended by the Administration. The proposed net adjustments for QF2 are (\$18.5m), increasing the forecast funding deficit for 2019-20 from (\$15.8m) to (\$34.2m).
5. General Operations are forecast to be \$0.4m favourable to budget due to an increase in rates income \$2.0m, interest savings \$0.9m and refund of public lighting maintenance \$0.2m, offset by forecast reduction in expiations (\$0.7m), transfers (\$1.8m) and other smaller requests at detailed totalling (\$0.3m).
 - 5.1. The increase in rates revenue is due to an increase in revenue from new additions following an error in the application of a rebate during the budget process, and a reduction in forecast objections.
 - 5.2. The reduction to the interest expense is primarily due to the reduction in interest rates and significantly lower borrowings at 1 July 2019 due to carry forwards at preliminary end of year.

Refer to Schedule 9 for a list of proposed adjustments.
6. Business Operations are forecast to be (\$0.6m) unfavourable to budget. These include a forecast reduction in Gawler Place income (\$0.7m) partly offset by transfers \$0.1m. Refer to Schedule 10 for a list of proposed adjustments.
7. Projects are forecast to be \$0.4m favourable to budget including savings \$0.2m, transfers \$0.4m and carry forwards \$0.2m, offset by additional requests (\$0.3m). Refer to Schedule 11 for a list of proposed adjustments.
8. The Infrastructure Program is forecast to be (\$0.1m) unfavourable to budget due to savings \$0.2m offset by additional requests (\$0.2m) and transfers (\$0.1m). Refer to Schedule 12 for a summary of the Infrastructure Program and Schedule 13 for a detailed list of proposed adjustments.
9. Major Projects (City Transformation Investments) are forecast to be \$5.2m favourable to budget due to carry forwards. Refer to Schedule 14 for a list of proposed adjustments.
10. Commercial Opportunities are forecast to be (\$23.7m) unfavourable to budget due adjustment to the timings of proceeds from commercial property activities. Refer to schedule 15 for a list of proposed adjustments.
11. Subsidiaries are forecast to be \$0.1m favourable to budget due to a net improvement in the operating position for the Adelaide Central Market Authority (ACMA) \$0.1m. Refer to Schedule 17 for a summary of the subsidiaries, and Schedule 18 for a list of proposed adjustments for ACMA.
12. The forecast borrowings at the end of the financial year are (\$81.6m), which is an (\$18.5m) increase compared the QF1 forecast (\$63.1m).
13. Schedule 4 provides the revised Long Term Financial Plan with the proposed borrowings and baseline changes into 2019-20 and beyond based on the proposed Quarter 2 Revised Forecast adjustments.
14. Schedule 5 provides the revised Key Financial Indicators and Ratios based on the proposed Quarter 2 Revised Forecast adjustments.
15. Schedule 6 provides the revised Prudential Borrowing Ratios based on the proposed Quarter 2 Revised Forecast adjustments. These indicate that Council's current Prudential Borrowing Limits will be exceeded in the second half of the 2020-21 financial year. Council's forecast borrowings are presently subject to Council's Strategic Property Review. Remedial action will be considered and implemented as part of the 2020-21 Business Plan and Budget process.

16. Schedule 7 provides the 2019-20 Efficiency Report to 31 December 2019. Efficiencies realised to date \$0.89m with a further \$0.3m identified, representing 35% of the target.
17. Schedule 8 provides the revised Uniform Presentation of Finances and Budgeted Financial Statements based on the proposed Quarter 2 Revised Forecast adjustments. The forecast financial accounting operating deficit for the 2019-20 financial years is (\$18.9m).
18. Schedule 16 provides a summary of the Capital Program performance for 2019-20 where 41% of the budget has been spent or committed, with 24% of projects delivered, and a further 43% in the construction / delivery phase.

ATTACHMENTS

Attachment A – 2019-20 Quarter 2 Revised Forecast

- END OF REPORT -

2019-20 Quarter 2 Revised Forecast

Attachment A



Contents

Financial Performance	Schedule 1: 2019-20 Financial Performance to 31 December 2019 Schedule 2: 2019-20 Treasury Report to 31 December 2019
Revised Forecast	Schedule 3: Proposed 2019-20 Quarter 2 Revised Forecast Schedule 4: Quarter 2 Revised Long-Term Financial Plan Schedule 5: Quarter 2 Revised Key Financial Indicators and Ratios Schedule 6: Quarter 2 Revised Prudential Borrowing Ratios Schedule 7: 2019-20 Efficiency Report to 31 December 2019
Budgeted Financial Statements	Schedule 8: Quarter 2 Budgeted Financial Statements
Operations	Schedule 9: Proposed amendments to General Operations Schedule 10: Proposed amendments to Business Operations
Projects	Schedule 11: Proposed amendments to Operating Projects
Infrastructure Program	Schedule 12: Infrastructure Program & Renewals Summary Schedule 13: Proposed amendments to the Infrastructure Program
Major Projects & Commercial Opportunities	Schedule 14: Proposed amendments to Major Projects Schedule 15: Commercial Opportunities
Capital Report	Schedule 16: Quarter 2 Capital Program Report
Subsidiaries	Schedule 17: Subsidiaries Summary Schedule 18: Proposed amendments to Adelaide Central Market Authority

Schedule 1: 2019-20 Financial Performance to 31 December 2019

Financial Performance

Revised Forecast

Budgeted Financial Statements

General & Business Operations

Projects

Infrastructure Program

Major Projects & Commercial Opportunities

Capital Report

Subsidiaries

This schedule compares the 2019-20 YTD actual performance compared to the Quarter 1 Revised Forecast.

\$'m	Year to Date			Full Year 2019-20 Budget (August)
	Actual	2019-20 Budget (August)	Variance	
General Operations	18.2	15.3	3.1	36.5
Business Operations	13.2	12.8	0.4	26.0
Funding available for Projects	31.4	28.1	3.5	62.5
Projects	(8.4)	(11.2)	2.9	(23.1)
Infrastructure Program & Renewals	(13.9)	(15.7)	1.8	(47.6)
Projects & Infrastructure Program	(22.3)	(26.9)	4.7	(70.6)
Underlying Surplus/(Deficit)	9.1	1.2	8.2	(8.1)
Major Projects	(7.2)	(8.6)	1.3	(19.4)
Commercial Opportunities	(5.3)	(8.6)	3.1	16.7
City of Adelaide Surplus/(Deficit)	(3.4)	(16.0)	12.7	(10.8)
Subsidiaries	(1.0)	(2.2)	1.2	(4.9)
Net Surplus/(Deficit)	(4.4)	(18.2)	13.9	(15.7)
Total Cash/(Borrowings) at Year End *				(63.1)

* An adjustment has been made to the opening borrowing position of (\$0.4m) due to the timing of cash receipts and payments.

The year to date net funding deficit is **(\$4.4m)** which is **\$13.9m favourable to budget**. Key variances include:

- **General Operations \$3.1m favourable** primarily due rate income \$1.6m, resource costs \$0.7m, contractors \$0.3m and interest expense \$0.6m.
- **Business Operations \$0.4m favourable** primarily due to favourable variances Property \$0.3m, Aquatic Centre \$0.2m, Golf Course \$0.1m and UPark \$0.1m, partially offset by the business operations target (\$0.5m). Refer to the 2019-20 Quarter 2 Commercial Operations Report.
- **Projects \$2.9m favourable** due to timing variances on the delivery of projects including Asset Management System \$0.7m, this project is on schedule for delivery.
- **Infrastructure Program \$1.8m favourable** due timing variances in the delivery of projects including Streets \$0.7m, Park Lands \$0.4m, Transport \$0.3m and Water Infrastructure \$0.3m.
- **Major Projects \$1.3m favourable** due to timing variances in the delivery of projects including the Gawler Place Development \$1.1m (in part Public Art delivery), the Smart Parking projects \$0.3m and Bikeways \$0.2m.
- **Commercial Opportunities \$3.1m favourable** primarily due timing of project expenditure related to Ten Gigabit Adelaide and Gawler Place UPark.
- **Subsidiaries \$1.2m favourable** due to timing in Adelaide Central Market Authority (ACMA) capital projects \$1.0m.

Schedule 2: 2019-20 Treasury Report to 31 December 2019

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Borrowing Facility

Borrowings Facility	Available	Interest Type	Borrowing(s) Amount as at 31 December 2019	Change since previous report	Maturity Date	CAD Interest Rate
LGFA CAD 554	\$30m	Variable	\$30.0m	-	16/12/2023	2.00%
LGFA CAD 555	\$70m	Variable	\$16.8m	\$6.8m	15/06/2033	2.00%

- Note CAD facilities are flexible and allows Council to convert all or part of it into a fixed rate interest only loan for a maximum of 5 years.
- Rate decreased by 0.25% from 2.50% to 2.25% on the 3 July 2019

Prudential Borrowing Limits

Prudential Limit Ratio	Comments	Limits	Forecast 30 June 2020
Debt Service Coverage Ratio	The number of times Council's annual 'Amount Available for Projects' can service annual principle and interest commitments.	Min 5 times	8.1 times
Leverage Test	Total borrowings expressed as a multiple of the annual 'Amount Available for Projects'.	Max 1.5 years	1.3 years
Asset Test	The percentage of total borrowings to Council's saleable property assets.	Max 25%	22.7%

Interest Income/(Expenditure)

\$'000	Quarter 2 1 July to 31 December 2019		Year to Date		Annual	Administration Comments
	Actual	Budget	Actual	Budget	Budget	
Revenue	\$5	\$6	\$12	\$12	\$25	Interest revenue consists of interest earned on operating monies held in the NAB operating account.
Expense	(\$285)	(\$621)	(\$593)	(\$1,243)	(\$2,468)**	Interest expense consist of LGFA CAD facility.

** Interest expense budget reduced by \$895k as part of the Quarter 2 Revised forecast due to lower interest rates (budget based on 2.75%), reduced opening borrowings (\$41m compared to \$65m) due to carry forwards, and the timing of the delivery of major projects in 2019-20.

Schedule 3: Proposed 2019-20 Quarter 2 Revised Forecast

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This schedule compares the Quarter 1 Revised Forecast to the Quarter 2 Revised Forecast.

\$'m	2019-20 Budget (Quarter 1)	Proposed 2019-20 Quarter 2 Budget	Variance to Budget
General Operations	36.5	36.9	0.4
Business Operations	26.0	25.4	(0.6)
Funding available for Projects	62.5	62.3	(0.2)
Projects	(23.1)	(22.7)	0.4
Infrastructure Program & Renewals	(47.6)	(47.7)	(0.1)
Projects and Infrastructure Program	(70.6)	(70.4)	0.3
Underlying Surplus/(Deficit)	(8.1)	(8.0)	0.1
Major Projects	(19.4)	(14.3)	5.2
Commercial Opportunities	16.7	(7.0)	(23.7)
City of Adelaide Surplus/(Deficit)	(10.8)	(29.3)	(18.5)
Total Subsidiaries	(4.9)	(4.9)	-
Net Surplus/(Deficit)	(15.7)	(34.2)	(18.5)
Total Cash/(Borrowings) at Year End	(63.1)	(81.6)	(18.5)

The proposed net adjustments increase the forecast funding deficit by **(\$18.5m)** from **(\$15.8m)** to **(\$34.2m)**.

- **General Operations \$0.4m** due to increase in rates income \$2.0m, reduction in interest expense \$0.9m and refund of public lighting maintenance \$0.2m offset by forecast reduction in expiations (\$0.7m), transfers (\$1.8m) and other smaller requests totalling (\$0.3m). *Refer to Schedule 9.*
- **Business Operations (\$0.6m)** primarily due to a forecast reduction in Gawler Place income (\$0.8m), partly offset by transfers \$0.1m *Refer to Schedule 10.*
- **Projects \$0.4** including additional requests (\$0.3m) savings \$0.2m, transfers \$0.4m and carry forwards \$0.2m. *Refer to Schedule 11 for a detailed breakdown.*
- **Infrastructure Program (\$0.1m)** including savings \$0.2m offset by additional requests (\$0.2m) and transfer from Operating Projects (\$0.1m). *Refer to Schedules 12 and 13 for a detailed breakdown.*
- **Major Projects \$5.2m** due to net carry forwards for East-West Bikeway \$2.7m and Market to Riverbank \$2.5m. *Refer to Schedule 14 for a detailed breakdown.*
- **Commercial Opportunities (\$23.7m)** due to timing of property investments and the transfers of interest expense to General Operations. *Refer to Schedule 15 for a detailed breakdown.*

The forecast borrowings at 30 June 2020 have increased from **(\$63.1m)** to **(\$81.6m)**, an unfavourable adjustment of **(\$18.5m)** noting an adjustment to the opening borrowing position of **(\$0.4m)** due to the timing of cash receipts and payments.

Schedule 4: Quarter 2 Revised Long-Term Financial Plan

This schedule provides the Long Term Financial Plan updated for the Cumulative Borrowing Position into 2020-21 and beyond.

The Long Term Financial Plan forecasts Council's current Prudential Borrowing Limits will be exceeded in the second half of the 2020-21 financial year. Council's forecast borrowings are presently subject to Council's Strategic Property Review. Remedial action will be considered and implemented as part of the 2020-21 Business Plan and Budget process.

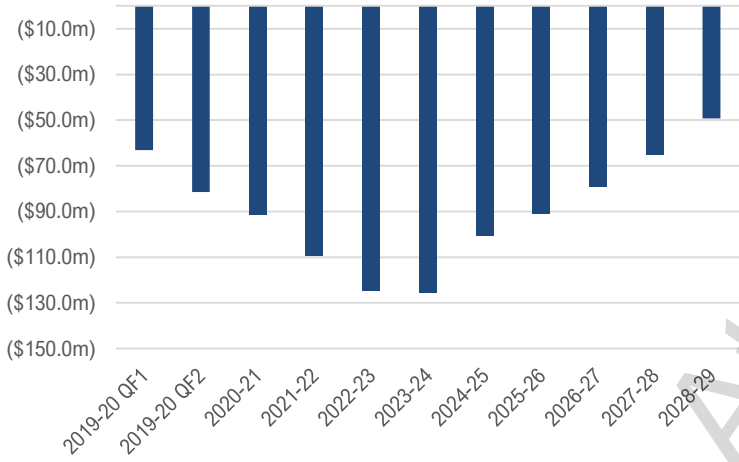
\$'m	2019-20 Budget (Quarter 1)	2019-20 Quarter 2 Forecast	2020-21 Plan	2021-22 Plan	2022-23 Plan	2023-24 Plan	2024-25 Plan	2025-26 Plan	2026-27 Plan	2027-28 Plan	2028-29 Plan
General Operations											
General Rates	108.6	110.7	114.1	117.7	121.5	125.5	131.2	136.1	140.6	145.3	150.1
Revenue	34.9	34.1	34.9	35.7	36.6	37.4	38.3	39.1	40.0	41.0	41.9
Expenditure	(107.0)	(108.0)	(111.6)	(113.6)	(116.7)	(119.8)	(122.7)	(124.6)	(127.2)	(129.8)	(132.3)
General Operations Surplus	36.5	36.8	37.5	39.8	41.4	43.1	46.7	50.5	53.4	56.5	59.7
Business Operations											
Revenue	47.1	46.3	45.9	46.0	46.9	47.9	55.8	57.1	58.5	59.9	61.4
Expenditure	(21.0)	(20.9)	(21.4)	(21.5)	(21.9)	(22.8)	(25.0)	(25.2)	(25.8)	(26.4)	(27.0)
Business Operations Surplus	26.0	25.4	24.5	24.5	25.0	25.1	30.8	32.0	32.7	33.5	34.4
Amount available for Projects	62.5	62.2	61.9	64.3	66.4	68.2	77.5	82.5	86.2	90.0	94.0
Projects (inc. Grants & Sponsorships)	(23.1)	(22.7)	(21.1)	(21.5)	(21.9)	(22.5)	(23.0)	(23.5)	(24.0)	(24.6)	(25.2)
Capital Works Program											
Infrastructure Program	(37.8)	(38.0)	(35.7)	(34.2)	(35.1)	(36.0)	(36.9)	(37.8)	(38.8)	(39.8)	(40.8)
Other Asset Renewals	(2.5)	(2.5)	(3.1)	(3.2)	(3.2)	(3.3)	(3.4)	(3.5)	(3.6)	(3.6)	(3.7)
Capital Works Program Management	(7.3)	(7.3)	(7.5)	(7.6)	(7.8)	(8.0)	(8.2)	(8.4)	(8.6)	(8.8)	(9.0)
Infrastructure Program and Renewals	(47.6)	(47.7)	(46.3)	(45.0)	(46.1)	(47.3)	(48.5)	(49.7)	(50.9)	(52.2)	(53.5)
Underlying Current Year Funding Surplus/(Deficit)	(8.1)	(8.1)	(5.5)	(2.2)	(1.7)	(1.5)	6.0	9.3	11.2	13.2	15.4
Major Projects	(19.4)	(14.3)	(2.1)	(4.0)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Commercial Opportunities	16.7	(6.9)	0.1	(8.7)	(12.4)	0.5	19.1	0.6	0.6	0.6	0.6
Annual Funding Surplus/(Deficit) excl. Subsidiaries	(10.8)	(29.3)	(7.5)	(14.8)	(14.1)	(1.0)	25.1	9.9	11.8	13.8	16.0
Subsidiaries	(4.9)	(4.9)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Annual Funding Surplus/(Deficit) incl. Subsidiaries	(15.7)	(34.2)	(7.5)	(14.8)	(14.1)	(1.0)	25.1	9.9	11.8	13.8	16.0
Adjustment for timing of cash receipts and payments			(2.4)	(3.0)							
Cumulative Funding Surplus/(Deficit) at End of Year incl. Subsidiaries	(63.1)	(81.6)	(91.4)	(109.3)	(123.4)	(124.4)	(99.3)	(89.4)	(77.6)	(63.7)	(47.7)

* An adjustment has been made to the opening borrowing position of (\$0.4m) due to the timing of cash receipts and payments.

Schedule 5: Quarter 2 Revised Key Financial Indicators and Ratios

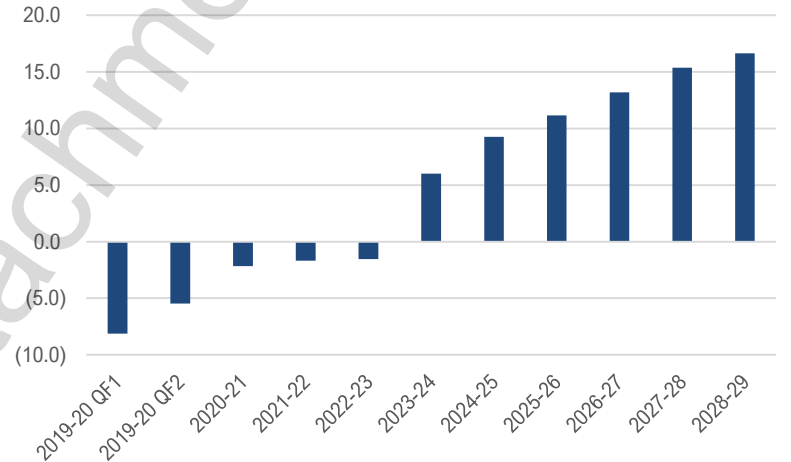
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Borrowings

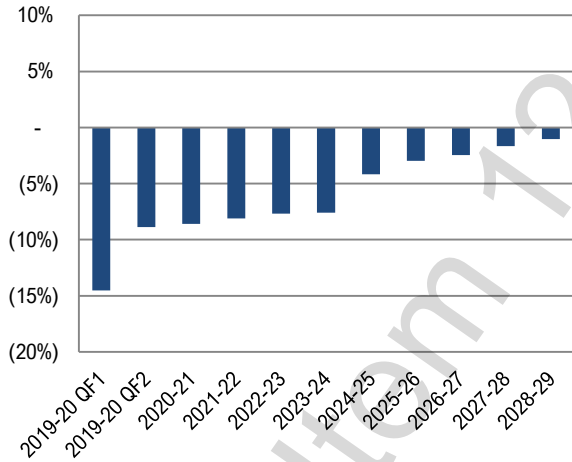


Underlying Operating Surplus/(Deficit)

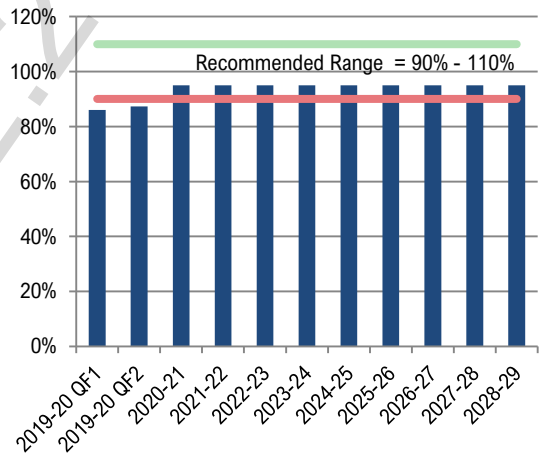
Operational surplus less annual funding allocation for projects and infrastructure



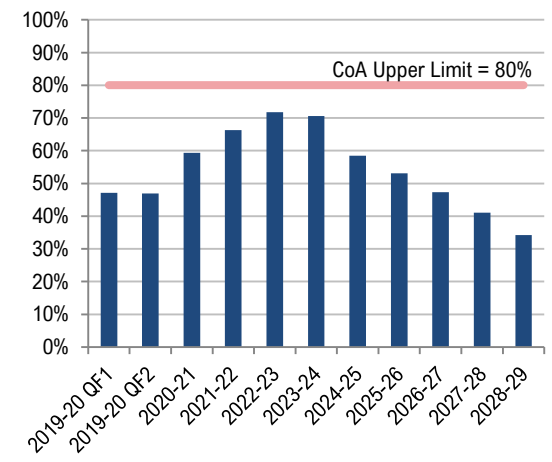
Operating Surplus Ratio



Asset Sustainability Ratio



Net Financial Liabilities Ratio



Schedule 6: Quarter 2 Revised Prudential Borrowing Ratios

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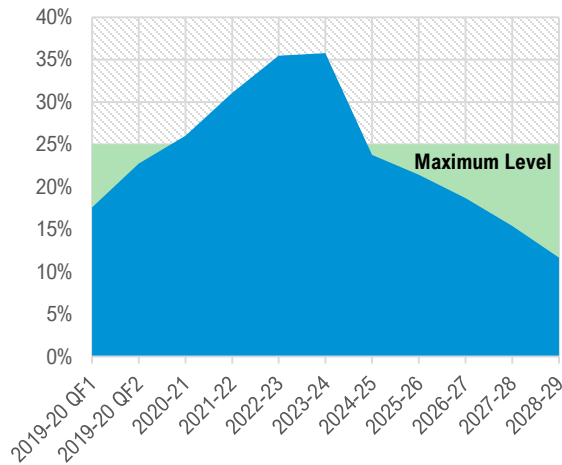
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Asset Test Ratio



The percentage of total borrowings to Council's saleable property assets.

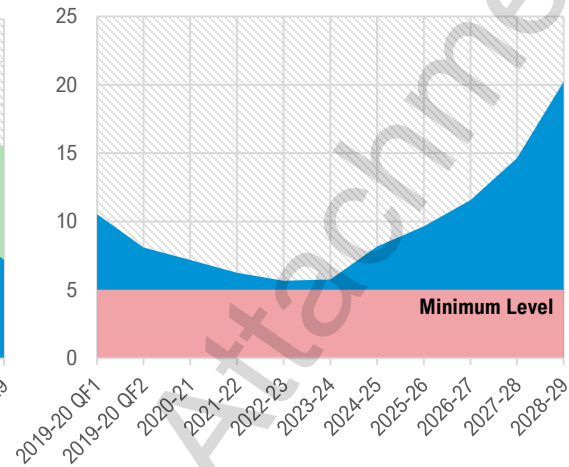
Maximum 25%

Total Borrowings /
Total Saleable Property Assets

(Saleable Property Assets = Total Property Assets LESS Landmark Public Buildings and Park Lands)

The Long Term Financial Plan forecasts Council's current Prudential Borrowing Limits will be exceeded in the second half of the 2020-21 financial year. Council's forecast borrowings are presently subject to Council's Strategic Property Review. Remedial action will be considered and implemented as part of the 2020-21 Business Plan and Budget process.

Debt Service Coverage Ratio

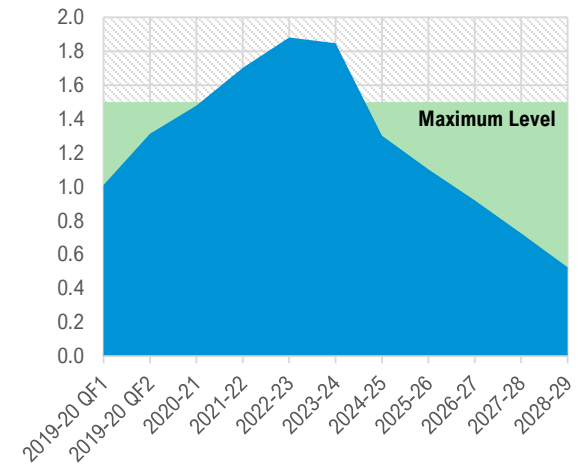


The number of times Council's annual 'Amount Available for Projects' can service annual principle and interest commitments.

Minimum 5 times

(General Operations Surplus + Commercial Businesses Surplus) / Annual Principal and Interest Payments.

Net Financial Liabilities Ratio



Total borrowings expressed as a multiple of the annual 'Amount Available for Projects'.

Maximum 1.5 Years

Total Borrowings / (General Operations Surplus + Commercial Businesses Surplus)

Schedule 7: 2019-20 Efficiency Report to 31 December 2019

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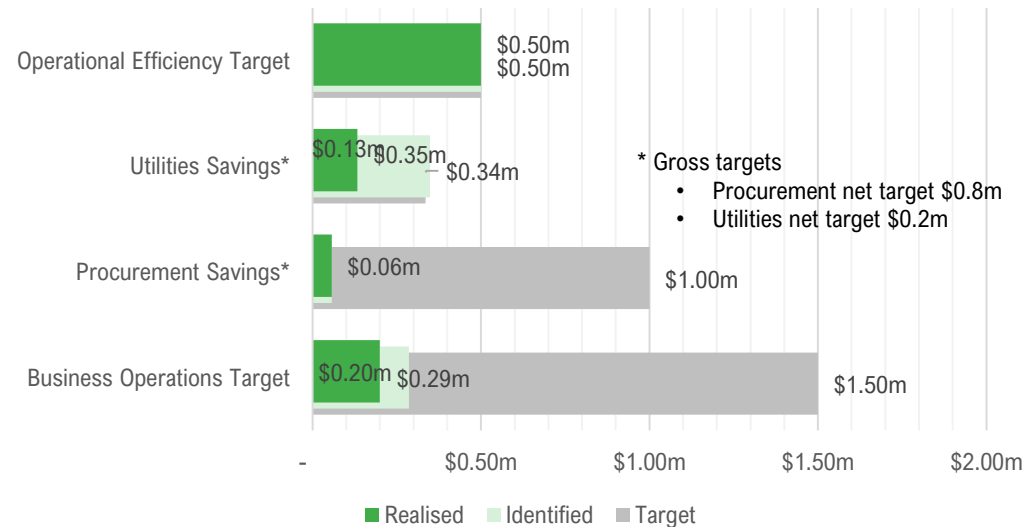
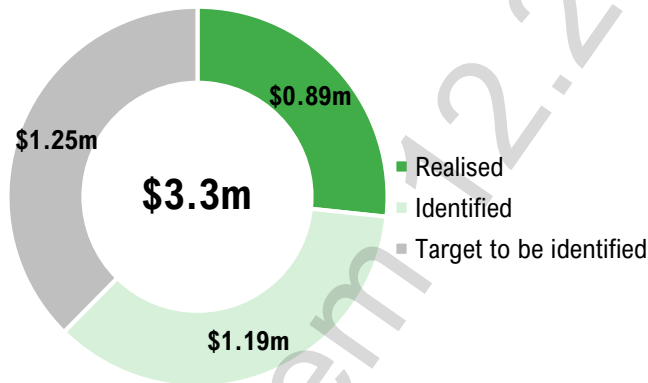
The draft 2019-20 Integrated Business Plan incorporated the following efficiencies and targets:

- An operational efficiency target of \$0.5m which was incorporated to balance the draft budget
- A procurement efficiency target of \$0.8m net (\$1.0m gross)
- A utilities efficiency target of \$0.2m net (\$0.335m gross)
- A business operation target of \$1.5m

Efficiency / Target	Realised	Identified	Target
Business Operations Target	\$0.20m	\$0.29m	\$1.50m
Procurement Savings*	\$0.06m	\$0.06m	\$1.00m
Utilities Savings*	\$0.13m	\$0.35m	\$0.34m
Operational Efficiency Target	\$0.50m	\$0.50m	\$0.50m
Total	\$0.89m	\$1.19m	\$3.34m

This slide identifies the efficiencies and progress towards the target that have either been:

- realised at the end of the second quarter through proposed adjustments to the second quarter revised forecast.
- identified and forecasted to be achieved by the end of the financial year.



* Gross targets
 • Procurement net target \$0.8m
 • Utilities net target \$0.2m

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Uniform Presentation of Finances

\$'m	2019-20 Adopted Budget	2019-20 Budget (Quarter 1)	Proposed 2019-20 Quarter 2 Budget
Income	205.1	205.2	210.7
less Expenses	(210.7)	(235.8)	(219.7)
Operational Funding Surplus / (Deficit)	(5.6)	(30.6)	(8.9)
less Net Outlays on Existing Assets			
Net Capital Expenditure on Renewal & Replacement of Existing Assets	47.5	54.5	55.0
less Depreciation, Amortisation and Impairment	(45.5)	(45.5)	(49.9)
less Amounts received specifically for Existing Assets	(1.1)	(1.9)	(2.3)
Net Outlays on Existing Assets	0.9	7.1	2.8
less Net Outlays on New and Upgraded Assets			
Net Capital Expenditure on New and Upgraded Assets	37.7	42.8	29.4
less Amounts received specifically for New and Upgraded Assets	(42.2)	(40.0)	(6.9)
Net Outlays on New and Upgraded Assets	4.5	2.8	22.5
Net Lending / (Borrowing) for the Financial Year	(2.0)	(15.7)	(34.2)
Operational Funding Surplus / (Deficit)			(8.9)
add Amounts received specifically for Existing Assets			2.3
add Amounts received specifically for New and Upgraded Assets			6.9
add Project related Expenditure			(13.7)
less Net Adjustment for Leases			1.3
less Grants received in advance			(6.4)
Forecasted Total Comprehensive Income (before asset revaluations)			(18.4)

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Statement of Comprehensive Income

Year Ended 30 June \$'m	Consolidated 2019-20 Adopted Budget*	Consolidated 2019-20 Quarter 2 Forecast
Income		
General Rates	108.6	110.6
Other Rates and Levies	5.8	5.8
Statutory Charges	14.0	13.4
User Charges	72.2	71.6
Grants, Subsidies and Contributions [#]	9.6	10.8
Investment Income	0.0	0.0
Reimbursement	0.5	0.5
Other Income	0.4	0.4
Total Income	211.1	213.1
Expenses		
Employee Costs	(77.6)	(78.1)
Materials, Contracts & Other Expenses	(85.1)	(97.8)
Depreciation, Amortisation & Impairment	(45.5)	(49.9)
Finance Costs (including leasing costs)	(2.5)	(1.6)
Finance Costs associated with leases	-	(4.6)
Total Expenses	(210.7)	(232.0)
Operating Surplus / (Deficit)	0.4	(18.9)
Amounts received specifically for New or Upgraded Assets	37.2	0.5
Net Surplus / (Deficit)	37.6	(18.4)
Total Comprehensive Income	37.6	(18.4)

* The Consolidated 2019-20 Adopted Budget was adopted prior to the 2018-19 Preliminary End of Year Report and therefore excludes carry forwards and adjustments to the 2019-20 Budget at preliminary end of year.

[#] \$5.0m grant from the SA Government now recognised within Grants, Subsidies and Contributions (previously recognised in Amounts received specifically for New or Upgraded Assets).

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Statement of Financial Position

Year Ended 30 June	Consolidated 2019-20 Adopted Budget*	Consolidated 2019-20 Quarter 2 Forecast
\$'000		
Assets		
Current Assets		
Cash and Cash Equivalents	0.1	0.1
Trade and other Receivables	14.7	14.6
Other Financial Assets	0.2	0.2
Inventories	0.5	0.5
Total Current Assets	15.4	15.4
Non-Current Assets		
Financial Assets	0.4	0.4
Equity Accounted Investments in Council Businesses	0.1	0.1
Investment Property	2.9	2.9
Infrastructure, Property, Plant & Equipment	1,723.2	1,850.3
Other Non-Current Assets	1.5	1.7
Total Non-Current Assets	1,727.2	1,854.4
Total Assets	1,742.6	1,870.8
Liabilities		
Current Liabilities		
Trade & Other Payables	(21.6)	(23.2)
Provisions	(13.2)	(13.2)
Total Current Liabilities	(34.8)	(36.4)
Non Current Liabilities		
Borrowings	(67.0)	(81.6)
Provisions	(2.1)	(2.1)
Non-Current Liabilities	-	(15.1)
Total Non-Current Liabilities	(69.1)	(98.8)
Total Liabilities	(103.9)	(135.2)
Net Assets	1,639.7	1,735.6
Equity		
Accumulated Surpluses	901.9	816.1
Asset Revaluation Reserves	736.2	917.7
Other Reserves	1.6	1.7
Total Council Equity	1,639.7	1,735.6

Schedule 8: Budgeted Financial Statements

Statement of Changes in Equity

Year Ended 30 June \$'m	Accumulated Surplus	Asset Revaluation Reserve	Other Reserves	Total Equity
Consolidated 2019-20 Quarter 2 Forecast				
Balance at the end of the previous reporting period	850.3	917.7	1.7	1,769.8
Net Surplus / (Deficit) for Year	(34.2)	-	-	(34.2)
Balance at the end of period	816.1	917.7	1.7	1,735.6
Consolidated 2019-20 Adopted Budget*				
Balance at the end of the previous reporting period	846.3	736.2	1.6	1,602.1
Net Surplus / (Deficit) for Year	37.6	-	-	37.6
Balance at the end of period	883.9	736.2	1.6	1,639.7

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Statement of Cash Flows

Year Ended 30 June \$'000	Consolidated 2019-20 Adopted Budget*	Consolidated 2019-20 Quarter 2 Forecast
Cash Flows from Operating Activities		
Receipts		
Operating Receipts [#]	211.1	213.0
Payments		
Operating Payments to Suppliers and Employees	(171.7)	(162.0)
Net Cash provided (or used in) Operating Activities	39.4	51.0
Cash Flows for Investing Activities		
Receipts		
Amounts received specifically for New/Upgraded Assets	37.2	0.4
Payments		
Expenditure on Renewal/Replacement of Assets	(47.5)	(55.0)
Expenditure on New/Upgraded Assets	(37.7)	(29.4)
Net Cash provided by (or used in) Investing Activities	(47.9)	(84.0)
Cash Flows from Financing Activities		
Receipts		
Proceeds from Borrowings	2.0	34.2
Payments		
Repayment of principle proportion of lease liability		(1.2)
Net Cash provided by (or used in) Financing Activities	2.0	33.0
Net Increase (Decrease) in Cash Held	6.5	0.0
Plus: Cash & Cash Equivalents at beginning of the period	0.1	6.1
Cash and Cash Equivalents at end of the period	(6.4)	6.1

* The Consolidated 2019-20 Adopted Budget was adopted prior to the 2018-19 Preliminary End of Year Report and therefore excludes carry forwards and adjustments to the 2019-20 Budget at preliminary end of year.

\$5.0m grant from the SA Government now recognised within Grants, Subsidies and Contributions (previously recognised in Amounts received specifically for New or Upgraded Assets).

Schedule 9: General Operations

Reference	Description	Proposed Budget Adjustment \$'000s	Administration Comment
GO-01	Public Lighting Reimbursement	175	Refund of public lighting maintenance costs due to supplier error in calculating maintenance costs between 2010 and 2015.
GO-02	Building reviews	24	Allocation of external funding to undertake building review program.
		(24)	
GO-03	Heritage Strategy	(44)	Resourcing for the implementation of the Heritage Strategy. Council ID 19824
GO-04	Spatial Planning & Heritage	(248)	Transfer of resourcing from Projects P-06 Built Heritage Management Grants, P-07 Built Heritage Management Promotion and P-08 Noise Management to General Operations as part of program realignment.
GO-05	Planning Assessment	(91)	
GO-06	Torrens Weir	(60)	Maintenance on the Torrens Weir.
GO-07	Recycling contract cost increase	(69)	Increased costs relating to the new recycling contract effective 1 January 2020
GO-08	Offset Printing	34	Savings from printer hire budget following a review of the internal printing service and subsequence purchase of a new printer.
GO-09	Renewable Energy contract	20	Transfer of consulting funds to Project P-09 Carbon Neutral Adelaide - 100% Renewable Electricity for expenditure associated with the procurement of the new contract.
GO-10	On Street Parking	(715)	Forecast reduction in expiation income for 2019-20.
		(18)	Forecast reduction in on-street parking income from the Sturt Street free parking trial September – December 2019. Council ID 19364
GO-11	Council Member training	(40)	Corporate governance training.
GO-12	Legal fees	(106)	Transfer of legal fees for commercial leases from Business Operations BO-02 Legal Fees to centralise management of legal fees.
GO-13	Rates income	2,040	Forecast increase in rates including a reduction in valuation objections.
GO-14	Interest Expense	(1,343)	Transfer of interest expense budgets from Commercial Opportunities CO-01.
GO-15		895	Forecast reduction in interest expense following reductions in interest rates and reductions in the borrowing requirements for 2019-20.
Total adjustments for General Operations		430	

Schedule 10: Business Operations

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Reference	Description	Proposed Budget Adjustment \$'000s	Administration Comment
BO-01	UPark Gawler Place	(751)	Forecast reduction in income following reduced access through Gawler Place and a reduction in parking bays.
BO-02	Legal fees	106	Transfer of legal fees for commercial leases to General Operations GO-12 Legal Fees to centralise management of legal fees.
BO-03	Property Income	37	Reduction in rental income from Adelaide Central Market Authority (ACMA) to align with ACMA's QF2 Forecast.
Total adjustments for Business Operations		(608)	

Schedule 11: Projects (1 of 2)

Project Number		Project	2019-20 Net Budget \$'000s	Proposed Budget Adjustment \$'000s	Proposed Carry Forwards \$'000s	Revised Net Budget 2019-20 \$'000s	Administration Comment	Contracted
P-01	Park Lands Services		(295)	25	-	(270)	Reduction in the 2019-20 grant to APLA for the World Heritage Listing of the Park Lands as previously forecast expenditure not required in 2019-20.	No
P-02	Frome Precinct Strategy		(75)	75	-	-	Scope of project superseded by Lot 14 Master Plan and City Access Strategy	No
P-03	Park Lands Strategy Implementation – Elder Park Master Plan		(58)	58	-	-	Scope of project superseded by State Development in the precinct.	No
P-04	Transport Services		(147)	69	-	(78)	Reallocation of funds to Plant, Fleet and Equipment V405 Tindo battery renewal for the purchase of two new batteries for Tindo bus.	No
P-05	Electric Vehicle Charging Stations	Operating	(70)	53	-	(17)	Transfer of funds from Operating Project 2859 to Capital Project S727	Partial
		Capital	(2)	(53)	-	(55)		
P-06	Built Heritage Management Grants		(1,317)	237	-	(1,080)	Transfer of resourcing to General Operations GO-04 Spatial Planning & Heritage and GO-05 Planning Assessment as part of program realignment.	Yes
P-07	Built Heritage Management Promotion		(145)	82	-	(64)		Yes
P-08	Noise Management		(59)	20	-	(39)		Yes
P-09	Carbon Neutral Adelaide – 100% Renewable Energy		(106)	(20)	-	(126)	Transfer of consulting funds from General Operations GO-09 Renewable energy contract for expenditure associated with the procurement of the new contract.	Yes
P-10	PCI Compliance		(194)	(255)	-	(449)	Additional funding to support the setup and implementation of the SIEM (Security Information and Event Management) software, to automate monitoring and remove the need for an ongoing resource to address security events.	

Schedule 11: Projects (2 of 2)

Project Number	Project	2019-20 Net Budget \$'000s	Proposed Budget Adjustment \$'000s	Proposed Carry Forwards \$'000s	Revised Net Budget 2019-20 \$'000s	Administration Comment	Contracted
P-11	Welcoming City Places and Spaces	-	(25)	-	(25)	Community Engagement to understand needs of our city of multicultural communities. Council ID 19917	No
P-12	China Town and Market District Safety	-	(50)	-	(50)	Implementation of a Local Trader CCTV Rebate Scheme. Council ID 19916	No
P-13	Live Music Back Line Incentive Scheme	-	(18)	-	(18)	Development of a one year pilot incentive scheme for city-based venues to purchase, store and maintain music equipment (backline) for the free use of musicians. Council ID 19911	No
P-14	Transport and Movement Strategy	(250)	50	-	(200)	Transfer of City Access Strategy funding into 5 Year City Plan.	No
P-15	5 Year City Plan	(50)	(50)	-	(100)	Transfer of City Access Strategy funding from Transport and Movement Strategy project	Yes
P-16	Love lock relocation	(7)	1	-	(6)	Project completed with savings.	Completed
P-17	Christmas in the City 2020	(200)	-	200	-	2019-20 budget allocation to commence planning and procurement for Christmas 2020 with delivery in 2020-21 financial year.	No
Projects with no changes		(20,759)			(20,759)		
Total Projects		(23,074)	199	200	(22,675)		

Schedule 12: Infrastructure Program and Renewals Summary

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Category \$'000s	Current 2019-20 Net Budget	Proposed Net Budget Adjustment	Proposed Net Carry Forwards	Proposed Revised 2019-20 Net Budget
Streets	(11,559)	47	-	(11,511)
Park Lands	(3,429)	-	-	(3,429)
City Works				
Transport	(7,609)	(27)	-	(7,636)
Traffic Signal	(1,129)	(4)	-	(1,133)
Bridges	(363)	3	-	(360)
Lighting & Electrical	(1,494)	-	-	(1,494)
Water Infrastructure	(2,241)	-	-	(2,241)
Urban Elements	(588)	-	-	(588)
Park Lands & Streetscape Renewals	(1,078)	8	-	(1,070)
Design & Asset Management Services	(46)	(21)	-	(67)
City Works Sub Total	(14,547)	(42)	-	(14,589)
Buildings	(7,755)	(6)	-	(7,761)
Plant, Fleet and Equipment	(1,466)	(119)	-	(1,585)
Information Management	(1,532)	-	-	(1,532)
Sub-total	(40,288)	(119)	-	(40,407)
Capital Works Program Management	(7,279)	-	-	(7,279)
Infrastructure Program & Renewals	(47,568)	(119)	-	(47,687)

The Quarter 2 revised forecast for the Infrastructure Program is a net increase of **(\$119k)** including:

- **Streets \$47k net decrease** mainly through a saving following the completion of Archer Street \$57k.
- **City Works (\$42k) net increase** primarily due to
 - **Transport (\$27k)** due to additional line marking (\$73k) partially offset by savings in the roads program \$46k.
 - **Design & Asset Management Services (\$21k)** for a centralised allocation for the Construction Industry Training Board Levy.
- **Buildings (\$6k) net increase** due to savings in the Integrated Water Management project \$8k more than offset by additional funds for James Place Public convenience (\$3k) and Adelaide Bowling Club (\$2k) as well as the new Louder's Boat House project (\$10k)
- **Plant, Fleet and Equipment (\$119k) net increase** for the replacement of batteries in the Tindo Bus (\$69k) and replacement of the fuel tank at the Golf Course (\$50k).

Schedule 13: Proposed amendments to the Infrastructure Program (1 of 3)

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Project Number	Project	Current Net Budget 2019-20 \$'000s	Proposed Net Budget Adjustment \$'000s	Proposed Net Carry Forwards \$'000s	Revised Net Budget 2019-20 \$'000s	Administration Comment	Contracted
Streets							
U113	Archer Street	(309)	57	-	(251)	Project completed with savings.	Completed
V103	Grote St (Morphett St to West Tce)	(1,500)	(5)	-	(1,505)	Streetscape works aligned with the Grote Street Project allocated from V250 Streetscape Renewals.	No
V119	North Terrace West Footpath	(80)	(5)	-	(85)	Footpath design outside of Railway Station requires additional funds.	Yes
Projects with no changes		(9,670)	-	-	(9,670)		
Total Streets		(11,559)	47	-	(11,511)		
Road, Kerb and Footpaths							
U300	Road Renewals 18/19	(889)	46	-	(843)	Project completed with savings.	Completed
U350	Kerb and Footpaths Renewals	(256)	(73)	-	(329)	Additional costs due to line marking.	Completed
V300	Road, Kerb and Footpaths Program 19/20	(5,685)	(128)	-	(5,685)	Recognise income and corresponding expenditure budget from annual funding arrangement. <ul style="list-style-type: none"> Roads to Recovery (\$255k) Financial Assistance Grants – Road (\$128k) Additional funding to be utilised to undertake additional renewals consistent with the rolling renewal program.	No
			128				
			(255)				
			255				
Projects with no changes		(780)	-	-	(780)		
Total Road, Kerb and Footpaths		(7,609)	(27)	-	(7,636)		

Table Key

 Additional Expenditure /
Reduced Income

 Transfers /
Zero Bottom Line

 Savings /
Increased Income

Carry Forwards

Schedule 13: Proposed amendments to the Infrastructure Program (2 of 3)

Project Number	Project	Current Net Budget 2019-20 \$'000s	Proposed Net Budget Adjustment \$'000s	Proposed Net Carry Forwards \$'000s	Revised Net Budget 2019-20 \$'000s	Administration Comment	Contracted
Traffic Signals							
V207	King William Road/Kermode St Intersection	(6)	(4)	-	(10)	Funding for delivery of pedestrian safety improvements outside the Women's and Children's Hospital.	Completed
Projects with no changes		(1,123)	-	-	(1,123)		
Total Traffic Signals		(1,129)	4	-	(1,133)		
Bridges							
U390	Morphett Bridge rehabilitation works	(38)	3	-	(35)	Project completed with savings.	Completed
V392	Heavy Vehicle Bypass Signage	(60)	22	-	(38)	Project completed with savings.	Completed
V394	University Footbridge	-	(22)	-	(22)	Further investigations required following completion of the condition audit.	Yes
Projects with no changes		(265)	-	-	(265)		
Total Bridges		(363)	3	-	(360)		
Park Lands & Streetscape Greening Renewals							
U242	Rymill Lake design	(28)	3	-	(25)	Project completed with savings.	Completed
V250	Streetscape Renewals	(565)	5	-	(560)	Streetscape works aligned with the Grote Street Project allocated to V103 Grote St (Morphett St to West Tce).	No
Projects with no changes		(485)	-	-	(485)		
Total Park Lands & Streetscape Greening Renewals		(1,078)	(8)	-	(1,070)		

Schedule 13: Proposed amendments to the Infrastructure Program (3 of 3)

Project Number	Project	Current Net Budget 2019-20 \$'000s	Proposed Net Budget Adjustment \$'000s	Proposed Net Carry Forwards \$'000s	Revised Net Budget 2019-20 \$'000s	Administration Comment	Contracted
Design & Asset Management Services							
V901	CITB levy	-	(21)	-	(21)	Centralised allocation to fund the Construction Industry Training Board (CITB) levy.	No
Projects with no changes		-	-	-	-		
Total Design & Asset Management Services		-	(21)	-	(21)		
Buildings							
T167	Town Hall Design only	(4)	1	-	(3)	Project completed with savings.	Completed
U266	James Place Changing Places	(147)	(3)	-	(150)	Minor additional works to ensure the safety of CoA cleansing staff.	Completed
U270	Adelaide Bowling Club	(100)	(2)	-	(102)	Additional funds for fire services.	Yes
U271	Integrated Water Management	(81)	8	-	(74)	Project completed with savings.	Completed
V274	Louder's Boat House	-	(10)	-	(10)	Safety improvements to the Louder's Boat House.	No
Projects with no changes		(7,423)	-	-	(7,423)		
Total Buildings		(7,755)	(6)	-	(7,761)		
Plant, Fleet and Equipment							
V404	Golf Course Fuel tank renewals	-	(50)	-	(50)	Replacement of fuel tanks at the Golf Course due to WHS issues.	No
V405	Tindo battery renewals	-	(69)	-	(69)	Reallocation of funds from Project P-04 Transport Services for the replacement of two of the 11 batteries for the Tindo bus.	No
Projects with no changes		(1,466)	-	-	(1,466)		
Total Plant, Fleet and Equipment		(1,466)	(119)	-	(1,585)		

Schedule 14: Proposed amendments to Major Projects (1 of 1)

Project Number	Project	Current Net Budget 2019-20 \$'000s	Proposed Net Budget Adjustment \$'000s	Proposed Net Carry Forwards \$'000s	Revised Net Budget 2019-20 \$'000s	Administration Comment	Contracted
Major Projects							
S716	Market to Riverbank Laneways Upgrade	(3,322)	-	(2,500)	(822)	Works rescheduled to 2020-21 due to third party construction taking place throughout the link. 50% State Government Funded.	Partially
				5,000			
S780	City of Adelaide Bikeways: East-West	(2,666)	-	(2,666)	-	Works rescheduled as still in planning phase. 50% State Government Funded.	No
				5,331			
U050	City Skate Park	-	-	(2,200)	-	Planned Multi-Year Project, construction due to commence in March 2020. Fully State Government Funded.	Partially
				2,200			
U060	Quentin Kenihan Accessible Play Space	-	-	(715)	-	Planned Multi-Year Project, construction due to commence in June 2020. Fully State Government Funded.	Partially
				715			
Projects with no changes		(13,436)	-	-	(13,436)		
Total Major Projects		(19,424)	-	5,166	(14,258)		

Schedule 15: Proposed amendments to Commercial Opportunities (1 of 1)

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Reference	Description	Proposed Budget Adjustment \$'000s	Administration Comment
CO-01	Interest Expense	1,343	Transfer of interest expense budgets from Commercial Opportunities to General Operations GO-14.
CO-02	Property Investment Activities	(25,000)	Adjustment to the timings of proceeds from commercial property activities.
Total adjustments for Commercial Opportunities		(23,657)	

Schedule 16: Quarter 2 Capital Program Report (1 of 4)

- Financial Performance
- Revised Forecast
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- Major Projects & Commercial Opportunities
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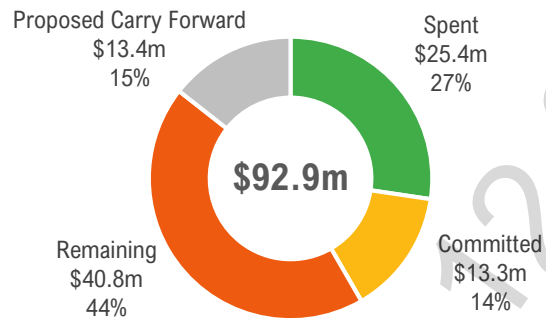
	Infrastructure & Renewals	Major Projects	Others	Total	Percentage
Carry forward from 18-19	55	9	14	78	42%
19-20 Program of Work	83	3	3	89	48%
New 19-20 Projects	19	0	1	20	10%
Total	147	12	19	187	100%
Planning Phase	9	1	2	12	6%
Design Phase	37	3	1	41	22%
Construction/ Delivery Phase	63	5	12	80	43%
Delivered	41	1	2	44	24%
Cancelled	1	1		2	1%
On Hold	5	1	2	8	4%

There are 187 projects in 2019-20 for the Capital Program. 78 projects (42%) are carry forwards from 2018-19 and 20 are new projects initiated during Q1 and Q2. Of these, 44 projects (23%) have been delivered in YTD.

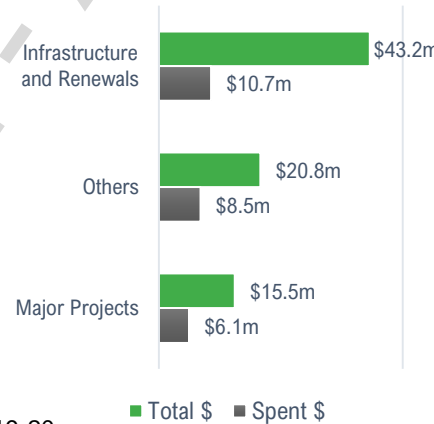
In terms of budget, 34% of the 2019-20 Capital Program are carried forward from 2018-19. 1% have been allocated to new projects initiated in YTD.

There are 18 design-only projects in 2019-20 Capital Program.

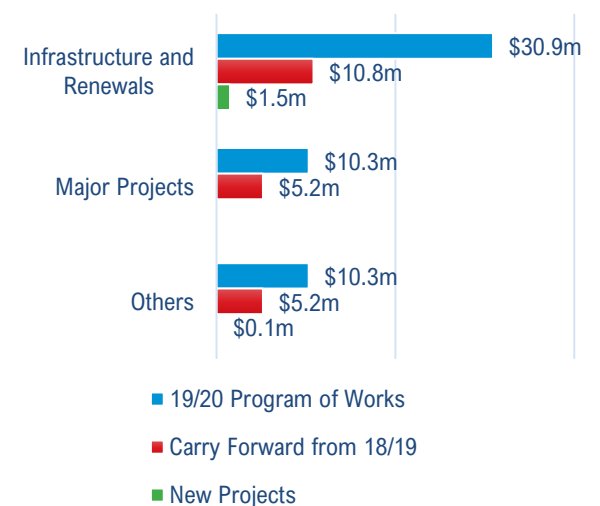
Status of Projects



Spend by Category Year to Date



Total Budget by Category



At the end of Q2, \$25.4 million has been spent, 27% of the 2019-20 approved budget.

- \$10.7m or 24% of Infrastructure and Renewals has been spent.
- \$6.1m or 19% of the Major Projects budget has been spent.

Schedule 16: Quarter 2 Capital Program Report (2 of 4)

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Projects completed in Quarter 2

Infrastructure and Renewals

- ✓ Town Hall Renewal Design
- ✓ Residential Streets Improvement Program
- ✓ Archer Street
- ✓ Heritage Buildings Program (Victoria Park)
- ✓ Leigh Street/Currie Street intersection upgrade
- ✓ CCTV Network Renewal
- ✓ Adelaide Central Bus Station Renewals (floor sealing)
- ✓ Changing Places Facility James Place
- ✓ Integrated Water Management
- ✓ Kerb and Footpath Renewals 18-19
- ✓ King William Road/Kermode Street Intersection
- ✓ Flinders Street North (Gawler Place to Wyatt Street)
- ✓ Tour Down Under Road Improvements
- ✓ Ranelagh Alley
- ✓ St John's Lane
- ✓ Edward Street
- ✓ Heavy Vehicle Bypass Signage
- ✓ Civic Area Management Plan
- ✓ Moonta Street Design

Others

- ✓ Server Replacement 18-19
- ✓ Customer Centric Services
- ✓ City Connector and Smart Technology
- ✓ Christmas in the City 2019

Carry forward projects with planned completion in Quarter 3

Major Projects

- Smart City Parking Experience

Infrastructure and Renewals

- Victoria Square/Tarntanyaangga Access and Inclusion Works
- Decorative Lighting Program
- Waymouth Street Paving Remediation
- O'Brien Street
- Torrens embankment failure – adjacent Red Ochre
- Bell Tower safety access and refurbishment
- West Terrace/Currie St Intersection
- Plant and Fleet 18-19
- Library Books 18-19
- Health Club Equipment
- Corporate Applications

Others

- Upark Electric Vehicle Charging Systems
- E-Planning
- On Street Electric Vehicle Charging
- Public Art 18-19
- Geospatial Information System (GIS)
- Carbon Neutral Adelaide – Solar PV

Schedule 16: Quarter 2 Capital Program Report (3 of 4)

Financial Performance	Major Projects	
Revised Forecast	Project	Key Update
Budgeted Financial Statements	Pelzer Park/Pityarrilla (Park 19) Enhancements	Public Art engagement progressing, development application has been granted – Installation planned for mid February. Minor additional improvements underway using remaining Grant funds.
General & Business Operations	Gawler Place Redevelopment	Gawler Place is open to public as major works are complete. Public Art element is underway and will be completed by end of February.
Projects	City of Adelaide Bikeways	North-South Bikeway: Construction in Park 6 and Park 12 has been completed, detailed design is progressing for Brougham Gardens and Frome Street (Rundle Street to North Terrace). East-West Bikeway: A concept design and engagement strategy for the bikeway on the Pirie-Waymouth corridor is underway as per MoN. Design and engagement work for other route options remains on hold as per Council decision.
Infrastructure Program	Market to Riverbank	Bank Street and Topham Mall North: completed December 2017. Bank Street's Shop Improvement Grant round 1 has commenced delivery. Bentham Street: Detailed design is now complete and work continues to ensure stakeholder expectations are managed, construction activities appropriately planned, and the project delivers a value for money outcome. Construction will commence in the second half of the financial year. Leigh Street, Pitt Street, and Topham Mall South: Currently on hold.
Major Projects & Commercial Opportunities	North Terrace Public Realm	Project being presented to Council for direction.
Capital Report	Denise Norton Park/Pardipardinyilla (Park 2) Enhancements	Detailed design completed, quantity surveyed estimate provided. Tennis court reconstruction has commenced.
Subsidiaries	Quentin Kenihan Inclusive Playspace	Initial workshops have been held with external and internal stakeholders. Consultation opened on the 23 rd of December, including an Inclusive Play Day at Bonython Playspace on the 13 th of October.
	City Skate Park	Concept Designs have been prepared and reviewed, currently refining the design prior to moving in to the detailed design phase.
	Smart Projects	Smart City – Off-street parking, stage one currently in testing and due to be completed in February 2020. Full rollout of the completed system expected for June 2020.
	Carbon Neutral Adelaide	Pirie Street Car Park, Topham Car Park and the Town Hall: Completed, feeding unused electricity created through the Solar panels back into the grid. Aquatic Centre: Not yet commissioned by SAPN, expected February 2020.

Schedule 16: Quarter 2 Capital Program Report (4 of 4)

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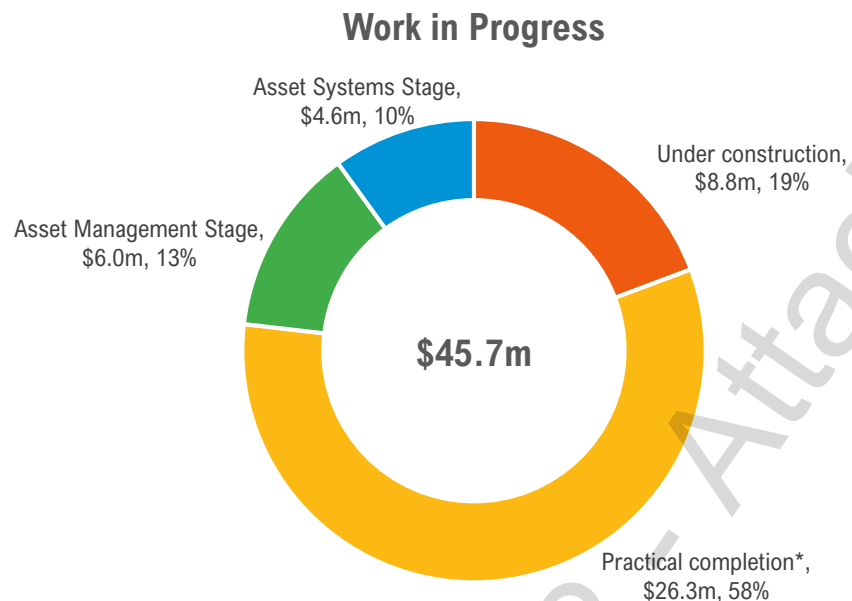
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The slide reports progress with the capitalisation (recognition of new assets) of completed works arising from the Capital Works Program.



The capitalisation of projects has been delayed due to:

- Organising the project documentation in a format that can be uploaded in the Asset management System; and
- Finalisation of the Fixed Asset Guidelines. Projects that are expected to have no impact from the fixed asset guideline will be capitalised first while others that may be affected are being held off until we confirm treatments of particular items. The draft Fixed Asset Guideline due to be reviewed by Audit Committee in March.

Testing is presently underway with Assetic (the software provider) to ensure there are no issues with the WIP capitalisation process.

* Includes Gawler Place \$17.9m – preparation of documentation currently underway

- Under Construction Projects that are presently under construction.
- Practical Completion Projects that have reached practical completion but are still being finalised by the project managers.
- Asset Managers Project managers have finalised the handover documentation for asset managers to review.
- Assets Systems Asset managers have finalised their handover documentation for the Assets Data Team to prepare the information for the asset management system.

Schedule 17: Subsidiaries Summary

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This table compares the 2019-20 actual performance against 2019-20 Budget.

\$'000s	Year to Date			Full Year 2019-20 QF1 Net Budget
	Actual	2019-20 QF1 Net Budget	Variance	
Operations				
Adelaide Central Market Authority	330	272	58	93
Adelaide Park Lands Authority	(5)	(5)	0	0
Rundle Mall Management Authority	1,461	1,283	177	(21)
Operations Total	1,786	1,550	235	72
Adelaide Central Market Authority Capital	(2,791)	(3,744)	954	(5,014)
Total	(1,005)	(2,194)	1,189	(4,942)

This schedule summarises the proposed Quarter 2 adjustments.

\$'000s	2019-20 Net Budget (Quarter 1)	Proposed 2019-20 Quarter 2 Net Budget	Variance to Net Budget
Operations			
Adelaide Central Market Authority	93	145	52
Adelaide Park Lands Authority	0	0	-
Rundle Mall Management Authority	(21)	(21)	-
Operations Total	72	72	52
Adelaide Central Market Authority Capital	(5,014)	(5,014)	-
Total	(4,942)	(4,942)	52

Schedule 18: Proposed amendments Adelaide Central Market Authority (1 of 4)

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\$'000	2019-20 Budget (Quarter 1)	Proposed 2019-20 Quarter 2 Budget	Variance to Budget
ACMA Administration	(1,314)	(1,293)	21
Central Market Car Park	1,544	1,531	(13)
Central Market Complex	(137)	(93)	44
Operating Surplus/(Deficit) - Cash	93	145	52
ACMA Capital Current Year	(3,296)	(3,296)	0
ACMA Capital Carry Forward 2018-19	(1,718)	(1,718)	0
Total Capital	(5,014)	(5,014)	0
Operating Budget (Cash)	(4,921)	(4,869)	52

Adelaide Central Market proposed net adjustments of \$52k :

- CMA Administration \$21k favourable to 2019-2020 Budget due to savings identified due to delay in WIFI install
- Central Market Car Park (\$13k) unfavourable to 2019-2020 Budget driven by structural & emergency lighting repairs
- Central Market Complex \$44k favourable to 2019-2020 Budget driven by tenant revenue based on leasing profile

Operating requests

ACMA Administration:

Reference	Description	Proposed Budget Adjustment \$'000s	Administration Comment
Admin1	Contractual Services	31	Savings - WIFI deferred
Admin2	Materials	(7)	Merchandise costs in accordance with marketing strategy
Admin3	Internal Charges & Other Expenditure	(3)	Insurance claim excess
Total ACMA Administration Net Adjustment		21	

Schedule 18: Proposed amendments Adelaide Central Market Authority (2 of 4)

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Operating requests continued

Central Market Car Park:

Reference	Description	Proposed Budget Adjustment \$'000s	Administration Comment
CP1	Casual Parking	25	Increased revenue due to introduction of reserved parking
CP2	Statutory	(4)	Additional water costs
CP3	Electricity	15	Reduce electricity usage
CP4	Lifts & Escalators	(7)	Increased repairs (ageing equipment)
CP5	Repairs & Maintenance & Pest	(43)	Structural repairs, emergency light repairs
CP6	Security	3	Decreased adhoc security costs
CP7	Signs & Misc	10	Sign tariff changes charged to marketing, cash collection savings
CP8	Leasehold Rentals - CoA	(7)	CoA rent based on income
CP9	Leasehold Rentals - Star	(4)	Star CP rent based on CPI
CP10	Operations & Marketing	9	Additional marketing allocated to Sunday Trade trial
CP11	Bank Charges	(10)	Additional bank charges identified
Total ACMA Car Park Net Adjustment		(13)	

Table Key

Additional Expenditure /
Reduced IncomeTransfers /
Zero Bottom LineSavings /
Increased Income

Carry Forwards

Schedule 18: Proposed amendments Adelaide Central Market Authority (3 of 4)

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Operating requests continued

Central Market Complex:

Reference	Description	Proposed Budget Adjustment \$'000s	Administration Comment
CM1	Rent	105	Increased revenue and increased incentives based on schedule of tenancies
CM2	Statutory & Insurances	(6)	Additional water costs
CM3	Airconditioning	49	Savings in repairs due to installation of new cooling system
CM4	Cleaning	(49)	Increased waste removal costs due to changing process for resource/recycling streams
CM5	Electricity	25	Reduction in electricity costs
CM6	Fire Protection	(1)	Increased fire brigade costs
CM7	Gas Fuel	3	Decreased gas costs
CM8	Repairs & Maintenance	(6)	Additional maintenance costs
CM9	Security	(3)	Increased adhoc security costs
CM10	Misc Expenses	(44)	Increased surveyor & architect fees due to increased number of stall refurbishments
CM11	Leasehold Rentals	(29)	Increased CoA rent based on increase in revenue
Total ACMA Market Complex Net Adjustment		44	

Table Key

Additional Expenditure /
Reduced Income

Transfers /
Zero Bottom Line

Savings /
Increased Income

Carry Forwards

Schedule 18: Proposed amendments Adelaide Central Market Authority (4 of 4)

Capital Requests

Project Number	Project	Current Net Budget 2019-20 \$'000s	Proposed Net Budget Adjustment \$'000s	Proposed Net Carry Forwards \$'000s	Revised Net Budget 2019-20 \$'000s	Administration Comment	Contracted
1811	Retiling Market Central Entrances	(127)	27	-	(100)	Project will be completed with savings.	Yes
1807	Security Upgrade	(453)	(27)	-	(480)	Additional funding required to cover cost to divert mains water when installing bollards	Yes
Projects with no changes		(4,434)	-	-	(4,434)		
Total		(5,014)	-	-	(5,014)		

Neglected and/or Derelict Properties

ITEM 12.3 11/02/2020
Council

Program Contact:

Vanessa Godden, AD Customer
& People 8203 7156

2018/00331
Public

Approving Officer:

Clare Mockler, Deputy CEO &
Director Culture

EXECUTIVE SUMMARY

At its meeting of 30 July 2019 Council resolved that:

1. Administration prepare a report outlining guidelines around what would constitute a neglected and/or derelict property; and
2. The Lord Mayor write to the relevant Minister seeking greater power for councils to compel landowners to clean up neglected and derelict properties.

This report outlines the powers and options available to Council to manage neglected and derelict properties. The Lord Mayor has sent a letter to the Minister for Environment and Water seeking greater powers to compel landowners to clean up neglected and derelict properties.

Presented to The Committee on 4 February 2020.

RECOMMENDATION

THAT COUNCIL:

1. Notes the powers provided by the relevant Acts, Policies and Guidelines available to Council to manage neglected or derelict properties.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Liveable Innovative city planning, and high-quality amenity is essential to accommodating a high-level of growth while retaining our great lifestyle and the City's unique character.
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	Various legislative pathways are available through the administration of the: <ul style="list-style-type: none"> • <i>Local Nuisance and Litter Control Act 2016</i> • <i>South Australian Public Health Act 2011</i> • <i>Development Act 1993</i> • <i>Planning, Development and Infrastructure Act 2016</i> • <i>Local Government Act 1999.</i>
Opportunities	Opportunity to provide clarity on the existing powers available for Council to deal with neglected and/or derelict properties.
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

Background

1. At its meeting of 30 July 2019, Council resolved to:
 - 1.1 *Request the Administration prepare a report outlining guidelines around what would constitute a neglected and/or derelict property; and*
 - 1.2 *Request the Lord Mayor write to the relevant Minister seeking greater power for councils to compel landowners to clean up neglected and derelict properties.*
2. The following Acts provide mechanisms for Council to identify and address what might constitute a neglected and/or derelict property. On either receiving a report from a member of the community or identifying a premise of concern, Council staff will undertake a preliminary assessment to determine which option, or combination of options, is best placed to resolve a matter.

What constitutes a neglected / derelict property

Local Nuisance and Litter Control Act 2016	South Australian Public Health Act 2011	The Development Act 1993 and the Planning, Development and Infrastructure Act 2016	The Local Government Act 1999
<ul style="list-style-type: none"> • Excess rubbish on property • Excess vegetation on property • Graffiti which is not removed • Partially demolished dwellings • Properties which are in disrepair, dilapidation or damaged • Properties which have an adverse effect on amenity value of an area or are significantly out of conformity with neighbouring premises. 	<ul style="list-style-type: none"> • Circumstances where the squalor is severe and generally exceeds unsightly, un-kept, or an accumulation of items • Squalor which jeopardises the health and wellbeing of the occupants and household activities such as cooking, bathing and sleeping are impeded or not possible. • Situations that generally relate to conditions inside the premises 	<ul style="list-style-type: none"> • Unsafe, structurally unsound, or unhealthy conditions related to planning and construction of buildings 	<ul style="list-style-type: none"> • Extremely derelict or neglected to the point that is it creating a hazard to adjacent properties

Local Nuisance and Litter Control Act 2016

Legislation

3. The purpose of the *Local Nuisance and Litter Control Act 2016* (SA) (LNLC Act) (Link 1 view [here](#)) is to provide improved community outcomes relating to local nuisance, litter control, and illegal dumping.
4. Unsightly premises can be considered as a local nuisance. The LNLC Act sets out a framework to determine what kinds of conditions constitute a local nuisance. Unsightly conditions are defined in the LNLC Act as:

“3(a) *conditions on premises involving-*

 - (i) *excessive or unconstrained rubbish, waste or vegetation; or*

- (ii) *stockpiled, excessive or unconstrained disused or derelict items or material that a reasonable person would consider to be rubbish or waste in the circumstances; or*
- (iii) *graffiti (other than authorised graffiti) that has been left on the premises—*
 - (A) *in the case of offensive graffiti—for more than 7 days; or*
 - (B) *in any other case—for more than 28 days, or*

where, in the opinion of an authorised officer, the conditions have had an adverse effect on the amenity value of the area or caused the premises to be significantly out of conformity with the general appearance of neighbouring premises; or

- (b) *conditions involving a building on the premises having been left partially demolished or in a state of disrepair, dilapidation or damage where, in the opinion of an authorised officer, the conditions have had an adverse effect on the amenity value of the area or caused the premises to be significantly out of conformity with the general appearance of neighbouring premises.”*

Assessment Processes and Resolution

5. The LNLC Act usually views matters in terms of nuisances being experienced by the community. However, this is not required for unsightly premises. A premise can be deemed a nuisance based solely on the outcome of an assessment by our Community Safety & Health Team (who are “authorised officers” as defined by the LNLC Act).
6. When investigating all types of local nuisance, we try to work with all concerned parties to resolve the matter.
7. Specialist advice may also be sought from experts such as Town Planners to assist in evaluating the amenity of an area and the impact an unsightly property is having on the amenity value of the area.
8. At this point, the property owner/occupier would again be engaged and advised of the outcome of the assessment and of possible formal action being taken.

Formal Enforcement

9. There are several options for formal action to be taken including:
 - 9.1. Requesting the unsightly conditions, and the substance, material or thing causing the conditions, be removed
 - 9.2. Issuing a Nuisance Abatement Notice
 - 9.3. Issuing an Emergency Notice (verbal or written) where urgent action is required
 - 9.4. Issuing an Expiation Notice of \$500
 - 9.5. Undertaking the work required by a Nuisance Abatement Notice, with the costs of undertaking that work being recovered by Council
 - 9.6. Commence proceedings with the Environment Resources and Development Court to seek a civil remedy
 - 9.7. Commence prosecution proceedings with the Environment Resources and Development Court.

Previous Examples

10. Since the LNLC Act came into effect in 2016, two reports of unsightly conditions on premises have been received. Both premises were assessed within the framework and were determined to be a local nuisance. On both occasions the matter was resolved without the need for any formal enforcement action to be taken.

LNLC Act Review

11. A review of the LNLC Act is currently being undertaken by the State Government. At its meeting of 24 September 2019, Council endorsed a submission to the Environment Protection Authority ([Link 2 view here](#)) to Item 9.1 on the Agenda for the Council meeting held on 24 September 2020 to help inform that review.
12. The powers and mechanisms provided within the LNLC Act to deal with unsightly properties are generally suitable, however the following item for improvement relating to unsightly premises was included within the submission:

It would be helpful if a further offence expiation fee be included in Part 5 clause 30(9). A further offence expiation fee may assist councils to deal with instances of continued nuisance caused by unsightly premises.
13. A further offence fee would provide councils the ability to issue a second expiation notice if an offence continues without rectification

14. The ability to do this would give councils more options to deal with ongoing, unresolved issues before escalating enforcement to prosecution proceedings, which can be costly for councils and can extend the time taken before a resolution is reached.

South Australian Public Health Act 2011

Legislation

15. The *South Australian Public Health Act 2011* (SA) (SAPH Act) (Link 3 view [here](#)) together with the associated '*The South Australian Public Health (Severe Domestic Squalor) Policy 2013*' (the Policy) (Link 4 view [here](#)) may allow for some severely neglected properties to fall into the category of domestic squalor and can be used in certain situations where the condition of a premise is causing a risk to public health.
16. '*A foot in the Door- Stepping towards solutions to resolve incidents of severe domestic squalor in South Australia*' (Link 5 view [here](#)) (the Guidelines), which falls under the Policy, provides a framework for assessing and managing instances of domestic squalor.

Assessment Processes and Resolution

17. Domestic squalor is defined under the SAPH Act and the associated Policy and Guidelines and can be proactively addressed by councils rather than needing to wait for a community member to report the matter. However, domestic squalor is often only evident from the inside of a home, and therefore Council may not be aware until a community member brings it to our attention.
18. The Guidelines provide objective assessment tools and give direction around considerations such as the health risks associated with keeping too many animals, inappropriate waste collection/removal, poorly functioning sewerage removal, inadequate personal hygiene, and the presence of vermin, as well as odours.
19. When proceeding with any action under the SAPH Act to manage domestic squalor, our Community Safety & Health Team works with service providers and other agencies to ensure that our response is coordinated and effective. We strive to reduce, so far as reasonably possible, any distress on the occupier of the property and ensure we are considerate of health or social factors which may be impacting a person's wellbeing or ability to comply with the SAPH Act.

Formal Enforcement

20. When a report is received, parties are encouraged to work together to resolve their concerns. If negotiations between concerned parties are not successful, Council can take formal action which may include:
 - 20.1. Issuing a Public Health Notice
 - 20.2. Issuing an Emergency Notice (verbal or written) where urgent action is required
 - 20.3. Issuing an Expiation Notice if \$750
 - 20.4. Commencing prosecution proceedings with the District Court

Previous Examples

21. Domestic squalor is the most common report received by Council relating to neglected and derelict properties under the SAPH Act.
22. Over the past three years Council have received three reports of domestic squalor, two of which were determined to constitute a risk to public health. On both occasions formal action was required to achieve compliance with the SAPH Act. The action taken resulted in a satisfactory outcome without the need for further escalation of enforcement.

The Development Act 1993 and the Planning, Development and Infrastructure Act 2016

Legislation

23. The '*Development Act 1993*' (SA) (Link 6 view [here](#)) and the '*Planning, Development and Infrastructure Act 2016*' (SA) (Link 7 view [here](#)) (together, the Dev Acts) provide Council with various avenues for dealing with neglected and/or derelict properties. We are currently in a transition phase between both Acts, with the clauses within the *Planning, Development and Infrastructure Act 2016*, coming into effect mid-2020.
24. The Dev Acts provide frameworks for dealing with unsafe, structurally unsound, or unhealthy conditions when in the context of the planning and construction process. Council may require, as a condition of consent, building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.
25. Where a development has commenced but has not been completed as envisioned, the Dev Acts provide that Council may apply to the Court for an order for the owner/occupier of the premises to:
 - 25.1 Require the removal or demolition of any building

- 25.2 Require the reinstatement, so far as is practicable, of any land or building to the state or condition that land or building was in immediately before the commencement of the development
- 25.3 Extend, on such conditions (if any) as the Court thinks fit, the period within which the development may be completed
- 25.4 Require the performance of any work
- 25.5 Require the making of any application for an appropriate development authorisation
- 25.6 Make any further or other order the Court thinks fit

Assessment Processes and Resolution

- 26. Council's Building Inspection & Development Compliance Policy (Link 8 view [here](#)) sets out inspection priorities to support the achievement of appropriate safety standards, preservation of heritage listed buildings and the amenity of the public realm.

Formal Enforcement

- 27. The Dev Acts also provide for councils to issue notices on a development that is considered to be either a breach of the Act, or an unauthorised development. For example, in circumstances where an unauthorised development is unsightly, a notice may require the development to be corrected or removed.

The Local Government Act 1999

Legislation

- 28. In circumstances where a property is so extremely derelict or neglected that it results in a hazard adjacent to public place, the *Local Government Act 1999* (SA) (LG Act) may be used to deal with those hazards.

Assessment Processes and Resolution

- 29. Council's Order Making Policy (Link 9 view [here](#)) guides staff in exercising Order making powers.

Formal Enforcement

- 30. The enforcement options available are:
 - 30.1 Issuing an Order
 - 30.2 Issuing an Emergency Order (written) where urgent action is required
 - 30.3 Undertaking the work required by an Order, with the costs of undertaking that work being recovered by Council
 - 30.4 Issuing an Expiation Notice for non-compliance with an Order
 - 30.5 Commencing prosecution proceedings with the District Court for non-compliance with an Order

Opportunities

- 31. Council is provided with a broad set of powers to appropriately compel owners to deal with neglected and derelict properties under various Acts. Each Act covers different aspects of what could be considered to constitute a neglected / derelict property and various options for action to be taken.

The LNLC Act contains a broad definition of unsightly conditions on properties and is generally sufficient to manage instances of derelict or unsightly properties. The enforcement options available under this Act are also effective in achieving the desired resolution.
- 32. A letter was sent from the Lord Mayor to the Hon David Spiers MP, Minister for Environment and Water, discussing powers under the LNLC Act and some perceived challenges in dealing proactively with unsightly properties under the LNLC Act.
- 33. The flexibility of the LNLC Act and council's powers were clarified through our correspondence with the Minister and through further discussions with the relevant government department. All future investigations into unsightly premises will bear this advice in mind.

DATA & SUPPORTING INFORMATION

Link 1 - Local Nuisance and Litter Control Act 2016

Link 2- City of Adelaide Submission to the Environment Protection Authority Regarding Local Nuisance and Litter Control Act 2016

Link 3 - South Australian Public Health Act 2011

Link 4 - South Australian Public Health (Severe Domestic Squalor) Policy 2013

Link 5 - Foot in the Door

Link 6 - Development Act

Link 7 - Planning, Development & Infrastructure Act 2016

Link 8 - Building Inspection & Development Compliance

Link 9 - Order Making Policy

ATTACHMENTS

Nil

- END OF REPORT -

Encroachment Policy – Balconies

ITEM 12.4 11/02/2020
Council

2018/00478-2
Public

Program Contact:
Shanti Ditter, AD Planning, Design
& Development 8203 7756

Approving Officer:
Klinton Devenish, Director Place

EXECUTIVE SUMMARY

On 9 March 2019 Council adopted the new Encroachment Policy subject to the inclusion of an additional clause allowing for variations to the policy criteria of the Policy to be considered in certain circumstances. Council also approved the undertaking of a further piece of work on establishing a policy position for above first floor level balconies over the public realm to stimulate good development, give the market certainty while considering the desired future urban form of the City, the economic impact, the liveability and residential growth objectives of the City.

This report summarises and seeks adoption of the Policy Position Paper on above first floor balcony encroachments and subsequent changes to the Encroachment Policy.

Presented to The Committee on 4 February 2020.

RECOMMENDATION

THAT COUNCIL:

1. Adopts the revised draft Section - 4.2.6 Balconies of the Encroachment Policy contained within Attachment A to Item 12.4 on the Agenda for the meeting of Council held on 11 February 2020.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2016-2020 Strategic Plan	<p>Strategic Alignment – Liveable</p> <p>The City of Adelaide 2016-20 Strategic Plan has a vision for Adelaide as “A beautiful diverse City with an enviable lifestyle that is welcoming to people at all stages of life”.</p> <p>The Encroachment Policy is intended to support a public realm that is welcoming and user friendly, cultivating a positive relationship between the public and private realms and strengthens the character and identity of our Capital City.</p>
Policy	<p>This report proposes amendments to the existing Encroachment Policy.</p> <p>The use of the Encroachment Policy will need to be reviewed as part of the commencement of operation of the <i>Planning, Development and Infrastructure Act 2016 (SA)</i> ('PDI Act'), in July 2020. Administration are currently investigating this as part of the response to the draft Planning & Design Code released for consultation by the State Planning Commission.</p>
Consultation	<p>Discussions have been held with key individuals and peak bodies and feedback has been taken into consideration in the drafting of the policy position paper for above first floor balcony encroachments.</p>
Resource	<p>No additional resources are required</p>
Risk / Legal / Legislative	<p>The future enacting of the <i>Planning, Development and Infrastructure Act 2016 (SA)</i> ('PDI Act') will alter the process by which encroachments are assessed. There will not be opportunity for Council to issue an approval for an encroachment under the <i>Local Government Act 1999</i>. It will be necessary to review the role of the Encroachment Policy as part of the transition process.</p>
Opportunities	<p>Clearer guidelines for decision making supports a streamlined and simplified assessment process.</p>
19/20 Budget Allocation	<p>Not in relation to this report</p>
Proposed 20/21 Budget Allocation	<p>Not in relation to this report</p>
Life of Project, Service, Initiative or (Expectancy of) Asset	<p>This is the final step in this review of this policy, noting further review required in 2020 as part of the PDI Act implementation.</p>
19/20 Budget Reconsideration (if applicable)	<p>Not in relation to this report</p>
Ongoing Costs (eg maintenance cost)	<p>Not in relation to this report</p>
Other Funding Sources	<p>Not in relation to this report</p>

DISCUSSION

Background

1. This report summarises the draft policy position for above first floor balconies into the public realm and recommends policy amendments to Section 4.2.6 Balconies of the Encroachment Policy.
2. Council initiated a review of its Encroachment Policy in October 2016 and on 26 March 2019 (Link 1 view [here](#) and Link 2 view [here](#)) following extensive review and consideration of consultation feedback, Council resolved to adopt a new Encroachment Policy and the proposed Fee Schedule for Encroachments.
3. The Policy was adopted subject to the inclusion of the following Clause:
“5.0 VARIATIONS TO THE POLICY
Where an individual site presents circumstances such as where the development of a site would be impacted due to its size, dimensions and/or orientation, a variation to the criteria of the Policy will be considered providing it is consistent with the overall intent and purpose of the Encroachment Policy.”
4. At this meeting for the purpose of removing ambiguity, Council also approved:
“undertaking a further piece of work on the policy position for balconies over the public realm above first floor level to stimulate good development and give the market certainty, also that considers the desired future urban form of the city, the economic impact, the liveability and residential growth objectives of the city.”
5. In July 2019, URPS were engaged to undertake an independent review and prepare a draft policy position on above first floor level balcony encroachments over the public realm. The purpose of the review was to provide clarity and certainty for Council, the community and the development sector in situations where balconies above first floor may be appropriate whilst being consistent with the overall intent and purpose of the Encroachment Policy.

Policy Position Paper on Above First Floor Level Balconies

6. The current Encroachment Policy (Link 3 view [here](#)) allows above first floor balcony's where an existing building is being retrofitted and adaptively re-used subject to a series of design criteria. The policy recommendations within the Policy Position Paper ((Link 4 view [here](#)) allow for above first floor balconies in the following instances:
 - 6.1. On streets that are not listed as part of the City grid on the National Heritage Listing; or
Reason: These are locations where the heritage values of the City Grid will not be undermined.
 - 6.2. Fronting the following portions of the City Squares:
 - 6.2.1. Eastern, northern and western sides of Hindmarsh Square (excluding Grenfell Street, Pirie Street and Pulteney Street frontages); or
 - 6.2.2. Eastern, northern and western sides of Light Square (excluding Currie Street, Waymouth Street and Morphett Street frontages); or
 - 6.2.3. Eastern, southern and western sides of Whitmore Square (excluding Wright Street, Sturt Street and Morphett Street frontages); or
 - 6.2.4. Eastern, southern and western sides of Hurtle Square (excluding Carrington Street, Halifax Street and Pulteney Street frontages).
Reason: These are locations where the heritage values of the City Grid will not be undermined.
7. If the site is in one of the locations identified above it is recommended that the proposal must then meet a series of design criteria. The criteria that varies from the previous design criteria includes:
 - 7.1. being no greater than 30% of the street frontage on every level of the building; and
 - 7.2. having no more than 50% of each balcony area encroaching over the public realm; and
 - 7.3. having a maximum encroachment projection of 1 metre; and
 - 7.4. being designed to be open in form and appearance rather than enclosed; and
 - 7.5. being free of service infrastructure such as air conditioning units.

8. The policy recommendations allow for some flexibility in permitting above first floor balconies in certain circumstances and within certain design parameters while adhering to the intent of the policy which seeks to maintain Adelaide's strong identifiable townscape character through strong urban form and well-defined built form edges to the street.

Next Steps

9. Should this recommendation be supported, all applications received from the date of adoption will be assessed against the new policy.

DATA & SUPPORTING INFORMATION

Link 1 - Report – Encroachment Policy Review

Link 2- Encroachment Policy Slide Presentation for item 4.2 for 19 March 2019

Link 3 - Current Encroachment Policy

Link 4 - URPS Policy Position Paper

ATTACHMENTS

Attachment A - Revised draft Section 4.2.6 of the Encroachment Policy - Balconies

- END OF REPORT -

ENCROACHMENT POLICY

Date this document was adopted: 26 March 2019

legislative

PURPOSE

This Policy provides criteria for managing different forms of encroachments in the public realm to ensure they contribute positively on public safety or amenity and supports the application of the Development Plan objectives of maintaining Adelaide's strong identifiable townscape character through strong urban form and well-defined built form edges to the street. It provides the basis for Council's assessment and decision making on encroachments as land custodian of public roads. Encroachments over parks, reserves or private land are not covered by this Policy.

STATEMENT

Application of this document

No building or structure (including pipes, wires, cables, fixtures, fittings, ground anchors or other objects) shall be erected or installed in, on, across, under or over Council land unless prior written permission has been issued by Council in accordance with *Section 221* of the *Local Government Act 1999*, the *Development Act 1993*, and the *Planning, Development and Infrastructure Act 2016* (when in effect) and the conditions determined by Council are complied with.

The Encroachment Policy takes effect from the date of adoption by Council. All applications for an Encroachment Permit received after that date will be assessed against this Policy.

Encroachments approved under the previous policy will be allowed to remain and will not be charged retrospective fees provided the Permit holder continues to meet the conditions of the Permit. If the previously approved encroachment is removed, any new encroachment installed in its place would have to meet the requirements of this Policy.

The overall design approach to development as defined by the *Development Act 1993* is addressed via the development assessment process.

The Policy objectives are to **design flexibility that also yields public benefit including:**

- Creating a public realm that is welcoming and user friendly;
- Cultivating a positive relationship between the private and public realms; and
- Strengthening the character and identity of our Capital City.

This Policy sets out the conditions which are specific to managing encroachments over public roads and will:

- provide a clear framework for controlling encroachments;
- provide for consistent decision making;
- ensure encroachments do not create public safety risks;
- reinforce the importance of retaining the City's distinctive urban form;
- support the provision of pedestrian-friendly streetscapes accessible to all users;
- support verandahs and first floor level balconies that provide shelter;
- support green infrastructure measures that contribute to a more liveable City; and

- prevent above first floor balconies and floor area encroachments, **other than in limited specified circumstances.**

Council will assess all encroachments against the criteria for managing different forms of encroachments detailed in **Attachment A**. Fees and charges which might be applicable to approved encroachments are detailed in **Attachment B** and will be included in Council's annual business fees and charges.

OTHER USEFUL DOCUMENTS

Related documents

- Adelaide Design Manual
- Objects on Public Footpaths Policy and Operating Guidelines
- Outdoor Dining Policy and Operating Guidelines
- Lighting Policy and Operating Guidelines
- Undergrounding (Overhead Electricity and Telecommunication Cables) Policy
- Parklet Program Operating Guidelines
- Cabling and Communication Policy
- City Works Operating Guidelines
- National Heritage Listing of the Adelaide Park Lands and City Layout.

Relevant legislation

- *Local Government Act 1999*
- *Encroachments Act 1944*
- *Development Act 1993 and Development Regulations 2008*
- *Planning, Development and Infrastructure Act 2016*
- Adelaide (City) Development Plan
- *Disability Discrimination Act 1992*
- *Building Code of Australia 2016*
- *Electricity Act and Regulations 1996*
- *Telecommunications Act and Regulations 1993*
- Australian Standards
- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*

GLOSSARY

Throughout this document, the below terms have been used and are defined as:

architectural features – are the details and component parts that, together, form the architectural style of buildings and structures e.g. fins, blades, cornices, eaves, sills, mullions and architraves.

awning – a sheet of canvas or other material stretched on a frame and used to keep the sun or rain off a window or doorway.

encroachment – is any structure erected or installed in, on, across, under or over Council land including structures that straddle a title boundary from private land onto public land (including roads and community land).

external cladding – material affixed flush with the exterior building façade.

entrance portico – is a structure that defines the entrance into a building.

green facades – are a means of growing plants in a vertical arrangement and will generally have climbing plants weaving themselves in and around a framework of mesh, wires or cables.

living wall – is a means of growing plants in a vertical arrangement and contain potted plants. they are pre-planted in boxes, tubs or trays and then hung on a wall vertically.

pergola – an open trellis-like roof which can be used to support climbing plants.

permanent ground anchor – is a structural element installed into rock or soil to provide stability of structures as a site is excavated and where the final structure may not provide sufficient support. They are used where a structure needs a permanent solution.

public road – a class of land owned in fee simple by Council, the classification of which determines how that land is managed in accordance with the Local Government Act 1999 and other acts.

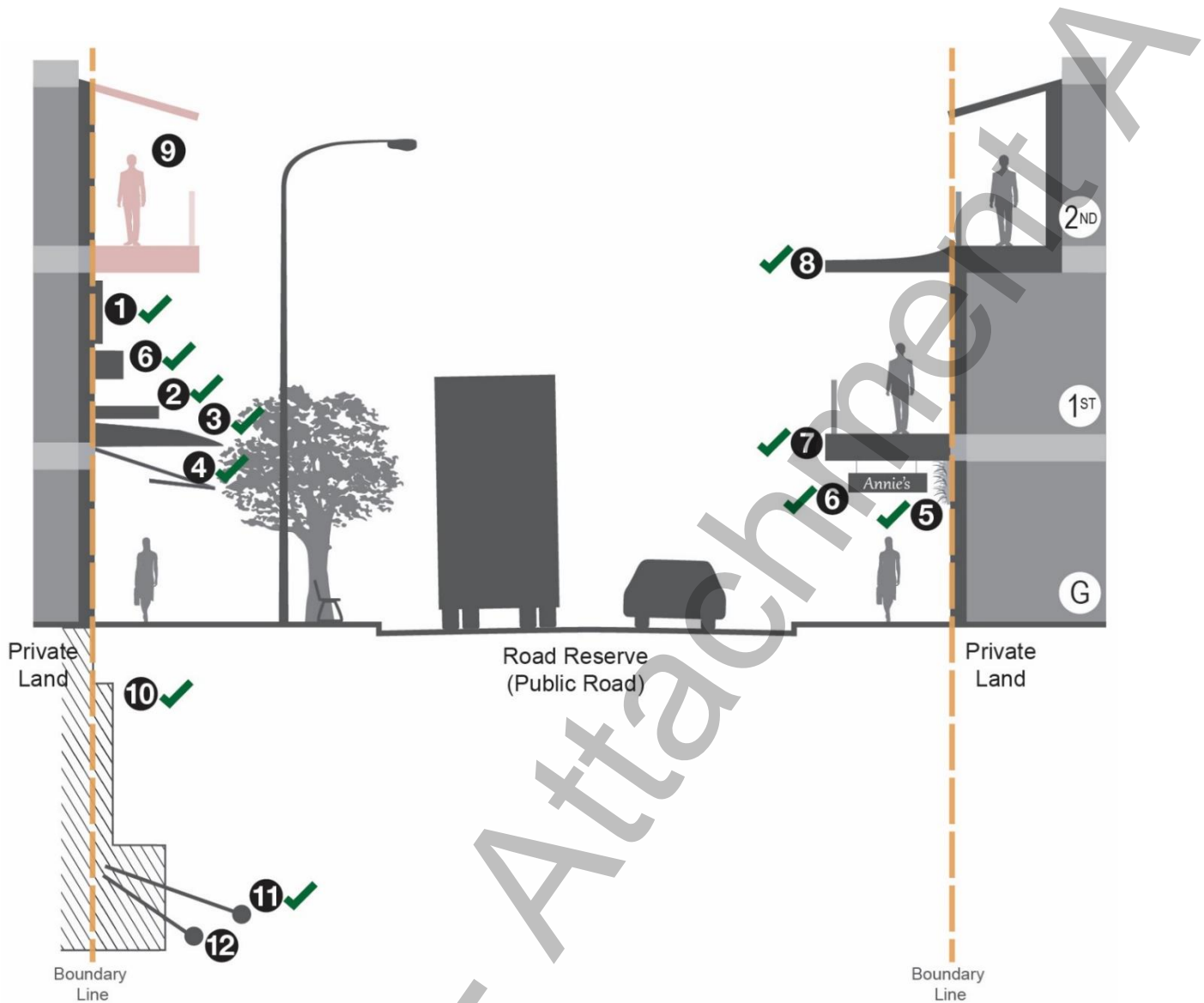
It includes facilities such as carriageways, road reserve, footpaths, pavement and associated features for public travel and is all the area of land that is within the boundaries of a road.

shading device – a projecting feature on the exterior of a building, over a window that provides shade.

temporary ground anchor – is a structural element installed into rock or soil to provide stability of structures for a limited period of time (up to 2 years) as a site is excavated. They are designed to last until the building can support the excavation, rendering the anchors obsolete. When no longer required the anchors are destressed, unloaded or cut so that the anchor no longer provides support and can be removed if required. 'Destressing' is the removal of load or bearing capacity of the ground anchor, such that the ground anchor is no longer providing any structural support.

universal access – is the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability.

verandah – an open-walled roof attached to the exterior of a building to provide shelter.



Examples of Different Encroachments (refer to Attachment A - Criteria for Managing Encroachments)

- | | |
|--|---|
| 1. Example of Architectural feature or external cladding | 7. Verandah and First Floor Balcony Encroachment. |
| 2. External Shading Device Encroachment. | 8. First Floor Verandah/Awning Encroachment. |
| 3. Fixed Awning Encroachment. | 9. Above First Floor Balcony Encroachment. |
| 4. Retractable Awning Encroachment. | 10. Concrete Piling Encroachment. |
| 5. Green Wall Encroachment. | 11. Temporary Ground Anchor Encroachment. |
| 6. Under and Above Canopy Sign Encroachment. | 12. Permanent Ground Anchors. |

ADMINISTRATIVE As part of Council's commitment to deliver the City of Adelaide Strategic Plan, services to the community and the provision of transparent information, all policy documents are reviewed for currency at least annually as part of the review of delegations. Those requiring detailed consideration are flagged in the current forward Council Policy Program.

Review history:

Review date	Authorised Body	Description of edits
28/01/97	Council	Notice Boards and Signs
10/02/97	Council	Encroaching Air Conditioners
28/07/08	City Strategy and Policy Committee	Reviewed fees, minor encroachments and minor variations
11/08/08	City Strategy and Policy Committee	Reviewed fees for heritage and character encroachments
16/12/14	Council	Review of encroachment fees
26/09/17	Council	Draft produced for consultation

Contact:

For further information contact the Planning and Development Program.

City of Adelaide
 25 Pirie St, Adelaide, SA 5000
 GPO Box 2252 ADELAIDE SA 5001
 +61 8 8203 7203
city@cityofadelaide.com.au

Attachment A - Criteria for Managing Encroachments

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1. INTRODUCTION

Council is the custodian of the public realm in the City of Adelaide. The role of this Policy is to ensure encroachments do not diminish the health, safety and amenity of the public for present and future use and contribute positively to Adelaide's identifiable built form character. If a proposed encroachment meets the criteria within the Policy, the proposal may still be subject to assessment against the Development Plan (future Planning and Design Code) and Building Code, in accordance with the requirements of the *Development Act 1993* and *Planning, Development and Infrastructure Act 2016* (when in effect).

These guidelines provide criteria for managing different forms of encroachments and assists in implementing the objectives of the Policy that seek to create a public realm that is welcoming user friendly, cultivates a positive relationship between the private and public realms and strengthens the character and identity of our Capital City. They apply to structures or parts of buildings that project or encroach into public road located within the City of Adelaide boundaries.

2. UNACCEPTABLE ENCROACHMENTS

The following forms of encroachment are not allowed:

- Above first floor balconies (unless an existing building as per section 4.2.6).
- Floor area encroachment including habitable floor or occupiable floor area of a building, enclosed balconies and structures that occupy a public road, airspace above a public road and/or land beneath a public road.
- Third party signage.
- Mechanical and plant equipment including air-conditioning units, electrical plant equipment.
- Tunnels, underpasses except for future public transport and underground car parking.
- Permanent tensioned ground anchors.

3. ACCEPTABLE ENCROACHMENTS (where an Encroachment Permit is not required)

The following forms of encroachment do not require an Encroachment Permit.

Examples might include, but are not limited to:

- butt-out bins;
- under footpath electricity service connections to private properties;
- architectural features e.g. cladding, cornices, eaves, sills, mullions and architraves; and
- pipes and services on existing buildings that cannot be incorporated within the property boundary e.g. flues and downpipes.

Accepted encroachments that cannot practically be incorporated within the private property boundary MUST:

- not encroach over a vehicle carriageway;
- not present a safety risk to pedestrians or other users of the public road;
- be appropriately secured to the building;
- not interrupt pedestrian movement or public road;
- avoid water dripping or discharging onto a public road; and
- not interfere with existing services and on-street activities.

If an accepted encroachment meets the above criteria, it MUST meet all the following criteria (where relevant):

- be setback a minimum of 600mm from the kerb edge or 1 metre from a street tree, light pole or street furniture element;
- not narrow the footpath width to less than 1.8 metres;
- have a minimum vertical clearance height of 2.5 metres above the footpath level;

- be not less than 600mm high above the footpath level; and
- not encroach horizontally more than 150mm into the public road.

4. DEEMED TO SATISFY ENCROACHMENTS

Encroachments that do not meet the criteria in 2.0 and 3.0 require an Encroachment Permit. Encroachments which require a permit must comply with the following criteria:

- Public Benefit Criteria
- Above Ground Encroachment Criteria
- Below Ground Encroachment Criteria

4.1 PUBLIC BENEFIT CRITERIA

All new encroachments MUST:

- maintain public safety; and
- maintain and/or improve public amenity, including the appearance of development; or
- facilitate anticipated development that would not otherwise be possible.

In addition, encroachments must comply with the criteria for Above and Below Ground Encroachments.

4.2 DEEMED TO SATISFY ABOVE GROUND ENCROACHMENT (requires an Encroachment Permit)

Above ground encroachments MUST be consistent with the following:

- Constructed of high quality, durable and low maintenance materials;
- Can be removed if required;
- Avoid water dripping or discharging onto a public road;
- Will not affect the planting and growth of street trees;
- Will not affect traffic signs or visibility of traffic control devices e.g. traffic signals;
- Will not affect the operation of emergency vehicles or personnel; and
- Avoid impeding access to all above ground and subsurface services in the public road reserve.

4.2.1. ARCHITECTURAL FEATURES

Architectural feature encroachments such as MUST:

- be constructed of durable materials compatible with the surface structure to which it is fixed;
- have a minimum vertical clearance of 2.5 metres above the footpath level (unless it can be demonstrated that it will not pose a risk to pedestrian safety);
- have a maximum projection of 1.2 metres over a public space which exceeds 10 metres in width and a maximum of 600mm over a public space which is less than 10m in width; and
- avoid the use of materials that produces glare, discomfort or danger to pedestrians and users of vehicles.

4.2.2. EXTERNAL CLADDING

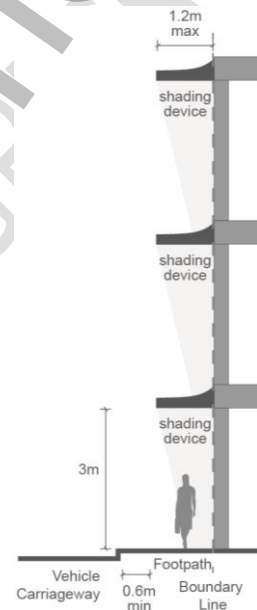
External cladding encroachments added to existing buildings MUST:

- be constructed of durable materials compatible with the surface structure to which it is fixed;
- have a minimum vertical clearance of 2.5 metres above the footpath level (unless it can be demonstrated that it will not pose a risk to pedestrian safety);
- have a maximum projection of 150mm beyond the property boundary; and
- avoid the use of materials that produces glare, discomfort or danger to pedestrians and users of vehicles.

4.2.3. EXTERNAL SHADING DEVICES

External shading device encroachments MUST:

- be constructed of durable materials compatible with the surface structure to which it is fixed;
- have a maximum projection of 1.2 metres over a public road.
- be setback a minimum of 600 mm from the kerb edge or 1 metre from a street tree, light pole or street furniture element (or greater for traffic **movement/safety** requirements); and
- have a minimum vertical clearance between the top of the footpath and lowest underside of the shading device of 3 metres or 5 metres above the level of a vehicular carriageway.

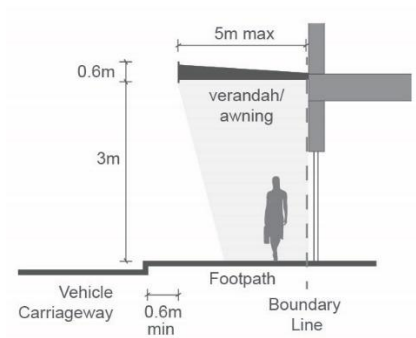


Example of External Shading Devices

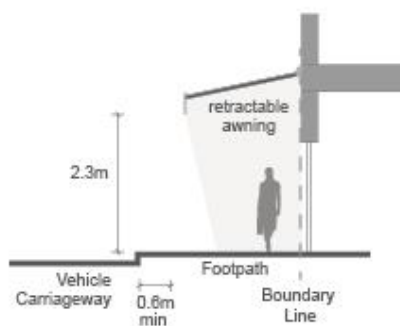
4.2.4. VERANDAHS, AWNINGS AND PERGOLAS

Verandahs, awnings and pergola encroachments MUST:

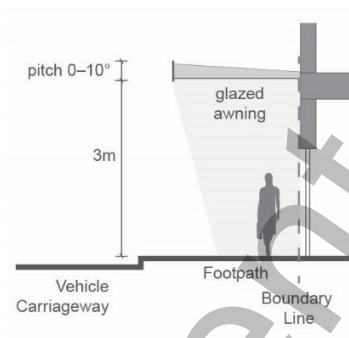
- provide pedestrian comfort by providing shelter from sun and rain;
- be setback a minimum of 600mm from the kerb edge or 1 metre from a street tree, traffic signal, light pole or street furniture element (or greater for traffic **movement/safety** requirements);
- have a minimum setback of 600mm from the wall of the building that adjoins a laneway;
- have a minimum vertical clearance between the top of the footpath and lowest underside of the verandah or pergola of 3 metres or 5 metres above the level of a vehicular carriageway;
- in the case of retractable awnings, have a minimum vertical clearance of 2.3 metres above the footpath level when fully lowered and 3 metres when fully retracted;
- have a minimum projection of 600mm;
- not extend more than 5 metres from the boundary line;
- avoid narrowing the width of the footpath to less than 1.8 metres (or greater in a high pedestrian area identified in **Figure 1 - Pedestrian and Future Infrastructure Map**);
- incorporate lighting on the underside of verandahs, awnings or pergolas at ground level where street lighting is obscured; and
- be designed to incorporate CCTV cameras on the underside of verandahs, awnings or pergolas at ground level where existing CCTV coverage has been obscured by the verandah, awning or pergola.



Example of Verandah/Awning



Example of Retractable Awning

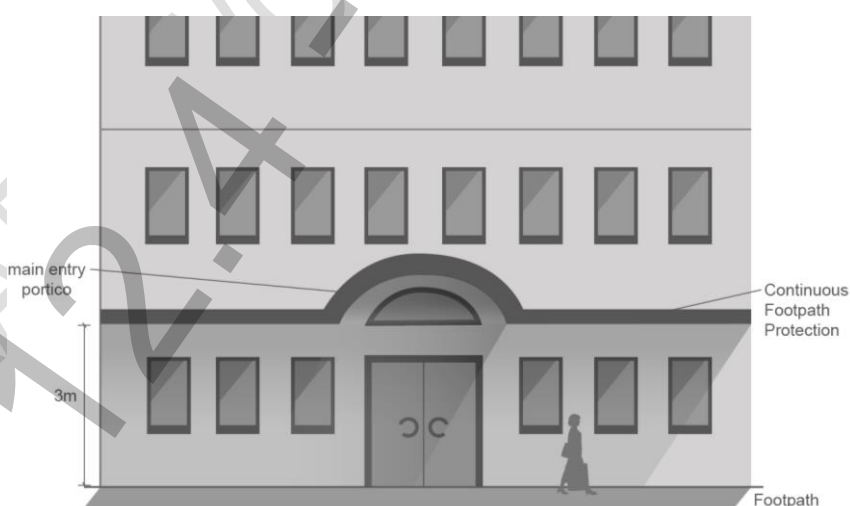


Example of Glazed Awning

4.2.5. ENTRANCE PORTICOS

Entrance portico encroachments MUST:

- be provided above the main entrance of the building;
- provide pedestrian comfort by providing shelter from sun and rain;
- is setback a minimum of 600mm from the kerb edge or 1 metre from a street tree, traffic signal, light pole or street furniture element (or greater for traffic **movement/safety** requirements);
- have a minimum vertical clearance between the top of the footpath and lowest underside of the verandah or pergola of 3 metres or 5 metres above the level of a vehicular carriageway;
- avoid narrowing the width of the footpath to less than 1.8 metres (or greater in a high pedestrian area identified in **Figure 1- Pedestrian and Future Infrastructure Map**);
- be of a size and scale appropriate to the building's proportions and width of the street; and
- have a maximum height up to the ceiling of the first floor.

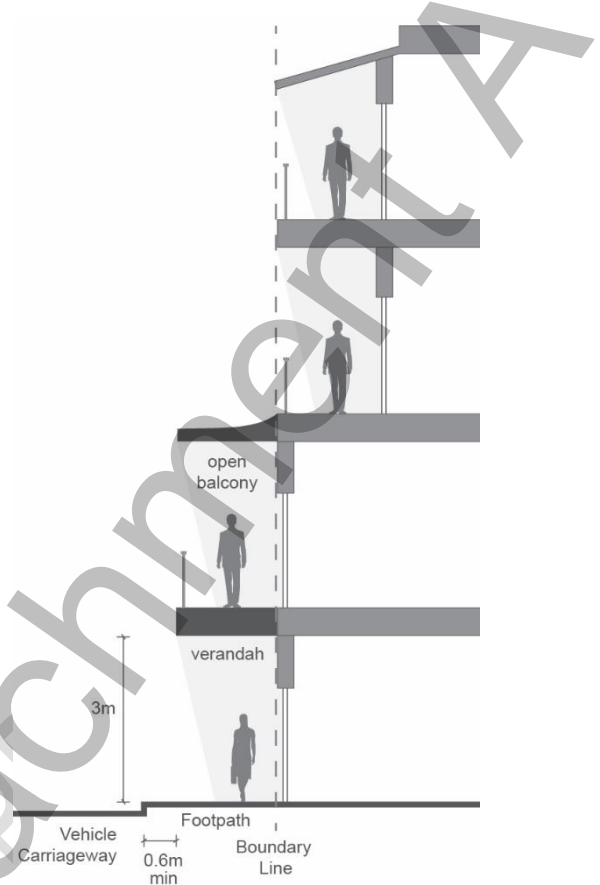


Example of Main Entry Porticos

4.2.6. BALCONIES

Balcony encroachments where the balcony is at first floor level or the building is an existing building (built before 1 March 2019) that is being retrofitted and adaptively re-used may be permitted, provided that it they:

- is **are** designed to be open in appearance and form **rather than enclosed**; (excluding the use of clear PVC blinds);
- is **are** setback a minimum of 600mm from the kerb edge or 1 metre from a street tree, traffic signal, light pole or street furniture element (or greater for traffic **movement/safety** requirements);
- ~~has~~ **have** a minimum vertical clearance between the top of the footpath and lowest underside of the balcony of 3 metres or 5 metres above the level of the vehicular carriageway;
- incorporates lighting on the underside of the balcony at ground level where street lighting is obscured; and
- is **are** designed to incorporate CCTV cameras on the underside of the balcony at ground level where existing CCTV coverage has been obscured by the balcony.



Example of First Floor and Above First Floor Balconies

Above first floor balcony encroachments will only be considered in the following instances:

- On streets that are not listed as part of the City grid on the National Heritage Listing detailed in **Attachment C**; or
- Fronting the following portions of the Squares:
 - Eastern, northern and western sides of Hindmarsh Square (excluding Grenfell Street, Pirie Street and Pulteney Street frontages); or
 - Eastern, northern and western sides of Light Square (excluding Currie Street, Waymouth Street and Morphett Street frontages); or
 - Eastern, southern and western sides of Whitmore Square (excluding Wright Street, Sturt Street and Morphett Street frontages); or
 - Eastern, southern and western sides of Hurtle Square (excluding Carrington Street, Halifax Street and Pulteney Street frontages).

If encroaching balconies satisfy one of the locational criteria above, they **MUST** also be carefully integrated into the building design and enhance the appearance of the development when viewed from the public realm, as well as satisfying the following:

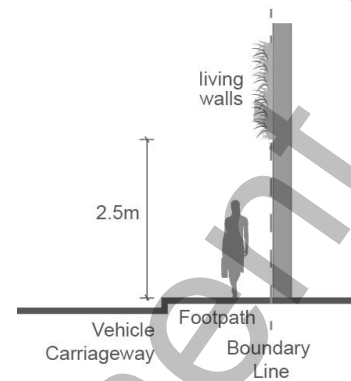
- being no greater than 30% of the street frontage on every level of the building; and
- having no more than 50% of each balcony area encroaching over the public realm; and
- having a maximum encroachment projection of 1 metre; and
- being designed to be open in form and appearance rather than enclosed; and
- being free of service infrastructure such as air conditioning units; and
- having a minimum setback of 600mm from the kerb edge and 1 metre from a street tree, traffic signal, light pole or street furniture element (or greater for traffic movement/safety requirements).

4.2.7. GREEN FACADES AND LIVING WALLS

Green facades and living wall encroachments on new buildings must be incorporated within existing site boundaries at ground floor level.

Green facades and living walls on all buildings MUST:

- have a minimum vertical clearance of 2.5 metres above the footpath level (unless demonstrated it will not pose a risk to pedestrian safety); and
- be maintained, pruned and watered as required to ensure plant health and pedestrian safety.



Example of Green Facades and Living Walls

4.2.8. SIGNAGE

Under awning signage encroachments MUST:

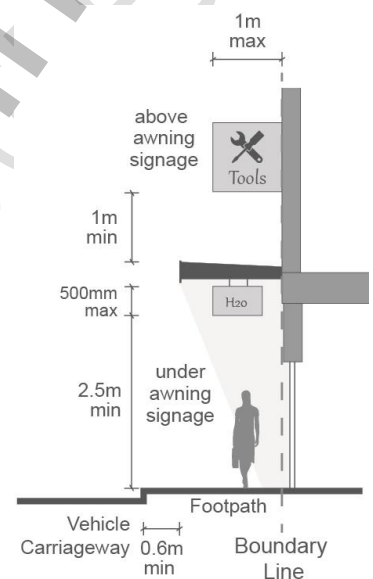
- have a minimum vertical clearance of 2.5 metres between the footpath level and the underside of the sign; and
- have a minimum setback of 600mm from the kerb edge or 1 metre from a street tree, light pole or street furniture.

Above awning signage encroachments MUST:

- avoid extending more than 1 metre from the boundary line; and
- be a minimum of 1 metre above the awning line.

Wall mounted signage encroachments MUST:

- have a minimum vertical clearance of 2.5 metres above the footpath level (unless it can be demonstrated that it will not pose a risk to pedestrian safety); and
- have a maximum projection of 150mm beyond the property boundary.



Example of Under and Above Awning Signage

4.2.9. PUBLIC ART

Public art encroachments MUST:

- have a minimum setback of 600mm from the kerb edge or 1 metre from a street tree, light pole or street furniture;
- avoid narrowing the width of the footpath to less than 1.8 metres;
- avoid obstructing pedestrian movement in and out of a building;
- be designed and constructed to ensure pedestrian safety; and
- avoid impeding sightlines or mobility for pedestrians i.e. bus stops and crossing roads.

4.2.10. LIGHTING

Lighting encroachments MUST:

- operate between the hours of dusk until dawn;
- be energy efficient;

- be fit for public purpose in a public environment;
- avoid glare that produces discomfort or danger to pedestrians and users of vehicles; and
- has a minimum vertical clearance height of 2.5 metres above footpath level.

Lighting must comply with Council standards and guidelines and is subject to individual technical assessment by Council staff.

4.2.11. PIPES AND SERVICES

Pipes and service encroachments for new buildings MUST be incorporated within the property boundary.

Pipes and services for existing buildings will only be considered in circumstances where it is demonstrated that there is no viable alternative and the service is necessary.

Pipes and services for new buildings must comply with Council standards and guidelines and are subject to individual technical assessment by Council staff.

4.2.12. BRIDGES AND OVERPASSES

Bridges and Overpasses must comply with Council standards and guidelines and are subject to individual technical assessment and require determination by Council.

Bridge and overpass encroachments are discouraged and will only be considered in the following circumstances:

- there is an access requirement between two adjacent buildings above street level and there is no viable access alternative at street level;
- the encroachment will not redirect pedestrian activity and affect the viability of existing tenancies at street level;
- the encroachment will not impact on the public road amenity through loss of views, vistas or sunlight access; and
- incorporates lighting on the underside of the bridge or overpass at ground level where street lighting is obscured; and
- incorporates lighting on the underside of the bridge or overpass at ground level where street lighting is obscured.

If the bridge or overpass meets the above criteria, it MUST:

- have a minimum underside vertical clearance of 3.5 metres above footpath level;
- have a minimum underside vertical clearance of 5 metres above the level of a vehicular carriageway;
- be largely visually permeable to maintain views and sunlight through the structure;
- be universally accessible;
- allow for the growth and preservation of street trees;
- ensure access for emergency services and vehicles; and
- have a maximum width of 6 metres.

4.2.13. OTHER ABOVE GROUND ENCROACHMENTS

All other above ground encroachments will be performance assessed against the criteria for 'Accepted Encroachments' or other parts of the Policy considered relevant.

4.3 DEEMED TO SATISFY BELOW GROUND ENCROACHMENT (requires an Encroachment Permit)

Where a development encroaches under a public road, it MUST:

- not impact on street trees or services; or
- hinder envisaged future underground transport or movement alternatives.

4.3.1. ELECTRICITY SERVICE CONNECTIONS

An underground electricity service connection installed in the footpath from an SA Power Network service point to a private property for the purpose of providing electricity is considered to be an accepted encroachment. However, works must comply with Council standards and guidelines and are subject to individual technical assessment by Council staff. Each installation will require separate Council approval.

4.3.2. SERVICE PITS / HATCHES, CABLING AND OTHER SERVICES

Service pits, hatches and cabling must comply with Council standards and guidelines and are subject to individual technical assessment by Council staff.

4.3.3. GROUND ANCHORS, FOOTINGS AND PILINGS

Footings, pilings and temporary ground anchor encroachments will only be permitted where:

- they do not hinder, damage or interfere with existing or future Council infrastructure works; and
- they are not located within the areas unsuitable for ground anchors illustrated within **Figure 1- Pedestrian and Future Infrastructure Map**.

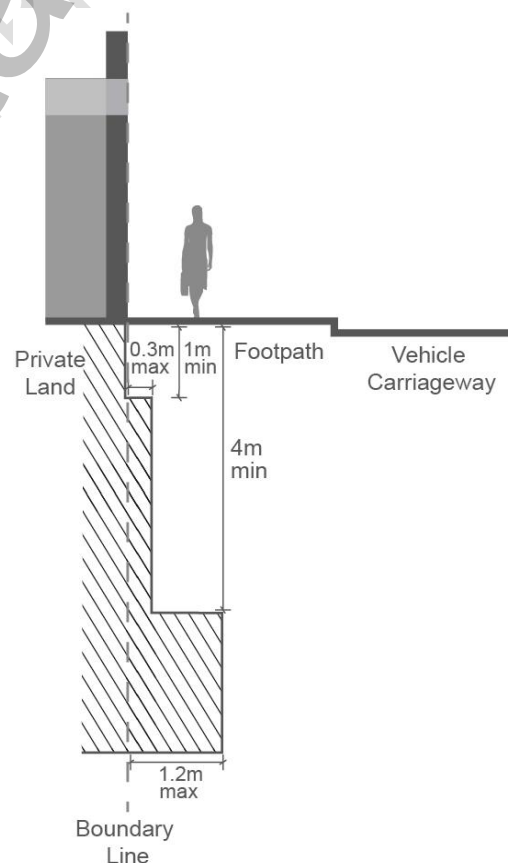
Where the above circumstances exist, footings and pilings MUST:

- have a minimum depth of 1 metre below the level of the footpath or vehicular carriageway;
- not encroach horizontally more than 300mm onto a public street or public place when less than 4 metres below the level of the footpath or vehicular carriageway; and
- not encroach more than 1.2 metres onto a public street or public place when 4 metres or more below the level of the footpath or vehicular carriageway.

Footings and pilings must comply with Council standards and guidelines and are subject to individual technical assessment by Council staff.

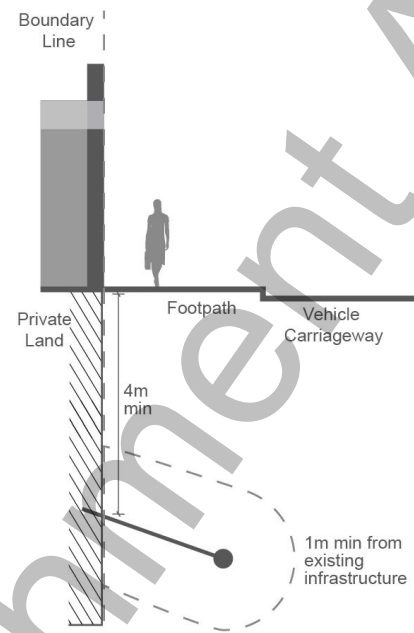
Temporary ground anchors MUST:

- be de-stressed (made inactive) prior to project completion;
- be installed a minimum of 4 metres below the existing natural surface;



Example of Footings and Pilings

- ❑ be installed a minimum of 1 metre from any existing underground infrastructure (service providers may require greater clearances and should be consulted);
- ❑ ensure that the temporary ground anchor head is accessible for the duration that the temporary ground anchor is under tension for inspection and maintenance;
- ❑ provide maintenance records of live ground anchors;
- ❑ undertake geotechnical testing to confirm soil and groundwater conditions in the zone where temporary ground anchors are proposed;
- ❑ be installed and tested to confirm performance, prior to installation of the working anchors;
- ❑ maintain minimum clearance zones around active temporary ground anchors at 0.6m x anchor fixed length; and
- ❑ provide 'as constructed' documentation showing the location of ground anchors to Council.



Example of a Temporary Ground Anchor

Permanent ground anchors are not allowed (refer to **Section 2**).

Temporary ground anchors must comply with Council standards and guidelines and are subject to individual technical assessment by Council staff.

Council will require applicants to complete a 'Temporary Ground Anchor Encroachment Agreement' which will set out the conditions and financial arrangements, which can include a temporary bond. This is to encourage applicants to provide post-construction confirmation that the ground anchors have been de-tensioned, and details of the location of the de-tensioned ground anchor infrastructure, and that any other requirements have been addressed.

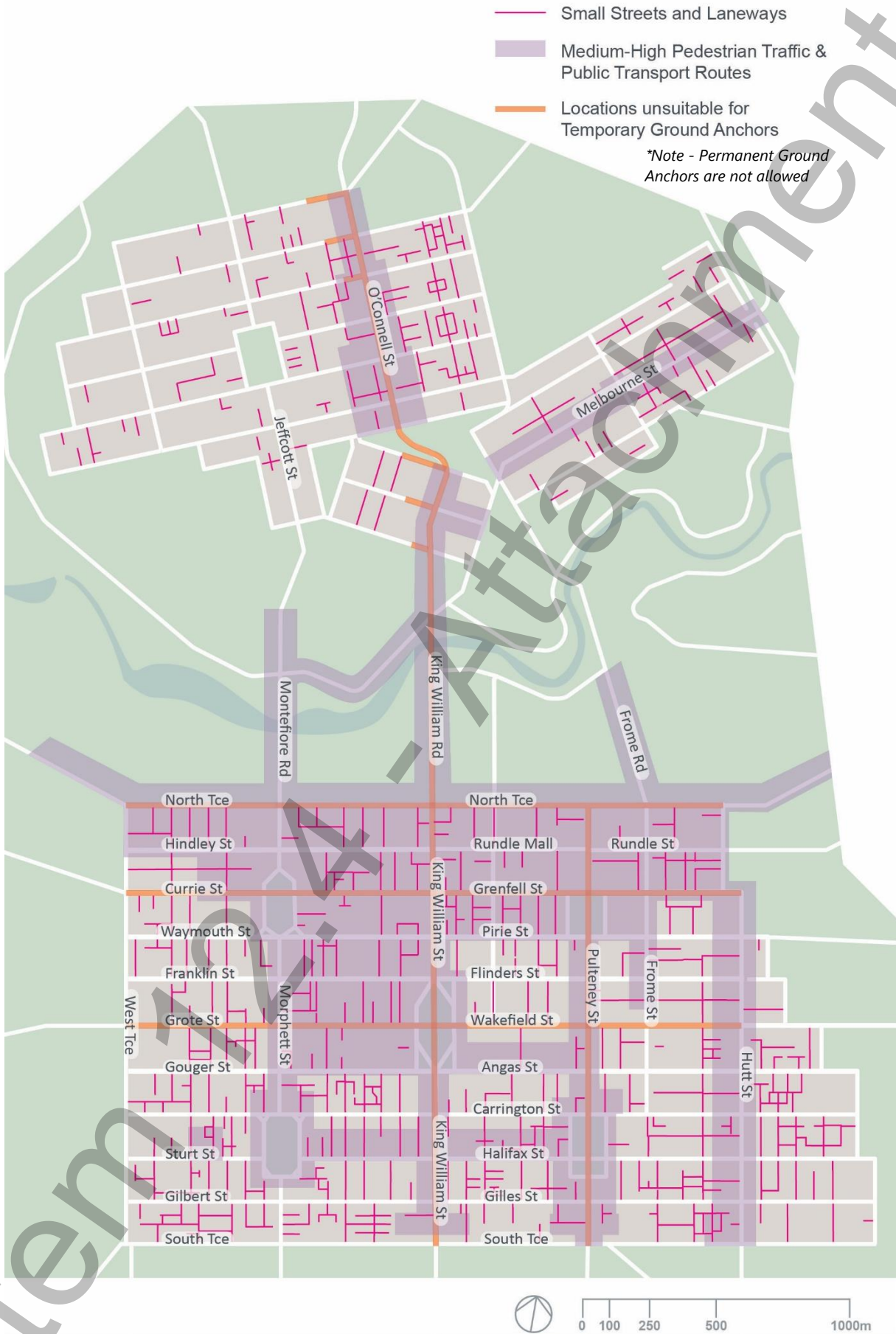
4.3.4. OTHER BELOW GROUND ENCROACHMENTS

All other below ground encroachments will be performance assessed against the criteria for 'Accepted Encroachments' or other parts of the Policy considered relevant and subject to individual technical assessment by Council staff.

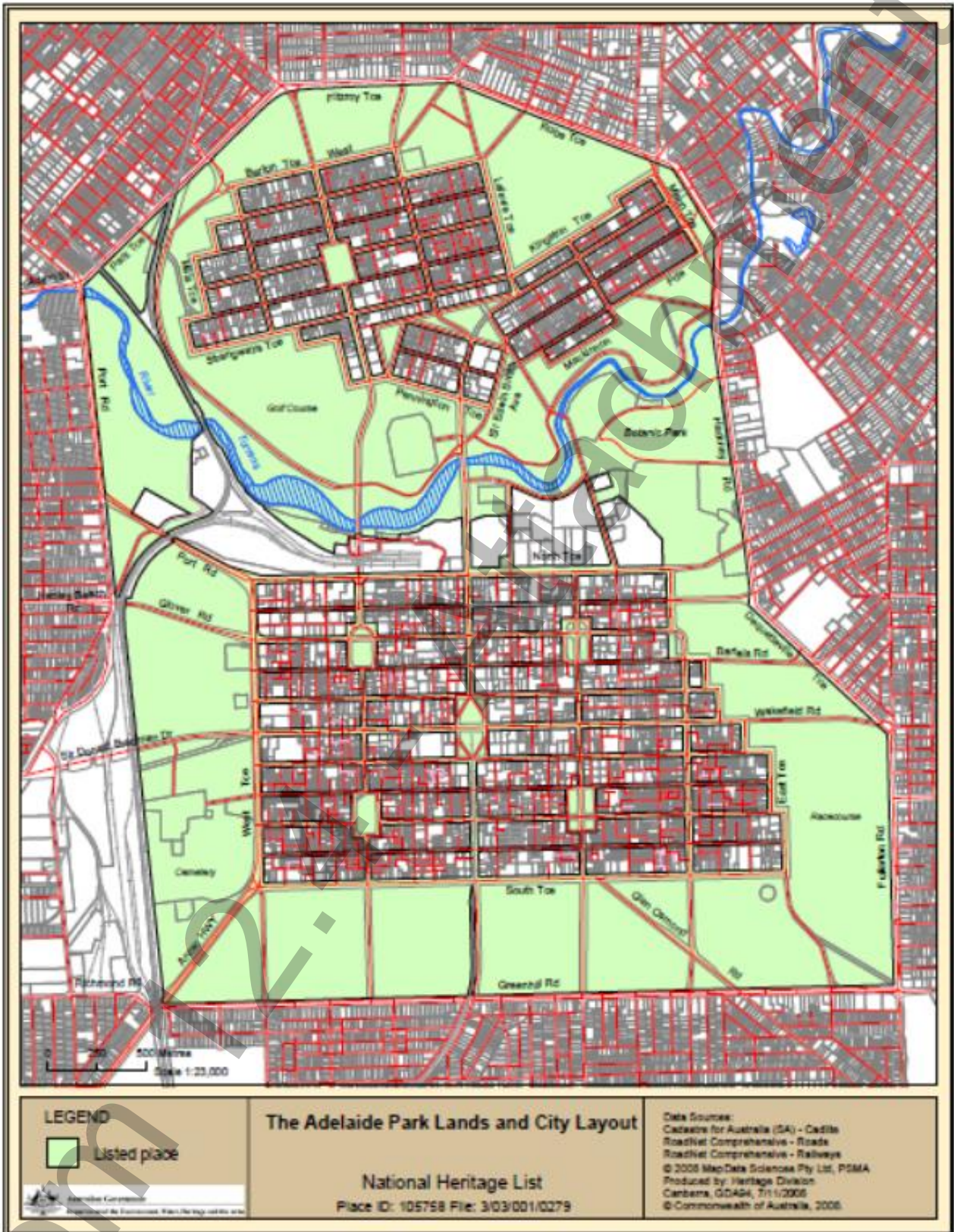
5. VARIATIONS TO THE POLICY

Where an individual site presents circumstances such as where the development of a site would be impacted due to its size, dimensions and/or orientation, a variation to the criteria of the Policy will be considered providing it is consistent with the overall intent and purpose of the Encroachment Policy.

FIGURE 1 - Pedestrian and Future Infrastructure Map



ATTACHMENT A - The Adelaide Park Lands and City Layout National Heritage List



North Terrace Public Realm

ITEM 12.5 11/02/2020
Council

Program Contact:
Matthew Morrissey, AD
Infrastructure 8203 7462

2016/03718
Public

Approving Officer:
Klinton Devenish, Director Place

EXECUTIVE SUMMARY

The purpose of this report is to seek approval to reschedule the North Terrace Public Realm project. This project seeks to enhance the southern footpath of North Terrace and will complement the tram line works.

APA Group are renewing gas mains throughout the city. Recently they revised the scope of their planned works for the gas main along North Terrace. This work will now involve open trenching and has been scheduled for completion by July 2021. Due to the complexities of the gas mains network, their renewal must be completed in sequence and cannot be brought forward. This will impact the delivery of the North Terrace Public Realm project.

Approval is sought to defer the North Terrace Public Realm upgrade until after APA's work.

Presented to The Committee on 4 February 2020.

RECOMMENDATION

THAT COUNCIL:

1. Approves rescheduling the North Terrace Public Realm project until after APA have completed the gas main works and;
 - 1.1. That the slate pavers required for the works, currently being manufactured be stored until required for either maintenance works or the project is reinitiated.
 - 1.2. That minor works be undertaken to stabilize the existing footpath infrastructure and clean survey marks to make the area presentable and safe.
2. In approving the rescheduling of the project, Council approves that the current uncommitted funds (\$3.5M) are returned as savings and that budget is considered within the 2021/22 financial year to re-initiate the project.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Liveable Strategic Plan Objective: Pursue completion of the North Terrace Boulevard, focusing on the evolving health and biomedical precinct and the Riverbank Precinct.
Policy	Not as a result of this report
Consultation	Internal consultation with the Project Control Group has taken place. Engagement with key stakeholders along the section of North Terrace was undertaken throughout the development of the concepts.
Resource	Internal resources for project management, construction will be undertaken via procured construction services.
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Better alignment of capital expenditure and third-party infrastructure works to limit disruption and re-work and cost.
19/20 Budget Allocation	\$4,294,750 adopted in the Integrated Business Plan
Proposed 20/21 Budget Allocation	Dependant on the outcome of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Once commenced the project is expected to be delivered in one financial year.
19/20 Budget Reconsideration (if applicable)	Dependant on the outcome 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 North Terrace Public Realm project plans to upgrade 400m of the North Terrace southern footpath, between King William Street and Kintore Avenue and between Frome Street and East Terrace.
2. To date a total of \$726,000 has been spent over the last three financial years on design, service location, and purchase of slate pavers to be used for the footpath upgrade. There is a current balance of \$3.5 million.
3. Design, service investigations and initial key stakeholder engagement has been completed, this has included liaison and discussion with key service providers regarding future works/proposed upgrades to existing services. Through these discussions APA identified that the current cast iron gas main running below the footpath requires upgrading to increase the operating pressure and to address sections where the existing main is not at the required depth.
4. APA have investigated several options for the replacement of the gas main including internally lining the pipe, directional boring and open trenching. Due to the depth of sections of the existing main, condition and adjacent services, APA have identified open trenching as the only viable method to reduce risk for the sections requiring replacement where internal lining is not suitable. These works are non-contestable and are required to be programmed within the context of the wider gas main replacement program currently being undertaken across the city.
5. APA have scheduled the replacement of the main to be completed by July 2021 and will include:
 - 5.1. Maintaining the existing main until the new main is commissioned to limit loss of service
 - 5.2. Upgrade of each property connection
 - 5.3. Three major junctions with APA's other gas mains
6. APA's Mains Replacement Program is scheduled to be completed by July 2021 and cannot be brought forward due to the complexities of the gas infrastructure including the continuation of service and the south-to-north sequencing required to change the operating pressure of their gas mains.
7. To manage this situation and ensure the best possible outcome for the project, the following options have been presented for consideration:
 - 7.1. Defer the project for consideration in future financial years; the current budget would be offered as savings and the purchased materials used for maintenance/repairs on other existing slate footpaths. The project would be re-initiated once APA's works are completed; this would allow for re-scoping of the project to investigate the potential reduction of total project cost.
 - 7.2. Proceed as planned and undertake the footpath renewal ahead of APA's works; the current program works has already been delayed and it is likely that the footpath works would be completed immediately prior to APA commencing open trenching. APA would be liable to reinstate the footpath to the approval standard and using the correct materials and finishes. However the community and reputational risk would be high.
 - 7.3. Reschedule the project until after completion of the APA works in July 2021. This would allow the project to avoid all known service-related conflicts, ensure for the supply of all materials required to be procured and sourced ahead of site works and provide for a more efficient construction program.
8. It is recommended that consideration be given to deferring the project and re-initiating for consideration in the 2021/22, this will:
 - 8.1. Minimise disruption of works
 - 8.2. Reduce reputational risks
 - 8.3. Allow for the purchase and manufacture of slate pavers ahead of site works commencing
 - 8.4. Allow for a more efficient construction program
9. There are several risks associated with the options presented:
 - 9.1. Increased costs due to, escalation/rise and fall, limited in the preferred option to labour/mobilisation only due to the pre-purchase of materials
 - 9.2. Project delay and public perception
 - 9.3. There may be further service authorities who program upgrade works between now and 2021

10. It is also recommended that minor works are undertaken to stabilise the existing footpath and improve amenity through patching the existing asphalt and pressure blasting to remove old survey/marker paint. These works are expected to cost \$30,000 and can be funded from the current budget.

ATTACHMENTS

Nil

- END OF REPORT -

Golden Wattle Park Concept Plan & Community Land Management Plan

ITEM 12.6 11/02/2020
Council

Program Contact:
Christie Anthoney, AD
Community & Culture 8203 7444

2018/00561
Public

Approving Officer:
Clare Mockler, Deputy CEO &
Director Culture

EXECUTIVE SUMMARY

Following endorsement by Council in 2018, Administration undertook community engagement on a draft Concept Plan for Golden Wattle Park/Mirnu Wirra (Park 21W). As a result of community feedback, the draft Concept Plan has undergone significant changes while retaining its key features. A summary of the community engagement findings and details of changes to the Concept Plan are detailed in this report.

This report proposes a revised chapter of the Adelaide Park Lands Community Land Management Plan (CLMP) featuring Park 21W that reflects the current Adelaide Park Lands Management Strategy and revised Concept Plan for Park 21W. Subject to consideration by Council and the Minister, this CLMP chapter will be released for public consultation.

The revised Concept Plan and CLMP were considered by the Adelaide Park Lands Authority in December 2019. APLA supported the documents subject to some amendments that are detailed in this report.

Designs for the new car park and community sports building, based on the locations identified in the revised Concept Plan, will be tabled for consideration by the Adelaide Park Lands Authority and Council following conclusion of the CLMP consultation.

Presented to The Committee on 4 February 2020.

RECOMMENDATION

THAT COUNCIL:

1. Notes the community engagement findings summarised in Attachment A to Item 12.6 on the Agenda for the meeting of Council held on 11 February 2020.
2. Approves the revised Concept Plan for Golden Wattle Park/Mirnu Wirra (Park 21W) as shown in Attachment B to Item 12.6 on the Agenda for the meeting of Council held on 11 February 2020.
3. Approves the removal of trees in Areas 1 and 2 as shown in Attachment D to Item 12.6 on the Agenda for the meeting of Council held on 11 February 2020, to enable implementation of the first stage of the Concept Plan, being new sports lighting of the northern playing fields, subject to the lessee receiving Development Approval.
4. Approves the revision of the Adelaide Park Lands Community Land Management Plan with a revised chapter for Golden Wattle Park/Mirnu Wirra (Park 21W) as per Attachment C to Item 12.6 on the Agenda for the meeting of Council held on 11 February 2020, being released for statutory consultation.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Liveable The enhancement of co-located recreation and sports facilities supports Council's 2016-2020 Strategic Plan objectives of increasing formal and informal participation in the Park Lands and delivering sport and recreation activity hubs consistent with the Adelaide Park Lands Management Strategy (APLMS) and Active City Strategy.
Policy	The Concept Plan for Park 21W is consistent with the Key Biodiversity Area identified in Council's Integrated Biodiversity Management Plan 2018-2023 and APLMS.
Consultation	A community and stakeholder engagement process undertaken in December 2018 has informed the revised Concept Plan for Park 21W. Subject to Council approval and consultation with the Minister responsible for the <i>Adelaide Park Lands Act 2005</i> , a revised chapter of the Community Land Management Plan (CLMP) for Park 21W will be released for community and stakeholder engagement for a period of 21 days.
Resource	Existing Council resources will be utilised to undertake community engagement on the draft CLMP and progress detailed design of key elements including the new car park and community sports building.
Risk / Legal / Legislative	Implementation of aspects of the Concept Plan will require Development Approval. The City of Adelaide is required to review its CLMP for the Adelaide Park Lands at least once every five years. This report proposes a revision to the CLMP chapter for Park 21W. Signed in 2011, a 15 year deed of agreement between Council and the Royal Agricultural and Horticultural Society of SA to facilitate Royal Adelaide Show parking in the south Park Lands does not permit Council to terminate or alter the agreement unless agreed to by both parties. The draft CLMP proposes retention of existing broad acre parking.
Opportunities	Implementing the Concept Plan for Park 21W would see a significant improvement in landscape quality, community access and community use of this park.
19/20 Budget Allocation	\$100,000 is allocated in the 2019/20 Integrated Business Plan for detailed planning and design of enhancements to Parks 21W and 22.
Proposed 20/21 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	This report details projects in the early planning stages only.
19/20 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	This report details projects in the early planning stages only. It is envisaged that Council will make a future contribution to the capital investment in Park 21W.
Other Funding Sources	Funding of some aspects of the Concept Plan will be met by the lessee, particularly the new community sports building, oval upgrades and sports lighting. The State Government administers funding programs for open space developments that support informal recreation and infrastructure projects that support formal recreation and sport participation.

DISCUSSION

1. Building on the Sports Infrastructure Master Plan developed in 2014, Administration developed similar plans in 2017/18 for Golden Wattle Park/Mirnu Wirra (Park 21W) and Josie Agius Park/Wikaparntu Wirra (Park 22) to complete the planning of regional sporting areas in the west and south Park Lands. The planning of these two parks was undertaken to a greater level of detail and considered all landscape and infrastructure aspects.
2. In January 2018, Council approved the Concept Plan for Park 22. This Plan allowed for a realignment of the Park Lands Trail, a regional netball facility with 24 courts and a fit for purpose netball clubroom co-located with a new City of Adelaide (CoA) Park Lands maintenance facility and a dual pitch hockey facility with centralised clubroom. The Plan also recommended that the existing broadacre parking accommodating up to 800 vehicles be formalised and limited to 580 spaces.
3. In August 2018, Council approved the Concept Plan for Park 21W for the purpose of community engagement. This Plan allowed for the enhancement of the existing three playing fields, a new fit for purpose clubroom, car parking for up to 150 vehicles and realignment of the Park Lands Trail to match up with the proposed realignment in Park 22. Whilst approved for the purpose of community engagement, the Decision included:
 - 3.1. In-principle agreement of a centralised fit for purpose clubroom of a two level design not exceeding 465sqm of ground building footprint, incorporating an undercroft lower level and landscape architecture treatments.
 - 3.2. In-principle agreement of a formalised car park of 150 spaces with appropriate plantings and permeable surfaces.
 - 3.3. A requirement that the car parking only be available on weekends and after 4pm on weekdays and incorporating parking controls to prevent general commuter parking.

Existing Use and Conditions

4. Park 21W includes a regional children's playspace, petanque piste, picnic amenities and shared commuter path along the northern edge. Since the late 1990's, there has been a significant reduction in sporting areas and an increase in tree plantings, revegetated biodiversity and remnant vegetation areas. A sugar gum lined path dissects the park and forms part of the Park Lands Trail.
5. Adelaide Lutheran Sports and Recreation Association (ALSARA) is the head lessee of the sports facilities in Park 21W. The facilities are used by ALSARA football, cricket and soccer clubs and Concordia College. ALSARA also has a large netball club who utilise the clubroom facilities in Park 21W and play on the courts in Park 22.
6. Through sub-leasing and casual hire, the facilities are also used by SA Flying Disc Association, Gaelic Football, Sturt Football Club, Sturt St Community School, Glenunga Football Club, ReLink (sports program for vulnerable people), SAPSASA school sport, and many SANFL and AFL run programmes for juniors, women, multi-cultural groups and AFL 9's. ALSARA has estimated that approximately 1,320 players and 34,834 people in total, including officials and supporters, visit the facilities each year.
7. Only one playing field in Park 21W is lit and this is to a low standard.
8. The existing clubroom facility has a total footprint of 390sqm and does not meet contemporary community sports requirements. An audit of the facility highlighted many of the facility's deficiencies. Structurally, the building is ageing and has several major structural issues. A copy of the audit is show here ([Link 2 view here](#)).
9. ALSARA has the desire and potential to grow female and junior participation in a range of sports. They estimate that over 40 new women's and junior teams could be accommodated in the future to meet expressed demand. To realise this growth, the facilities in Park 21W require significant improvement.

Community Engagement

10. Between 21 November 2018 and 4 January 2019, Administration undertook community engagement on the draft Concept Plan for Park 21W. During this time, Administration held two drop in sessions (Park 21W and Whitmore Square) and attended six meetings with various community groups. 65 feedback forms were completed on line and 18 e-mails and letters were submitted. Two City resident organisations, the South West City Community Association and the South East Community Residents Association referenced the Park 21W community engagement process in their respective newsletters ([Link 1 view here](#)).
11. Key findings from the engagement were:

- 11.1. Desire for a more comfortable environment for using the park (eg shade, seating and picnic amenities).
- 11.2. Facilities to support more informal use of the park including nature play, irrigation of the community oval and establishment of an exercise loop.
- 11.3. Strong preference for a new clubroom facility, although some were concerned about its proposed location with preferences to see it closer to the park edge.
- 11.4. Car parking was a well liked aspect of the concept plan for some and the most objected aspect of the plan for others.
- 11.5. The biodiversity significance of the park was highly valued with a desire to see the conservation buffer zone extended to the entire south east section.
- 11.6. Kaurna people highly valued the wattle tree and there was a community desire to see the historical wattle grove replanted.
12. A summary of the community engagement findings is provided in **Attachment A**.

Revised Concept Plan

13. In response to the engagement findings, the Concept Plan has significantly changed while retaining its key features (**Attachment B**). A copy of the original concept is shown here (Link 3 view [here](#)). These key elements and concept changes are summarised below:

Original Concept Plan	Engagement Finding	Revised Concept Plan
Unstructured recreation spaces to be informed by community	<p>Desire to see community oval irrigated and retained as open space</p> <p>Desire for nature play opportunities by individual families, school groups and playgroups</p> <p>Desire for facilities to support informal use including shade, seating, lighting and exercise loop</p>	<p>Community oval to be irrigated with shade and picnic amenities</p> <p>Increased visitor amenity with shade tree planting and informal spaces including nature play</p> <p>Exercise loop identified with distance markers, seating, water fountains and exercise equipment</p> <p>Improved lighting of Sugar Gum avenue and lighting of Park Lands Trail realignment</p>
Improved urban address and absence of cultural landscape references	<p>Desire to replant historical wattle grove</p> <p>Cultural landscape opportunities in north east corner</p>	<p>Urban address improvements focused along Goodwood Road and South Terrace edges</p> <p>Re-establishment of wattle grove in north east corner (south of the Park Lands Trail)</p> <p>Cultural landscape opportunity identified in north east corner (north of the Park Lands Trail)</p> <p>Public art opportunities within nature play and education hub</p>
Realignment of Park Lands Trail to improve connections with Park 22 – straight path running along car park edge	Support for meandering paths and trails	Alignment adjusted to be more fluid, away from car parking and tree lined with soft edges
Education hub with interpretive signage within biodiversity area	Education hub located within sensitive remnant vegetation	New location for education hub adjacent key biodiversity area
Multi-purpose sports fields	Supportive of multi-purpose fields and providing improved spectator amenities	<p>Retains multi-purpose sports fields and increases edge tree planting for spectator comfort</p> <p>Building design to consider earth mounding for viewing</p>
Lighting of all playing fields	Supportive	No change

Original Concept Plan	Engagement Finding	Revised Concept Plan
Centrally located clubroom	Strong support for new clubrooms although some concerns on the central location dominating the park landscape Interest in broader community use of clubroom	New clubroom location close to the existing building on the western edge of the park Building design to incorporate public toilets
Permeable gravel surface car park with 150 parking spaces servicing centrally located clubroom	Strong support for off street parking and some strong objections to car parking on the Park Lands	New permeable gravel surface car park location on western edge of the park with a maximum of 112 spaces (final number to be determined by the primary objective to retain existing trees)
Concentrated conservation buffer zone Additional paths within/adjacent conservation zone	Biodiversity significance of the park acknowledged and recommended to extend conservation buffer zone to capture entire south east section Concerns about safety, construction techniques and materiality of new paths within conservation zone	Conservation buffer zone expanded to incorporate entire south east portion of park Path lighting to be removed within conservation zone – enhance lighting along central pathway No additional paths within conservation zone
Over 100 trees informally identified as requiring removal to accommodate new central car park and three full size ovals	Improve shade, preferably through tree plantings	Relocation of car parking and building and smaller third oval significantly reduces tree removal requirements (approx. 24) New tree plantings around fields and along Park Lands Trail

Adelaide Park Lands Authority

14. The Adelaide Park Lands Authority (APLA) considered this matter on 12 December 2019. Whilst supportive, APLA requested the revised Concept Plan incorporate additional elements as detailed below:

APLA Advice	Administration Response
Enhanced urban address along Greenhill Road and identifiable entrances from South Terrace, Greenhill Road and Sir Lewis Cohen Avenue that connect people from the surrounding streets and neighbourhoods and invite people into the centre of the park.	The Concept Plan has been amended to incorporate enhanced urban addresses along Sir Lewis Cohen Avenue and Greenhill Road including consideration of a cultural landscape feature at the corner of Greenhill Road and Goodwood Road.
North/south promenade which connects the City to Wayville and extends regional strategic walking and cycling routes through the Park Lands.	The existing Sugar Gum Avenue shared use path provides a north south connection. Additional links from South Terrace and Greenhill Road enhance the usability of this existing avenue.
Enhancements to areas of remnant vegetation to showcase key biodiversity / landscape features, including the addition of accessible trails and amenities that are designed to preserve and protect sensitive landscapes.	The Concept Plan has been amended to incorporate an additional space within the key biodiversity area for education and interpretation.
Enhancements to the park design to reduce areas of high urban heat, appropriate to the needs of the remnant vegetation.	The Concept Plan recommends expanded irrigated turf areas and additional tree plantings to the western half of the park.

15. Administration gave an undertaking to APLA to strengthen Kaurna presence in the revised chapter of the Community Land Management Plan (CLMP) for Park 21W. This has been undertaken and is included in the version attached to this report.

Proposed Tree Removal and Re-Plantings

16. The original Concept Plan did not specifically identify each tree that would be impacted by implementation of the plan, although it's estimated that over 100 trees would require removal.
17. The revised Concept Plan identifies approximately 24 trees requiring removal as marked in Areas 1 and 2 of **Attachment D**. The removal of these trees is necessary to achieve fit for purpose community ovals and optimise the space for flexible programming, ensuring this activity hub has capacity for growth in participation going forward. The species identified for removal are primarily Eucalyptus cladocalyx, camaldulensis and leucoxydon along with two Casuarina Cunninghambianas. The trees are at varying levels of maturity with one being regulated due to its trunk circumference (Eucalyptus cladocalyx 2.2m), requiring Development Approval to be removed.
18. The Concept Plan recommends new plantings that overall increase the extent of tree planting around the activity hub and in the Park generally. This is shown in **Attachment D**. At this stage of the planning process, the Concept Plan does not identify the exact number, species or maturity of trees to be replanted.

Access

19. The Concept Plan for Park 21W proposes a number of improvements to facilitate active and passive use of the park. Many of these improvements will support use by residents, workers and local school students and additional paths are proposed to enable people to access these opportunities through active transport.
20. Consistent with the Adelaide Park Lands Management Strategy, the realigned Trail invites users into the heart of the activity hub including the new clubroom facility and a signalised crossing is proposed on Goodwood Road to connect Park 21W and Park 22 and create a safe and convenient crossing for users of the Trail.
21. The improved connection is important for ALSARA's netball club who use the changeroom facilities in Park 21W and play on the courts in Park 22. It will also be important in catering for peak car parking demand, particularly when activities are occurring simultaneously in Park 21W and Park 22.
22. Unlike one off events, sports participants attend training and competition multiple times per week and often outside of daylight hours. Public transport options are limited to buses on Goodwood Road and Greenhill Road and there are no car parking stations in comfortable walking distance of Park 21W.
23. Participation is anticipated to grow substantially in Park 21W through the planned improvements and access to the hub will be impacted by future changes to Park 22 including additional sports infrastructure and a reduction in off-street parking capacity.
24. In addition to on street parking around Park 21W, access to safe off-street parking with bus drop off capacity and disabled access parking is proposed for Park 21W. The revised location and design of the car park has reduced the original proposed capacity of 150 down to 112, although the final capacity will be subject to detailed design with the aim of integrating existing trees as part of creating a Park Lands complementary parking design.
25. The previous Decision of Council requires the formalised off-street car parking to be managed to prevent general commuter usage.
26. A design of the car park incorporating landscaping linked to the proposed new clubroom, along with a draft design of the new clubroom, will be tabled separately for consideration by APLA and Council.

Revised Community Land Management Plan

27. The Adelaide Park Lands Community Land Management Plan (CLMP) consists of several chapters with the first chapter covering general provisions applicable across the Park Lands. The current CLMP chapter relating to Park 21W includes Park 22 and the southern portion of Park 23.
28. This report proposes a revised chapter for Park 21W as shown at **Attachment C**, to ensure consistency with the current Adelaide Park Lands Management Strategy (APLMS) and to reflect the Concept Plan developed for Park 21W.
29. The revised CLMP chapter for Park 21W has the following objectives:
- 29.1. Support the ongoing public use and enjoyment of the Park.
 - 29.2. Create flexible venues and spaces which are fit-for-purpose for community sport that accommodate future growth and increase the diversity of physical activity opportunities available to the community.
 - 29.3. Manage the north-west of Park 21W as a regional activity hub for formal and informal recreation including open sports fields, Princess Elizabeth Playground, Lundie Gardens and associated park

amenities such as playspaces, barbeques, shelters/shade structures, seats, drinking fountains, toilets, pathways, lighting, fitness loops and shade tree planting.

- 29.4. Recognise, promote and protect any sites of Kaurna cultural heritage significance in the Park as outcomes of the Kaurna cultural mapping project are identified.
- 29.5. Manage, protect and enhance the remnant biodiversity, especially the Key Biodiversity Area in the south-east triangle of Park 21W.
- 29.6. Maintain a variety of trees for shade that provide food and habitat for fauna and flower at different times of the year.
- 29.7. Manage and improve the connectivity, wayfinding and useability of the Park Lands Trail and other paths to support walking and cycling for recreation and active travel.
- 29.8. Conserve, protect and enhance the cultural heritage landscape, particularly the Sugar Gum avenue.
- 29.9. Provide for a range of events and related activities in accordance with the Adelaide Park Lands Event Management Plan.
- 29.10. Provide a good amenity and legible connections along the edges of the Park to encourage visitation and improved access.
- 29.11. Promote and encourage unrestricted community access to sports fields and recreation areas outside of designated game and training times.
- 29.12. Permit leases and licences as shown in the Lease and Licence Map and manage the use of the sports building (clubrooms) as a 'community sport' facility in accordance with the Adelaide Park Lands Leasing and Licensing Policy.
- 29.13. Ensure that CPTED principles are taken into consideration through sightlines and vegetation management.
- 29.14. Provide safe and accessible car parking facilities for park users which are designed to meet principles of water sensitive urban design.
- 29.15. Manage the use of parking to facilitate priority access for park users outside of Royal Adelaide Show times.

Next Steps

30. Subject to Council approval and consultation with the Minister, Administration will undertake community and stakeholder consultation on the revised CLMP chapter for 21W.
31. Following conclusion of this consultation, designs for the new car park and community sports building, based on the locations identified in the revised Concept Plan, will be tabled for consideration by the Adelaide Park Lands Authority and Council.

DATA & SUPPORTING INFORMATION

Link 1 – South West City Community Association and the South East Community Residents Association Newsletters

Link 2 – Audit of Facility

Link 3 – Pre engagement concept

ATTACHMENTS

Attachment A – Golden Wattle Park/Mirnu Wirra (Park 21W) Community Engagement Summary

Attachment B – Golden Wattle Park/Mirnu Wirra (Park 21W) Concept Plan

Attachment C – Draft CLMP Chapter Golden Wattle Park/Mirnu Wirra (Park 21W)

Attachment D – Proposed Tree Removal and Re-Plantings

COMMUNITY ENGAGEMENT SUMMARY

Golden Wattle Park/Mirnu Wirra (Park 21W)



April 2019



Contact for enquiries

If you have any questions regarding this document, please contact:

Contact Officer: Ray Scheuboeck
Title: Senior Coordinator Recreation and Sport
Program: Community and Culture
Phone: (08) 8203 7688
Email: r.scheuboeck@cityofadelaide.com.au

Record Details

HPRM Reference: ACC2019/42850
HPRM Container: 2018/00561

1. INTRODUCTION

The Adelaide Park Lands Management Strategy (APLMS) seeks to grow Park Lands utilisation by 15% over a five-year period. Golden Wattle Park/Mirnu Wirra (Park 21W) is located between a densely populated area of the City and growing residential and working population to the south. Responding to this, the APLMS proposes facilities to boost activity within the park. Balancing this increased activation is the focus on conserving the significant remnant vegetation in this park.

Golden Wattle Park/Mirnu Wirra (Park 21W) is home to a range of sports teams and formal sporting activities including Australian Rules Football, cricket, soccer, netball, ultimate frisbee, Gaelic football and school sports. The existing sports facilities fall well short of community guidelines and expectations for inviting and inclusive facilities and don't allow optimal use of the outside sporting areas.

On 28 August 2018, Council endorsed a draft Concept Plan to undertake wider community engagement. Two key aspects of the draft Concept Plan were approved by Council; that being the ground footprint and location of a new community sports pavilion to replace the existing pavilion and the establishment of a 150-space formalised car park. Council also approved changes to car parking conditions on Goodwood Road and on the south side of South Terrace to improve access to Golden Wattle Park/Mirnu Wirra (Park 21W).

The purpose of the community engagement was to identify other facilities and features that complement the proposed sports improvements and enable the entire community to actively enjoy the Park.

Ideas and suggestions generated through this engagement will inform the final shaping of the draft Concept Plan for Golden Wattle Park/Mirnu Wirra (Park 21W). This document along with any changes to the draft Concept Plan will be tabled with the Adelaide Park Lands Authority and Council for formal adoption.

1.1 Key Dates

Community Engagement Opened 21 November 2018
Come and talk to us in Golden Wattle Park 1 December 2018
Come and talk to us in Whitmore Square 8 December 2018
Community Engagement Closed 4 January 2019

1.2 Key Numbers

654 visits to the Yoursay engagement page

65 feedback forms were completed online via the Yoursay page

18 e-mails and letters were received from individuals and organisations including:

- Adelaide Park Lands Preservation Association
- Office for Recreation, Sport and Racing
- Royal Agricultural and Horticultural Society
- South Australian Cricket Association
- South-East City Residents Association
- South West City Community Association
- Sturt Street Community School and Children's Centre
- Trees For Life

6 meetings to discuss the community engagement project occurred with:

- City resident Lance Campbell (on behalf of the Southwest City Petanque group)
- Cycling SA
- Representatives of the Kurna community
- South Australian Cricket Association
- South-East City Residents Association and South West City Community Association (combined)
- Sturt Street Community School and Children's Centre

2 staff information/drop in sessions held at:

- Whitmore Square/Ivarrityi
- Golden Wattle Park/Mirnu Wirra (Park 21W)

1.3 Key Findings

Over half of the respondents use Golden Wattle Park/Mirnu Wirra (Park 21W) for playing, coaching or watching sport.

When prompted, preferred improvements to the park were irrigation of the community oval to support informal recreation (Area 12 on the draft Concept Plan), increased shade/shelter, seating and lighting of paths and trails.

Improved shade (preferably through tree plantings), seating and picnic amenities was a common theme in most responses with a desire to see a more comfortable environment for active use and less active use (spectators) of the park.

When asked for a preference if just one improvement to the park could be made, an improved clubroom was a clear preference. Similarly, when asked about changes to the sporting areas, an improved clubroom was the highest preference followed by the provision of car parking. These elements were also the most liked/supported aspects of the draft Concept Plan.

Conversely, car parking was the most objected to aspect of the draft Concept Plan.

Whilst nearly all acknowledged the need for a new building, concerns were raised about its proposed location, with preferences to see it closer to the park edge.

There was a strong desire to see the proposed changeroom provide a broader community benefit, including but not limited to public toilets.

There was interest in exploring nature play opportunities in the park, with the proposed changeroom potentially supporting the programmed use of a nature play space.

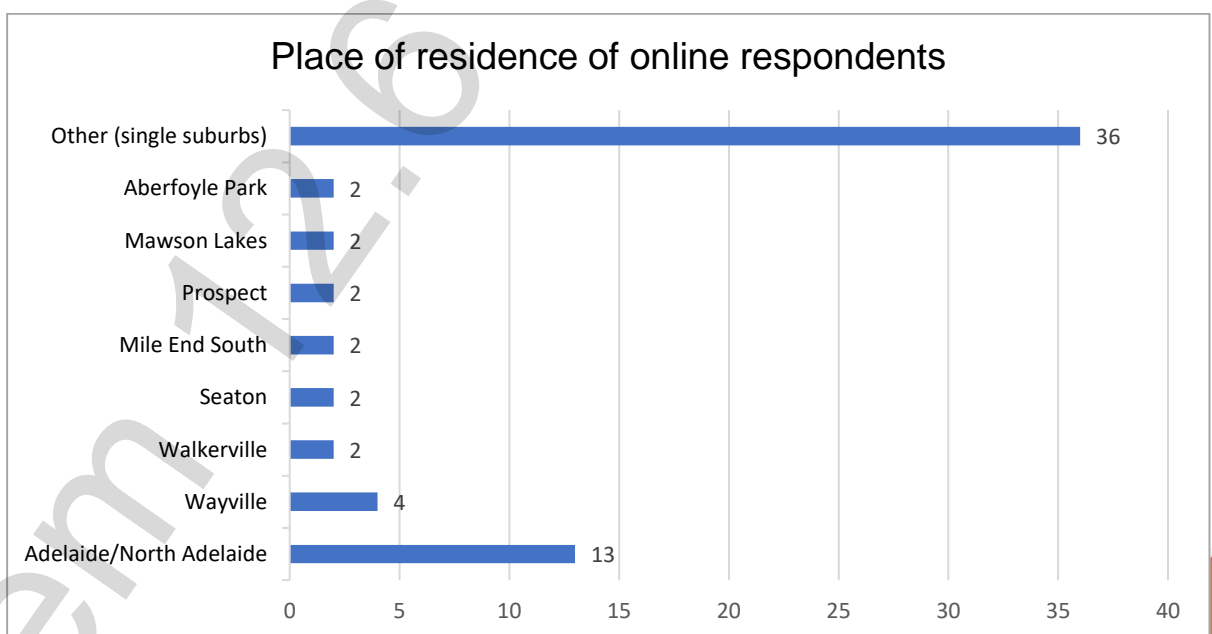
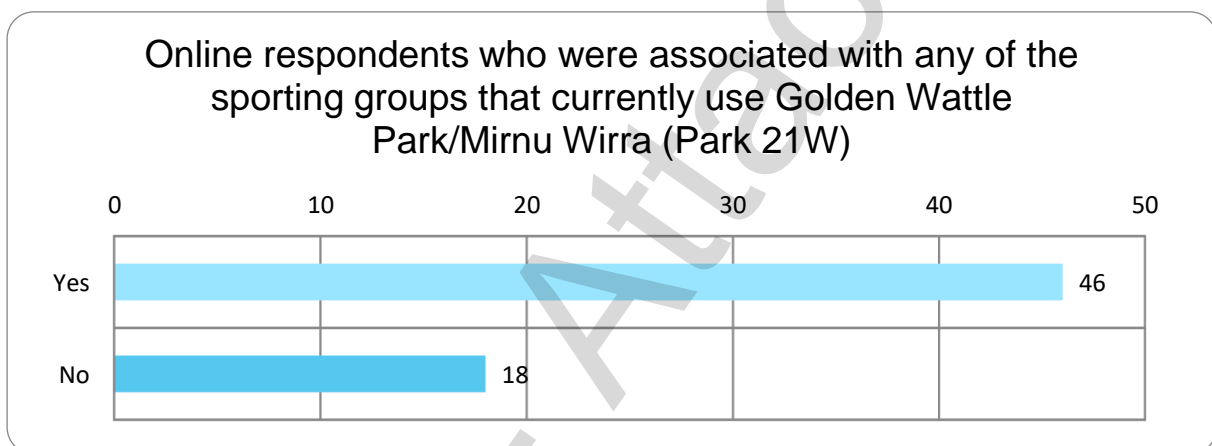
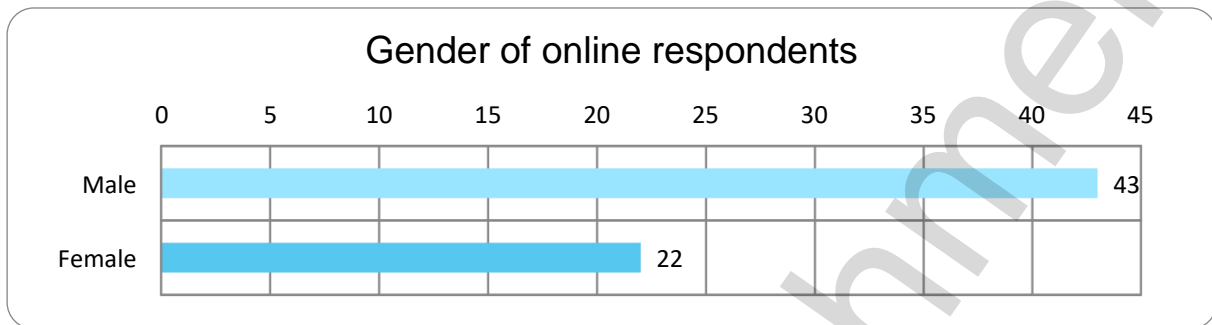
The biodiversity significance of Golden Wattle Park/Mirnu Wirra (Park 21W) was highly valued and it was recommended that the conservation buffer zone capture the entire south-east section of the park.

There was support for meandering paths and trails in the park including the establishment of an exercise loop that ideally was lit. Concerns were raised about safety, construction techniques and materiality of proposed paths within the biodiversity area.

The wattle tree was cited as having strong significance to the Kurna community and several respondents mentioned a desire to replant the historical wattle grove in Golden Wattle Park/Mirnu Wirra (Park 21W).

2. WHO RESPONDED

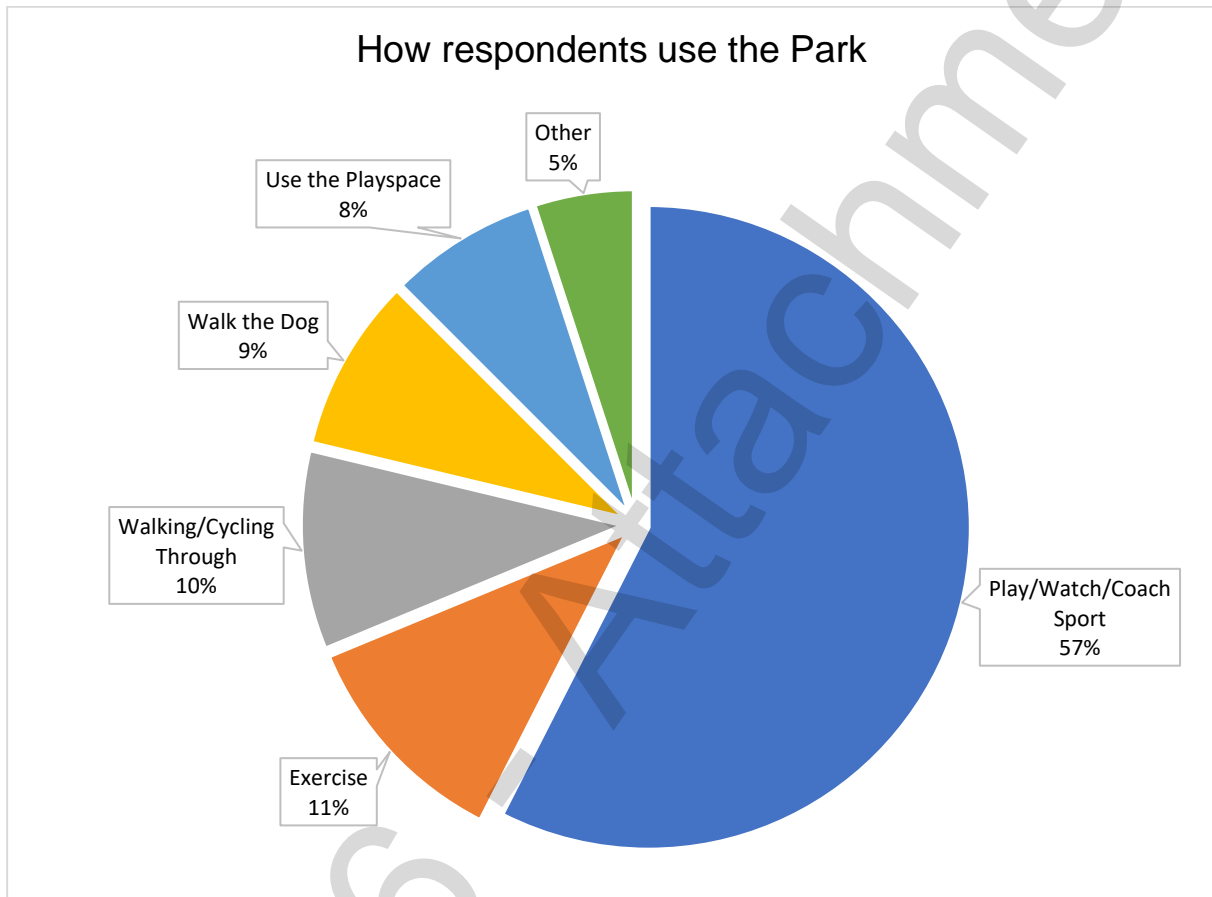
This section relates to the 65 people who completed the online feedback form. It was not possible to include the 18 e-mails and letters received from individuals and organisations as they did not include information relevant to this section. These submissions are summarised later in this report (Section 4).



3. ONLINE FEEDBACK FORM RESPONSES

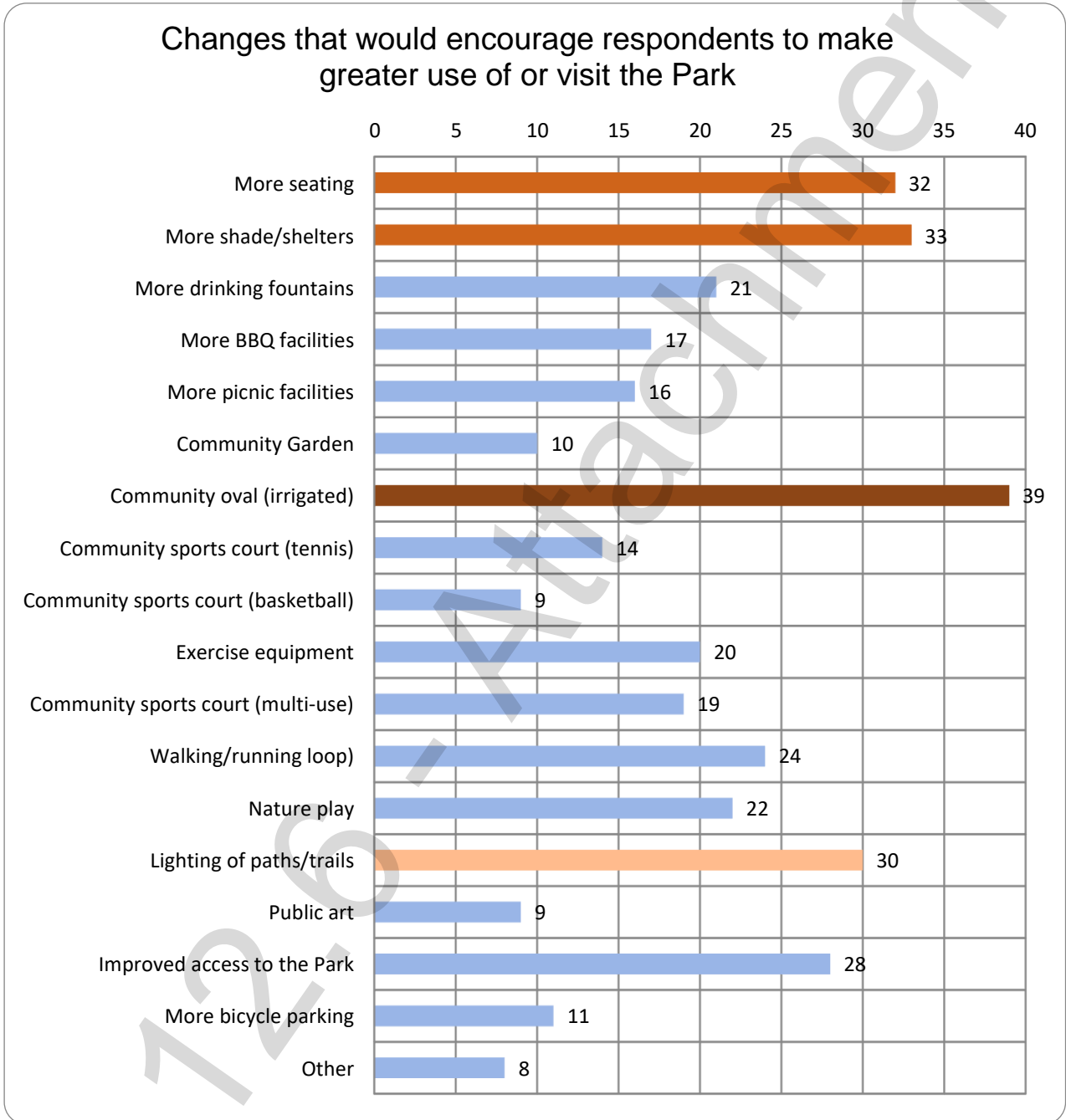
The following is a summary of the 65 online feedback forms received between 21 November 2018 and 4 January 2019.

In relation to how respondents use Golden Wattle Park/Mirnu Wirra (Park 21W), more than half of the responses were related to playing, watching or coaching sport.

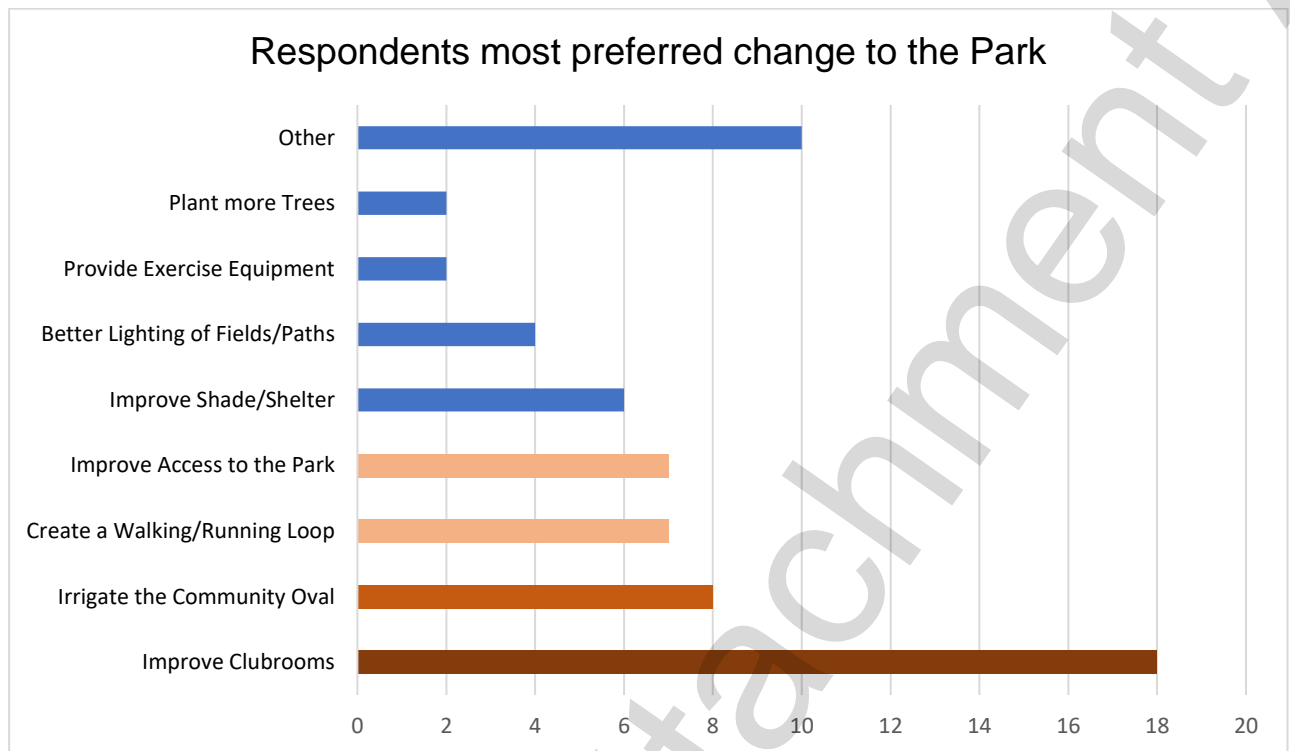


The next series of responses related to changes that could be made to Golden Wattle Park/Mirnu Wirra (Park 21W) to encourage people to use/visit it more often.

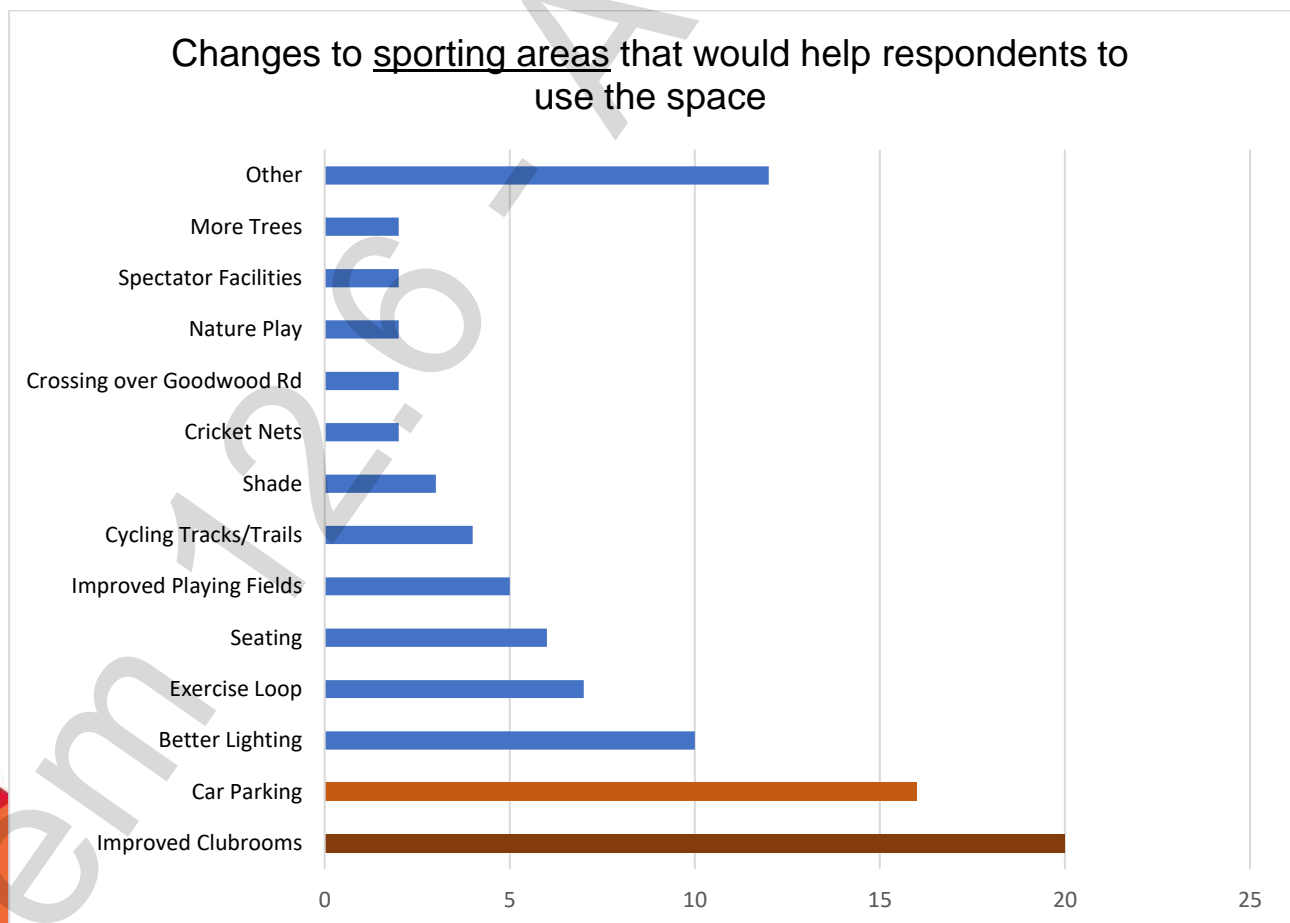
The following responses were prompted and allowed for multiple selections. Irrigation of the community oval located in the north east corner of the Park, was the most preferred improvement/change. This was followed by improved shade/shelter, seating and lighting of paths and trails.



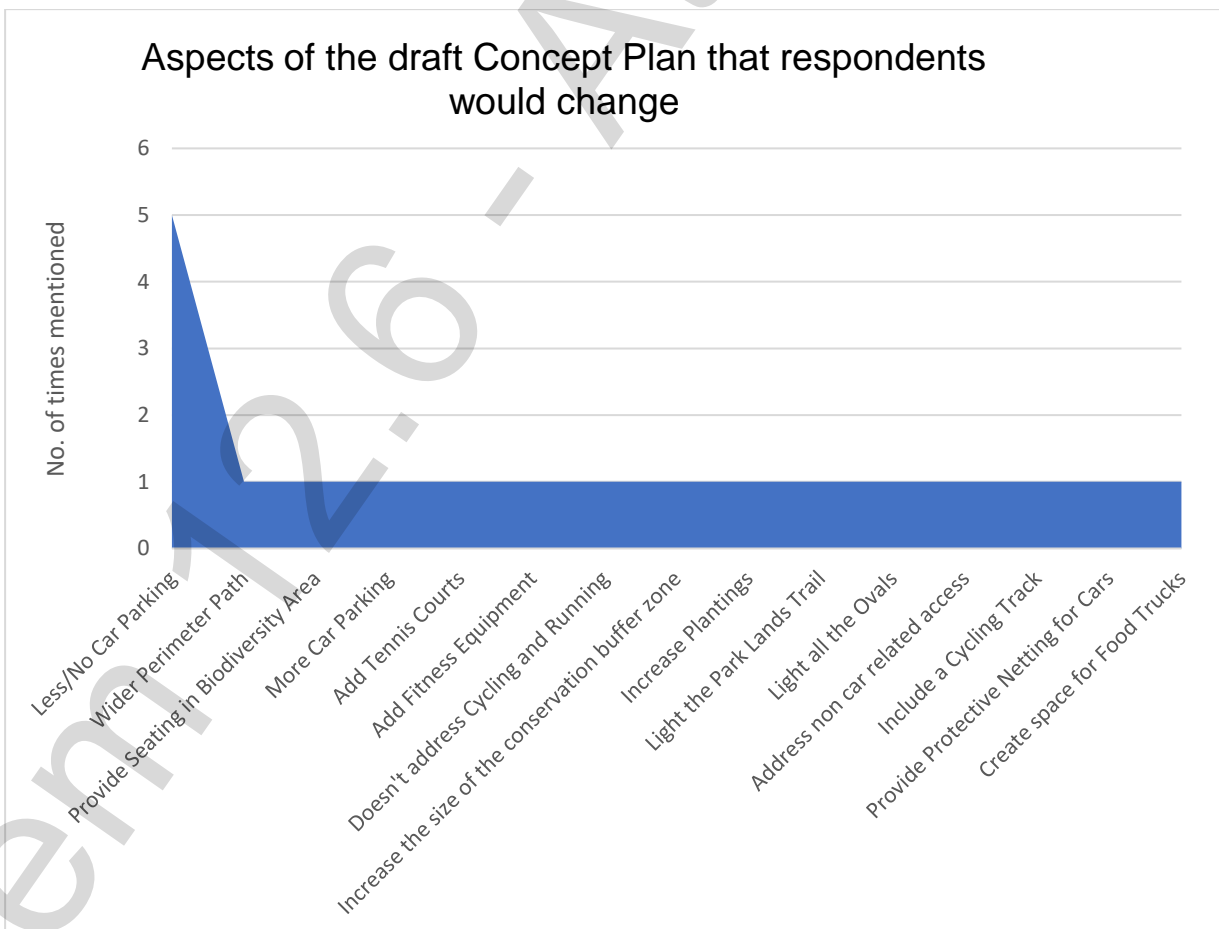
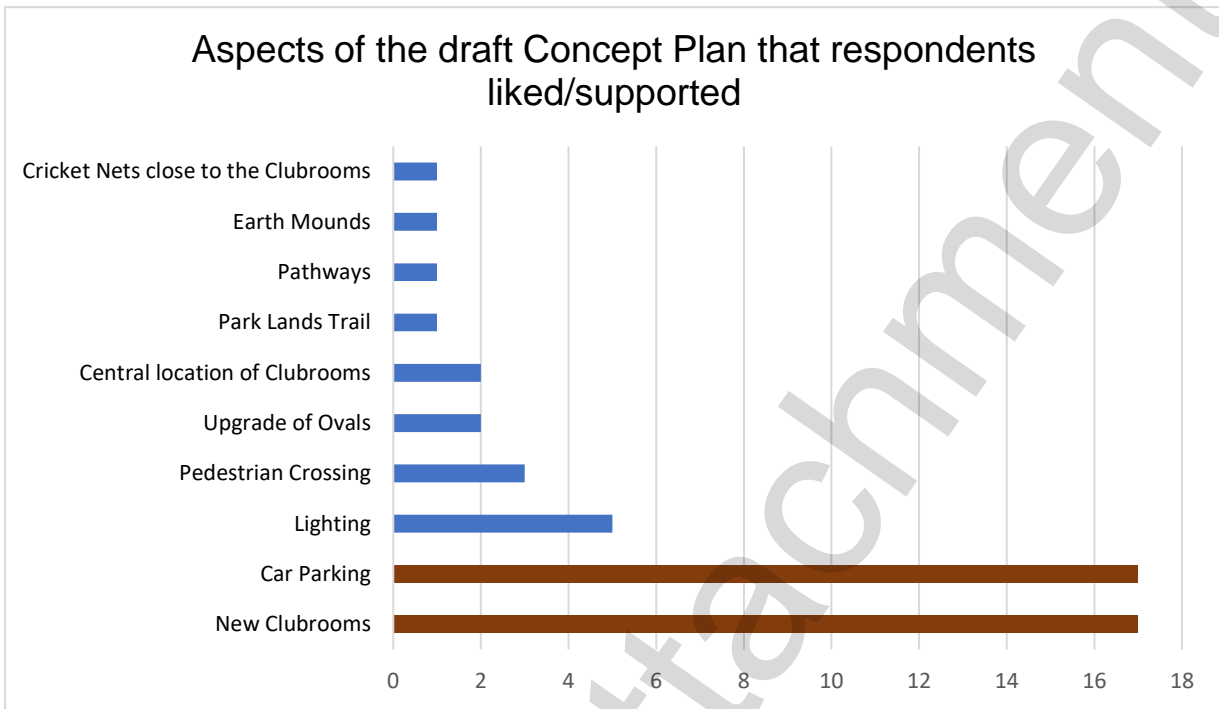
People were asked if they could choose just one change to the park, what would that be. The 'Other' section consisted of single responses.



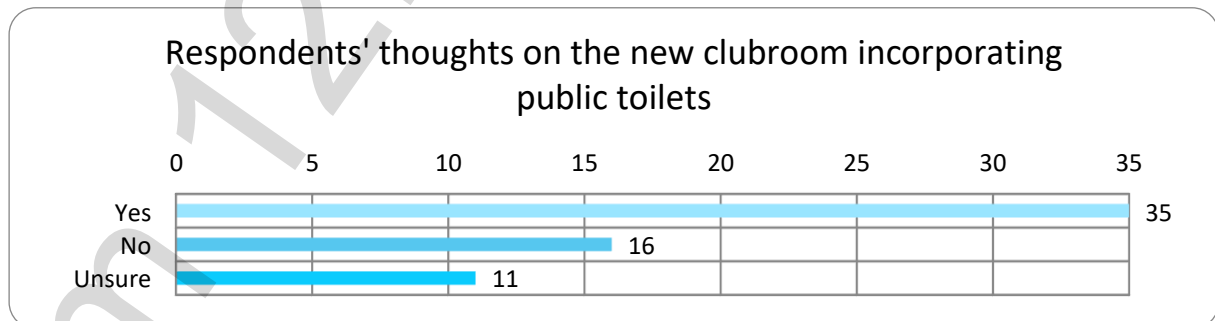
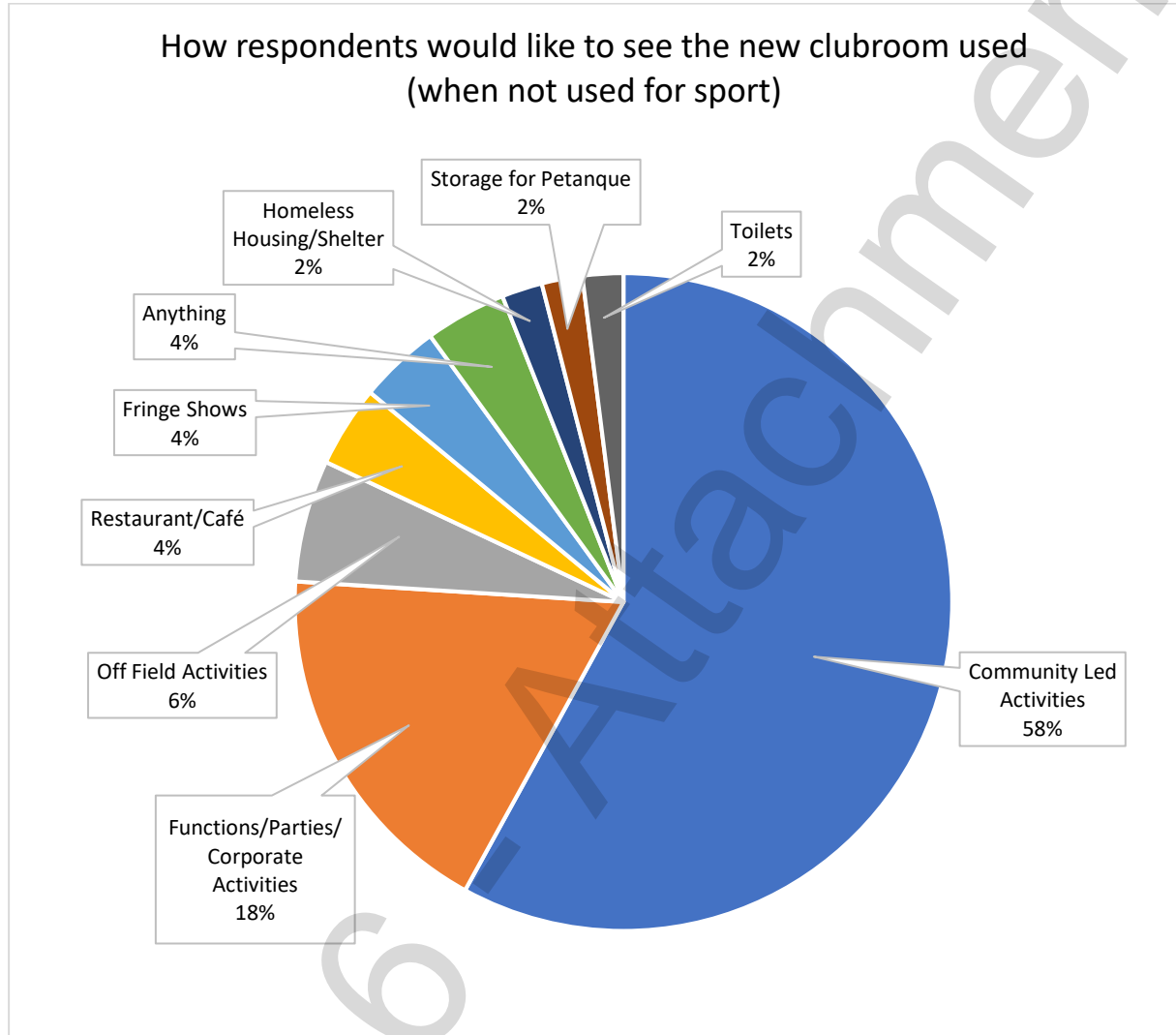
People were asked about what changes they would like to see to assist them in using the sporting areas. An improved clubroom and car parking were the highest responses.



The next two questions related to the draft Concept Plan and aspects that people liked/supported and what they would change. Clubrooms and car parking were again the highest responses. Conversely, car parking was also the aspect that people would most likely change.



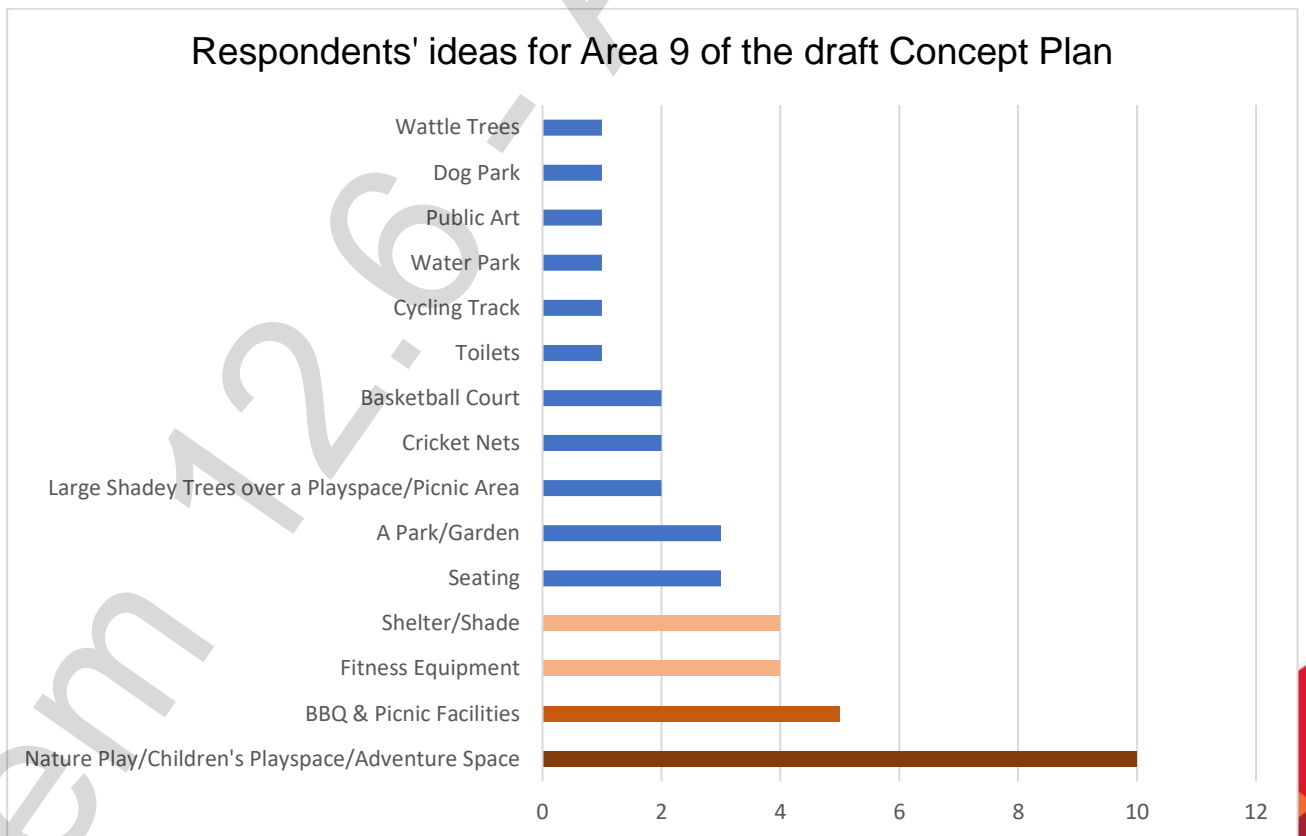
In relation to the proposed new clubroom, people were asked for their ideas on how the facility could be used when not being used in the traditional sporting way. It was evident that there was a desire to see the new clubroom provide broader community benefit by offering a space for community workshops and gatherings. There was also interest in the facility being hired for functions (noting that this form of use is not consistent with Council's Park Lands Lease and Licence Policy).



People were asked for ideas and suggestions for two specific sites in Golden Wattle Park/Mirnu Wirra (Park 21W), identified on the draft Concept Plan as Area 9 and Area 12.

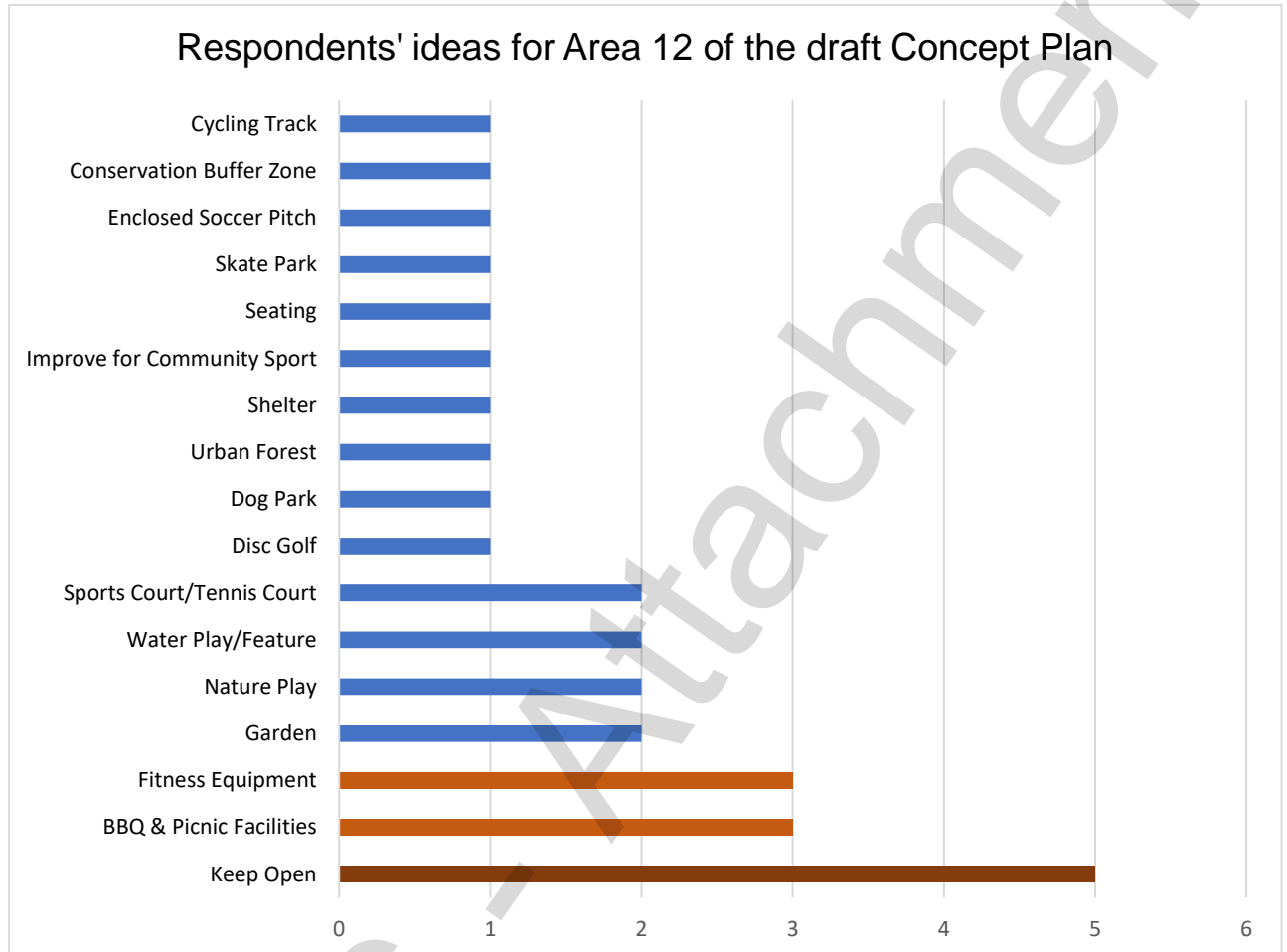


Below are the responses to 'Area 9'.



Ideas and suggestions were predominantly related to informal recreation, with an active space for children the most common response. Irrespective of the activity suggested, people indicated a strong desire for shade, be it a playspace, picnic area or work out space.

Below are the responses to 'Area 12'.



Similar to Area 9, respondents wanted to see Area 12 retained for informal recreation. The preference was to keep this space open to support a range of activities.

4. E-MAIL AND LETTER RESPONSES

The following is a summary of eighteen responses received from individuals and organisations who chose to respond via e-mail or letter.

Individual Community Members

Car Parking and Access

Several people raised concerns about the car parking in relation to the number of parks, the location, how it would be designed and who would pay for it. A couple suggested that the demand for additional car parking could be met through utilisation of car parks contained within businesses along South Terrace and Greenhill Road. Someone also suggested that if the car park was constructed, the cost should be recovered through a user pay system with the income reinvested into the Park Lands and other open space infrastructure to ensure everyone benefited.

Access to the park was identified as poor from the south (e.g. Wayville) with a bicycle crossing over Greenhill Rd stopping at the edge of the park.

Changerooms

The idea of new changerooms was generally supported, however several people were not in favour of it being two storey and it was suggested that the building be located on the edge of the park. It was also mentioned that the building needed to incorporate sustainability features and be accessible to all including public toilets.

Safety

Concerns were raised about safety in the park, particularly around the biodiversity areas with thinning out supported not just for safety but acknowledging that lower tree density was complementary to the remnant grasslands/grassy woodlands and woodland birds.

Biodiversity

People were very aware and valued the biodiversity area within the park, with one person suggesting it was the most important City park for remnant biodiversity due to the number and rarity of its herbaceous plant species. It was recommended that the entire south-eastern triangle be identified as a key biodiversity area with a buffer zone between activity areas and this conservation space.

People raised that the construction of paths needed to be carefully considered within and around the biodiversity zone, noting that some rare plant species extended right down to the park edge along Greenhill Rd.

A person opposed the oval in the south west corner of the park due to potential impacts on biodiversity, while another suggested the sports facilities including the building and car parking (if required) be contained within the southern half of the park, with the northern half developed along similar lines to Veale Gardens to support the growing City population.

A number of people suggested that the wattle grove be re-established.

Informal Activity

People wanted to see the park activated in other ways through the provision of picnic areas, seating, meandering paths, lighting and shade. It was preferable that shade be provided through additional tree plantings.

Adelaide Park Lands Preservation Association (APPA)

APPA supported the draft Concept Plan with respect to it encouraging utilisation of the park for a wide range of community sports, conservation and casual activities. The Association also supported the zoning of the park, with native vegetation in the south eastern half and sport and recreation in the north west.

However, the Association raised concerns about the size and scope of the proposed new change rooms and the provision of car parking. APPA stated that a planned reduction of

parking in Josie Agius Park/Wikaparntu Wirra (Park 22) did not justify the provision of 150 spaces in this park.

APPA also recommended that if the project was funded by the lessee, that they be offered a renewable lease term of no more than five years.

Lance Campbell on behalf of the Southwest City Petanque group (the group)

Petanque is played in Golden Wattle Park/Mirnu Wirra (Park 21W) on Wednesday nights. During February and March, the petanque facility is shared with the Feral Aussie Boullistes (who are temporarily relocated from Rundle Park each year during the Fringe) each Sunday.

The group would like to see shade, lighting and pathways improved around the petanque facility.

Whilst the group saw the potential for a new building to provide storage space for their activity, they were concerned at the proposed location, suggesting it would be better located to the side of the park.

Office for Recreation, Sport and Racing (ORSR)

In recognising the increasing housing density adjacent to and within the City, the ORSR supported the provision of the following in Golden Wattle Park/Mirnu Wirra:

- Improved playing surfaces and lighting;
- Multi purpose facilities that are female friendly;
- Improved conditions for cyclists and pedestrians including improved links with the adjacent netball facility;
- A higher quality 'show field';
- Facilities that enable clubs to generate funds; and
- Play areas for children.

Royal Agricultural & Horticultural Society of SA (RAHS)

The RAHS has staged the annual Royal Adelaide Show at Wayville since 1925. During this time, the event has relied on the Park Lands for visitor parking.

Since 2011, an agreement between Council and the RAHS has been in place that facilitates Show parking in the south Park Lands whilst directing some parking revenue to the improvement of playing fields in Golden Wattle Park/Mirnu Wirra (Park 21W).

The RAHS supports the draft Concept Plan including the provision of formalised parking for 150 vehicles.

South Australian Cricket Association (SACA)

SACA stated that sporting hubs with multiple ovals played a vital role in providing facilities for the cricket and broader community and it was imperative to have high quality facilities in the central Adelaide region.

The ovals in Golden Wattle Park/Mirnu Wirra (Park 21W) provide pivotal turf and hard wicket cricket facilities. SACA believes there is potential to grow junior and social cricket in this park along with providing better facilities to also support female and senior cricket.

The Association supported the provision of car parking adjacent the proposed new changerooms, acknowledging that participants often need to carry sporting equipment along with the proposed four lane practice net facility.

SACA requested consideration of:

- The practice nets being enclosed (depending on their final location);

- More shade and drinking fountains for players, officials and spectators noting that spectators preferred to sit on the western edge of the ovals;
- Lighting for night competitions/carnivals; and
- Six changerooms within the proposed new building given it will service three ovals.

South-East City Residents Association (SECRA)

SECRA supports the planned approach to upgrading the Park Lands to ensure they are enjoyed by residents and visitors. In relation to the draft Concept Plan, SECRA was generally supportive of the meandering paths, realignment of the Park Lands Trail and planting of trees and seating around the ovals.

They also suggested for the unstructured recreation areas (9 and 12):

- Modified sporting infrastructure for older children;
- Tables, seating and BBQ facilities along the Park Lands Trail and biodiversity area;
- Interpretation; and
- Removing the driveway that comes off Greenhill Rd.

SECRA requested a commemorative plaque of the Dardanelles memorial and planting of wattle trees.

The Association did not support the proposed 150 space car park and its link to new clubrooms in the centre of the Park, preferring to see a new building located in close proximity to the current changerooms.

SECRA also asked that they be consulted on the design of the building, similar to the process for the recently established Victoria Park community changerooms.

South West City Community Association (SWCCA)

Members of SWCCA currently use the park for a range of informal activities. The Association wanted to see more shade, seating and picnic facilities in the park with its highest priority being improved lighting of pathways. They also saw merit in:

- additional public toilet facilities (albeit located to the side of the park for safety reasons);
- area 12 retained as a grassed area for informal recreation;
- a plaque to identify where the Cenotaph was last located along with recognition of the original location; and
- reinstatement of the wattle grove.

The Association was concerned by the location and height of the proposed new changerooms, indicating that a prominent position in the centre of the park created a sense of exclusivity. The SWCCA preferred to see the new building located on or near the site of the existing building and constructed to a similar scale. The Association was also concerned that a design of the building had not yet been developed, with just a footprint endorsed to date.

SWCCA believed it would be unlikely that the lessee would permit any use of the proposed new building other than by members of the related sporting clubs.

SWCCA did not support the proposal to establish a 150 space car park, referring to multiple Council planning and management documents that were not consistent with the provision of permanent car parking or the proposed building size/scale. The Association's greatest concern was the loss of parklands to built form through larger buildings and turning some of the current event (temporary) parking into permanent parking.

Spirit of Woman/Place of Courage

This response advocated for the establishment of an artwork in the north east corner of the park commemorating the victims and survivors of domestic violence.

Sturt Street Community School and Children's Centre (School)

The School indicated that it has a very small footprint and therefore limited outdoor space and utilises Golden Wattle Park/Mirnu Wirra (Park 21W) for a range of activities. The School's use of this park would be aided by storage space for equipment as well as playing fields with access to seating, shade, toilets and drinking water.

The School also saw an opportunity for nature play and an indoor/outdoor space that enabled teaching of the natural environment and community playgroups to make greater use of the park.

Trees for Life (TFL)

TFL indicated that the south-eastern portion of Golden Wattle Park/Mirnu Wirra (Park 21W) is of very high significance in terms of biodiversity and conservation value and recommended that the entire south-east section have a conservation buffer zone along the diagonal path that divides the park. They also stated that the planting of trees and shrubs in this area is not conducive to the survival of the remnant grasslands and the provision of any paths should be constructed of a gravel surface which allows water filtration.

TFL saw opportunities for areas 9 and 12 of the draft Concept Plan to accommodate nature play and interpretation and welcomed the opportunity to participate in the design of these spaces. They suggested the proposed education hub should be placed in area 9 (i.e. move to the western side of the central path).

TFL doesn't support using the Park Lands for formalised car parking and where parking is unavoidable, it should incorporate surfaces that allow water filtration.

ADELAIDE SOUTHERN PARK LANDS GOLDEN WATTLE PARK/MIRNU WIRRA (PARK 21 WEST) CONCEPT PLAN



- 01. Park Lands Trail with lighting (3m). ← →
- 02. Existing building removal.
- 03. Upgrade of Park Lands edge planting and urban address.
- 04. Car park with permeable gravel surface, lighting, timber wheel stops and clear sight lines from car park to football ovals (proposed 112 spaces, 4 accessible spaces and coach drop off).
- 05. Multi-purpose sports playing fields with lighting shown indicatively (ovals dimensions shown).
- 06. New community sports building.
- 07. Earth mounding, viewing area and potential ramp access.
- 08. Existing permeable paths (remove existing lights).
- 09. Informal recreation space with a focus on nature play.
- 10. Existing playspace.
- 11. High biodiversity value area.
- 12. Informal irrigated recreation space with shade and picnic amenities.
- 13. New permeable paths.
- 14. Future signalised pedestrian crossings to connect Park Lands Trail.
- 15. Bush for Life site
- 16. Diagonal promenade with improved lighting (3m).
- 17. Education Hub with interpretative signage.
- 18. One-way vehicle access with raised pedestrian crossings and street median to encourage left hand turn only.
- 19. On-street parking (29 spaces between car park entrances)
- 20. Potential site for cultural landscape.
- 21. Re-establishment of the Wattle Grove.
- 22. Exercise loop with distance markers, seating, water fountain and exercise equipment. - - - -
- 23. Cricket nets.
- 24. Petanque piste and picnic amenities.
- 25. Public art integrated with proposed nature play and education hub areas.



- Proposed trees
- Existing trees
- Car parking
- Irrigated turf
- Dry grassland
- Park Lands Trail (with lighting)
- Footpath connections 2.5m wide
- Light poles (ovals)
- Lawn mound
- Playing surfaces
- Playspace
- Removed building
- New building
- Protected conservation zone
- Shelters
- Cricket practice nets



0m 100m

Status: For Information
Issued: 09 January 2020



DRAFT COMMUNITY LAND MANAGEMENT PLAN

Chapter X – Golden Wattle Park / Mirnu Wirra (Park 21 West)

Document Date

Draft Community Land Management Plan

DOCUMENT PROPERTIES

Contact for enquiries and proposed changes

If you have any questions regarding this document or if you have a suggestion for improvements, please contact:

Contact Officer:

Title:

Program:

Phone: (08) 8203 7

Email: @cityofadelaide.com.au

Record Details

HPRM Reference: ACC2019/187059

HPRM Container: 2018/00561

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Draft Community Land Management Plan



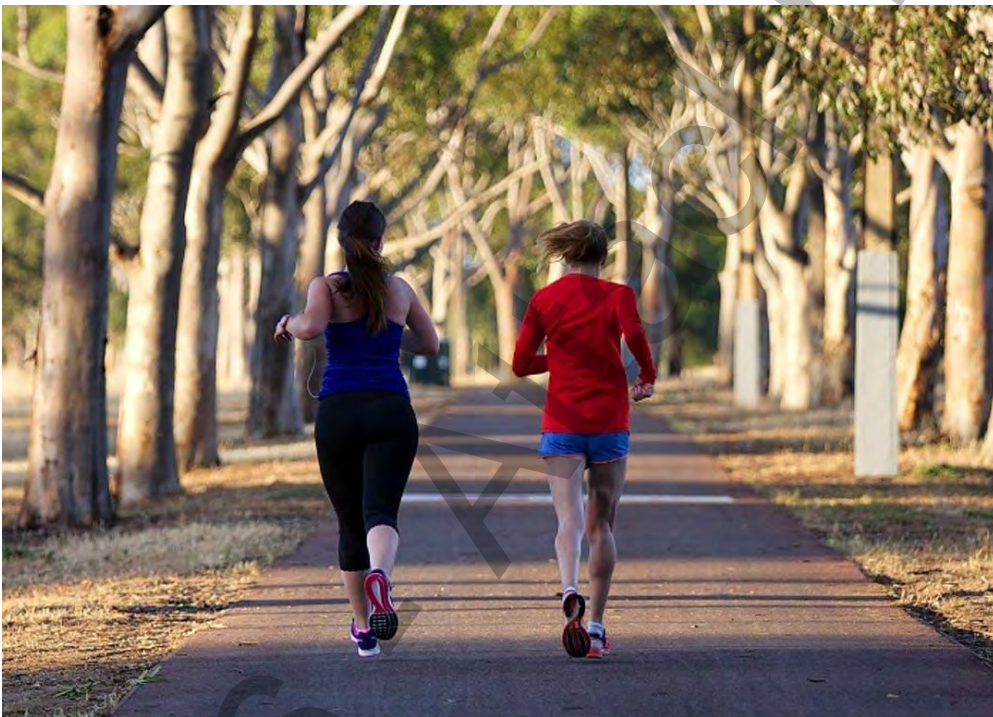
Adelaide Park Lands with Park 21W identified

Purpose of this Community Land Management Plan

This Chapter of the Community Land Management Plan (CLMP) outlines how the City of Adelaide (CoA) will manage and develop the landscape, general recreational and sporting activities, events and facilities in Golden Wattle Park/Mirnu Wirra (Park 21 W) for the enjoyment and wellbeing of residents, workers and visitors.

This document meets the statutory requirements of section 196 of the *Local Government Act 1999* and should be read in conjunction with Chapter 1 (General Provisions) of the Adelaide Park Lands CLMP.

The CLMP is consistent with the 2015 Adelaide Park Lands Management Strategy (APLMS) which sets a vision for the future management and enhancement of the Adelaide Park Lands.



Park Lands Trail through the Sugar Gum Avenue

1. NATIONAL HERITAGE LISTING CONTEXT

In November 2008, the Adelaide Park Lands and City Layout was included on the National Heritage List under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* in recognition of its planning excellence and ongoing integrity. Protecting and promoting the values associated with the National Heritage listing is imperative.

Park 21W will continue to contribute to the recognisable elements of the Park Lands and City Layout.

2. KAURNA STATEMENT OF CULTURAL SIGNIFICANCE

Prior to colonial settlement, the Adelaide Plains were occupied by Kaurna.

The South Park Lands were regularly used as a camping venue by Kaurna people.

The golden wattle tree has significance to the Kaurna people for various applications including food and medicine.

The City of Adelaide is working closely with Kaurna Elders to update the current statement of cultural significance of the Adelaide Park Lands, including Mirnu Wirra, to the Kaurna people.

3. HISTORICAL CONTEXT FOR PARK 21W

Pre-settlement cultural landscape significance

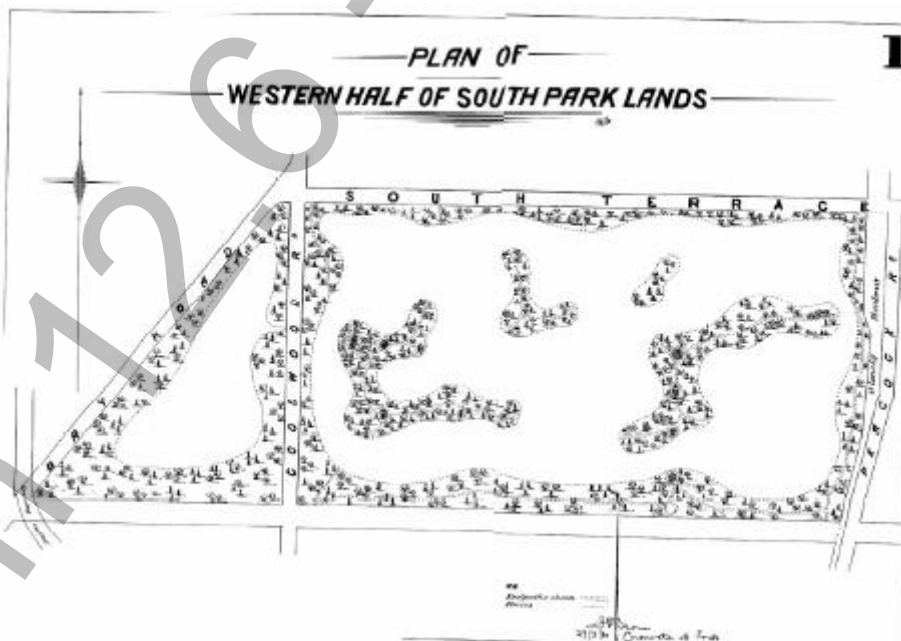
The City of Adelaide is working closely with Kaurna Elders to undertake cultural mapping across the Adelaide Park Lands. The outcomes of this project will ensure that any sites of Kaurna cultural heritage significance in Mirnu Wirra are documented, recognised, promoted and understood.

Post-settlement cultural landscape significance

Park 21 arose out of the 1837 Colonel William Light Plan for the City of Adelaide and Park Lands.

In 1906 the Park was dissected into two portions with the construction of Lewis Cohen Avenue, creating Parks 21 and 21W and substantially changing the configuration of the Park.

Park 21W has evidence of substantial tree plantings consistent with the plans of John Ednie Brown, a forest conservator who prepared the *Report on a System of Planting the Adelaide Park Lands* in 1880 (illustrated below).



Plan 1 of the South Park Lands as detailed by John Ednie Brown

The 'Adelaide Park Lands & Squares Cultural Landscape Assessment Study' was completed in 2007 to inform management planning for Community Land.

The assessment provides the following statement of significance for Park 21W.

... represents an integral segment of the overall Adelaide Park Lands that possesses associative cultural significance in reflecting the spatial and planting design intent and philosophies of John Ednie Brown and August Pelzer, and hosts several contemporary facilities that have partially compromised the original intent but provide additional cultural and social significance to the place.

The assessment identifies the former Wattle Grove precinct in the north-east corner of Park 21W as having a high level of cultural heritage significance:

- **Wattle Grove Precinct:** in 1915 the Council accepted a proposal by the Wattle Day League to establish a grove of wattle trees to commemorate the landing of Australian troops at Gallipoli. The site became known as 'Wattle Grove' and an annual Wattle Day memorial service was held with numerous wattles planted in the grove. By 1940 the precinct had become neglected. The precinct is no longer distinguishable however still holds a basic spatial presence in the Park with remaining wattles and White Cypress Pines.

The landscape assessment identified several other features in Park 21W as having medium and low cultural significance, including:

- **Sugar Gum Pedestrian Avenue** - a pedestrian avenue of Sugar Gums that dissects Park 21W running diagonally from the intersection of Greenhill and Goodwood Roads to the corner of South Terrace and Lewis Cohen Avenue, planted in c.1930.
- **Princess Elizabeth Playground** – developed in 1927 with money left over from the visit of the Duke and Duchess of York and named in honour of the Princess. The red brick shelter shed built as part of the original playground is listed on the State Heritage Register.



Princess Elizabeth Playspace (historical image)

- **Lundie Gardens** - developed in 1917 and originally called the 'South Terrace Gardens'. The gardens feature the Lundie Seat, a seat with a brass plaque honouring Councillor Frank Lundie for 22 years of service to the Council. Significant plantings include Blue Atlantic cedars and an early stone pine.

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- **Brazilian Pepper Tree** - located on the corner of Lewis Cohen Avenue and South Terrace and possibly the only specimen of this species planted in the Park Lands, planted c.1930
- **Moreton Bay Fig Avenue** – an avenue of young Moreton Bay Fig trees planted in the 1990s along both sides of Lewis Cohen Avenue.

The relatively flat topography of the Park has no natural significant features. The watercourse has been replaced with underground channels and pipes. The flat landscape with only few central plantations provides expansive views outwards from the Park to the City and the Adelaide Hills.

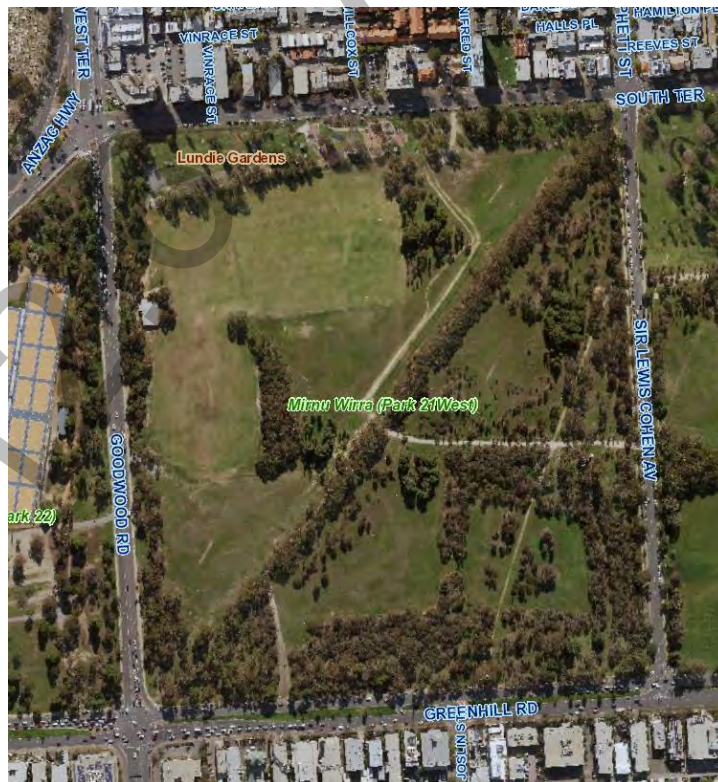
4. DRIVERS OF CHANGE

Situated between a strong and growing south-west city community to the north and a diverse business orientated Greenhill Rd to the south, the South-West Park Lands Precinct is in a great position to attract an array of city and suburban residents to utilise this Park further from a recreation and sport perspective.

The community's positive response to the redevelopment of the Princess Elizabeth Playspace attests to the potential benefits to be realised from improving the appearance and functionality of areas fronting South Terrace.

There is a community expectation for fit for purpose sports infrastructure incorporating sports fields and associated infrastructure facilities including car parking, lighting and buildings.

Climate change will affect the Park Lands, requiring adaptive changes which mitigate the impacts and contribute to the comfort of users.



The current layout of Park 21W

5. PURPOSE FOR WHICH PARK 21W 'IS HELD'

Park 21W is a contributory element of the Adelaide Park Lands and City Layout which were set aside as part of Colonel Light's vision to design a city encircled by public parklands for the health and recreation of the community.

The *Adelaide Park Lands Act 2005* develops the statutory principles for the Adelaide Park Lands:

- The land comprising the Adelaide Park Lands should, as far as is reasonably appropriate, correspond to the general intentions of Colonel William Light in establishing the first Plan of Adelaide in 1837.
- The Adelaide Park Lands should be held for the public benefit of the people of South Australia and should be generally available to them for their use and enjoyment (recognising that certain uses of the Park Lands may restrict or prevent access to particular parts of the Park Lands).
- The Adelaide Park Lands reflect and support a diverse range of environmental, cultural, recreational and social values and activities that should be protected and enhanced.
- The Adelaide Park Lands provide a defining feature to the City of Adelaide and contribute to the economic and social well-being of the City in a manner that should be recognised and enhanced.
- The contribution that the Adelaide Park Lands make to the natural heritage of the Adelaide Plains should be recognised, and consideration given to the extent to which initiatives involving the Park Lands can improve the biodiversity and sustainability of the Adelaide Plains.
- The State Government, State agencies and authorities, and the Adelaide City Council, should actively seek to co-operate and collaborate with each other in order to protect and enhance the Adelaide Park Lands.
- The interests of the South Australian community in ensuring the preservation of the Adelaide Park Lands are to be recognised, and activities that may affect the Park Lands should be consistent with maintaining or enhancing the environmental, cultural, recreational and social heritage status of the Park Lands for the benefit of the State.

6. OBJECTIVES FOR THE USE AND MANAGEMENT OF PARK 21W

The following (in no particular order of priority) constitute the objectives for Park 21W:

- Support the ongoing public use and enjoyment of the Park.
- Create flexible venues and spaces which are fit-for-purpose for community sport that accommodate future growth and increase the diversity of physical activity opportunities available to the community.
- Manage the north-west of Park 21W as a regional activity hub for formal and informal recreation including open sports fields, Princess Elizabeth Playground, Lundie Gardens and associated park amenities such as playspaces, barbecues,

Draft Community Land Management Plan

shelters/shade structures, seats, drinking fountains, toilets, pathways, lighting, fitness loops and shade tree planting.

- Recognise, promote and protect any sites of Kurna cultural heritage significance in the Park as outcomes of the Kurna cultural mapping project are identified.
- Manage, protect and enhance the remnant biodiversity, especially the Key Biodiversity Area in the south-east triangle of Park 21W.
- Maintain a variety of trees for shade that provide food and habitat for fauna and flower at different times of the year.
- Manage and improve the connectivity, wayfinding and useability of the Park Lands Trail and other paths to support walking and cycling for recreation and active travel.
- Conserve, protect and enhance the cultural heritage landscape, particularly the Sugar Gum avenue.
- Provide for a range of events and related activities in accordance with the Adelaide Park Lands Event Management Plan.
- Provide a good amenity and legible connections along the edges of the Park to encourage visitation and improved access.
- Promote and encourage unrestricted community access to sports fields and recreation areas outside of designated game and training times.
- Permit leases and licences as shown in the Lease and Licence Map and manage the use of the sports building (clubrooms) as a 'community sport' facility in accordance with the Adelaide Park Lands Leasing and Licensing Policy.
- Ensure that CPTED principles are taken into consideration through sightlines and vegetation management.
- Provide safe and accessible car parking facilities for park users which are designed to meet principles of water sensitive urban design.
- Manage the use of parking to facilitate priority access for park users outside of Royal Adelaide Show times.

7. POLICIES AND PROPOSALS FOR THE USE AND MANAGEMENT OF PARK 21W

Park 21W Activity Hub

The north-west of the Park will be managed as an activity hub to support community wellbeing and encourage exploration of the various elements offered across the precinct.

The hub will deliver a range of amenities to service users of the Park and build on the existing children's playspace, petanque piste and picnic facilities, with realignment of the Park Lands Trail, establishment of a recreational fitness loop and additional informal recreation spaces incorporating nature play, irrigated turf, seating, picnic facilities, shade and interpretive signage.

Clubroom building facilities, sporting fields, lighting and cricket nets will be upgraded to support formal sporting use and enable growth in participation. The existing clubroom building will be replaced with a contemporary facility that is fit for purpose.

Use of the building will be consistent with the operation of a community facility including limited sports administration duties, storage of equipment, sports related events, cultural activities, not for profit community development programs and events and operation of a small scale cafe/kiosk that can service all park users. Public amenities will be provided within the footprint of the building.

Tree density will be increased around activity spaces for shade, wind protection and amenity, ensuring there is no overall net loss in trees within this north-west precinct.

Off street parking facilities for up to 112 vehicles will be provided to support ongoing use of the Park. The parking design will incorporate Water Sensitive Urban Design principles and include parking controls to prevent general commuter parking.

Park 21W Key Biodiversity Area

The south-east of the Park will be managed as a Key Biodiversity Area with areas of remnant vegetation and biodiversity significance protected and enhanced. Opportunities will be provided for interpretation, informal recreation and contemplation.

Vegetation within the Key Biodiversity Area will be restored so that it resembles the composition and structure of the pre-European vegetation and promote larger populations of native species by linking significant vegetation remnants.

Create opportunities for partnerships with the community to manage the area's biodiversity, particularly with members of the Kaurna community.



Key Biodiversity Area of Park 21W

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Car Parking

Ensure car parks are designed in a way that is sensitive to the Park Lands environment with appropriate plantings and permeable surfaces. Use parking controls to prevent general commuter car parking.

Continue to manage the car parking arrangement for the annual Royal Adelaide Show in the context of the agreement between the City of Adelaide and the Royal Agriculture and Horticultural Society of SA, noting the principle of reducing the reliance on parking in the Park Lands over the period of the agreement.

Minimise the impact of car parking on the landscape during the Royal Adelaide Show by confining parking to irrigated turf areas and identified parking spaces (see Appendix B).

Tree Plantings and Landscaping

New trees and plantings should be selected for their amenity value, contribution to urban biodiversity and cultural and heritage significance. A diverse species selection is important to the establishment of an extensive and robust urban forest.

Biodiversity plantings within areas of ecological sensitivity should be with species found in the appropriate ecological community as per the Key Biodiversity Area Management Plan.

Shade requirements, CPTED, cultural and heritage significance and safety issues should also be considered when selecting tree species for new plantings.

Minimise the removal of existing trees to facilitate fit for purpose sports facilities and overall increase the extent of tree planting around activity spaces for shade, wind protection and amenity.

Urban Address

Provide an increased level of amenity and attraction along frontages to both the City and inner-rim suburbs. The approved appearance and functionality will encourage and entice further exploration deeper into the Park and assist in reducing the heat island effect of adjacent roads and buildings.

Public Art and Memorials

Provide opportunities for the development of permanent and temporary public artworks and memorials across the Park, as unique attractions that encourage exploration, quiet contemplation, reflection and creative engagement.

Recognise the former sites of the Dardanelles Cenotaph World War One memorial in Lundie Gardens and the Wattle Grove.

Cultural Heritage and Interpretation

Conserve and where appropriate enhance cultural heritage features of the Park including Lundie Gardens, the Shelter Shed within the Princess Elizabeth Playground and Sugar Gum Avenue.

Interpret Kaurna and non-Kaurna cultural heritage of the Park Lands through signage and other means.

Re-establish the Wattle Grove in the north-east corner of Park 21W giving consideration to the original landscape setting including the pergola.



Wattle Grove - Anzac Day 1927

Views

Maintain and enhance views and vistas to the skyline and the Adelaide Hills through considerate tree planting and spatial arrangements to reinforce the open and expansive character of the Open Woodland/Sports Zone.

Park Lands Trail

Manage and improve the connectivity, amenity and useability of the Park Lands Trail.

Provide supporting facilities along the Park Lands Trail which may include drinking fountains, seating, shade, signage, landscaping and lighting.

Event Management

The Adelaide Park Lands Event Management Plan 2016-2020 classifies Park 21W as a 'Potential Event Site'. These sites have less purpose-built infrastructure and could be suitable for medium and small events.

Events in this Park will likely be limited to sporting events given the existing sporting infrastructure. Event organisers will need to negotiate with the licence holders to work around regular sport activities.

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Lighting

Provide lighting along key paths/trails, at activity hubs, sporting ovals and the urban address to encourage increased use and improve safety for park users.

Improve lighting along the Sugar Gum Avenue and reduce lighting in areas of high biodiversity value in order to minimise impacts to native flora and fauna.

Dog Management

Dogs and their owners are welcome in Park 21W. Dogs must be cleaned-up after at all times.

Dogs may be exercised off-leash in this Park. A person must ensure that a dog being exercised off-leash remains under their control by remaining in close proximity to the person and the person is able to see the dog at all times.

To create a safe and comfortable environment for all visitors to the Park, dogs must be on-leash at certain times:

- At all times within the playground and within five metres of any play equipment
- At all times when organised sport is being played
- At all times on paths designated for cycling and walking (shared paths)

Dog on-leash means:

- The person is controlling the dog by means of a chain, cord or leash that does not exceed 2 metres in length; or

The person is controlling the dog by tethering it to a fixed object by means of a chain, cord or leash that does not exceed 2 metres in length.

Unmanned Aerial Vehicles

The flying of unmanned aerial vehicles (including model aircraft, radio-controlled planes and drones) is not permitted within Park 21W.

8. PERFORMANCE TARGETS AND MEASURES – AGAINST OBJECTIVES

Performance Targets

The following are the performance targets taken from the management objectives which the City of Adelaide intends to measure:

The preservation of the National Heritage Listing Values for the Adelaide Park Lands and City Layout (with Park 21W as a contributory element).

The provision of fit for purpose recreation and sport facilities.

Preservation and enhancement of post-settlement cultural significance.

Protection and enhancement of remnant vegetation and habitat within the Key Biodiversity Area.

Measurement

These performance targets are subject to funding allocations through the City of Adelaide's annual Integrated Business Plan process.

These performance targets will be reviewed annually through structured reports to the:

- Adelaide Park Lands Authority's Annual Community Forum – which includes an opportunity for feedback on all Park Lands matters from the Authority's Board Members and members of the public
- City of Adelaide's internal cross-divisional Park Lands Coordination Group.

9. PUBLIC USE AND MOVEMENT THROUGH PARK 21W

Public use and movement through Park 21W will be maintained. However, access may be temporarily restricted during sporting or other events.

10. POLICIES FOR THE GRANTING OF LEASES OR LICENCES

Leases and Licences may be granted only where they support outdoor recreational activity and are in accordance with the *Adelaide Park Lands Leasing and Licensing Policy*.

Event holders may be granted temporary leases and/or licences.

The areas of Park 21W subject to leases and licenses are shown on the following aerial photo.

Draft Community Land Management Plan



The areas of Park 21W subject to leases and licenses

11. CIRCUMSTANCES NOT PROVIDED FOR

This CLMP recognises that not all proposals for the management and enhancement of Park 21W can be foreseen. Any significant change not provided for here should be considered within the broader planning framework provided by the Adelaide Park Lands Management Strategy and considered as an amendment to this CLMP.

APPENDIX A - MASTER PLAN

ADELAIDE SOUTHERN PARK LANDS GOLDEN WATTLE PARK/MIRNU WIRRA (PARK 21 WEST) CONCEPT PLAN



WAX
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Status: For Information
Issued: 06 January 2020



APPENDIX B - ROYAL ADELAIDE SHOW PARKING DEED

Extract of Royal Adelaide Show Parking Deed

- = Previously used for parking
- = Agreed parking area
- = Overflow parking
- = Entries
- = Exits



Item 12.

Proposed Tree Removals and Re-Plantings

Golden Wattle Park/Mirnu Wirra (Park 21W) Concept Plan Implementation

Figure 1 - Areas of trees identified for removal



Area 1





Eucalyptus
cladocalyx
Regulated

Area 2



Figure 2 - Areas of Re-Planting as per Concept Plan (this report)



Sanitising Streets to Alleviate Asthma

ITEM 12.7 11/02/2020
Council

2018/03956
Public

Program Contact:
Garry Herdegen, AD Public
Realm 8203 7132

Approving Officer:
Klinton Devenish, Director Place

EXECUTIVE SUMMARY

At its meeting on 8 October 2019, Council requested Administration to investigate the implications of increasing the leaf fall and pollen season sanitisation of the following streets, Pulteney Street South, Hutt Street and Frome Street, from two to four cleans per week.

Doubling the cleaning of the four streets will create an increase in operating costs of just over \$35,500 per annum. Administration supports retaining the current street cleansing service levels which already includes additional cleansing resources deployed between September and October, as deemed as a reasonably practical and sufficient strategy to address the pollen concerns.

Presented to The Committee on 4 February 2020.

RECOMMENDATION

THAT COUNCIL:

1. Approves retaining the current cleansing service levels of two services per week on:
 - 1.1. Pulteney Street south
 - 1.2. Hutt Street
 - 1.3. Frome Street.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Liveable
Policy	There are no current Council policies or procedures impacted by the subject matter addressed in this report or any changes needed to support implementation of the recommendation presented herein.
Consultation	Not as a result of this report
Resource	The recommendation contained in this report will require no additional resources.
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Not as a result of this report
19/20 Budget Allocation	\$2,340,599 (Streets & Footpath Sweeping)
Proposed 20/21 Budget Allocation	The recommendation contained in this report will require no additional budget allocations.
Life of Project, Service, Initiative or (Expectancy of) Asset	Ongoing direct service provision in the public realm as per the City's current service levels.
19/20 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	The recommendation contained in this report will require no additional ongoing costs.
Other Funding Sources	Not as a result of this report

DISCUSSION

1. Through the Motion on Notice – Sanitising Strategy to Alleviate Asthma carried on 8 October 2019, Council requested Administration investigate the implications of increasing the leaf fall and pollen season sanitisation of the following streets, Pulteney Street South, Hutt Street and Frome Street, from two to four cleans per week.
2. The current cost of delivering existing street sweeping service on Pulteney Street South, Hutt Street and Frome Street based on existing service levels is \$35,596 per annum. These existing service levels comprise twice per week street sweeping during the leaf fall season.
3. The implication of increasing the leaf fall and pollen season sanitisation of Pulteney Street South, Hutt Street and Frome Street, from two to four per week (the duplication of street sweeping frequency) would be an increase in operating costs of \$35,596 per annum, bringing the total cost per annum of that component of street sweeping to \$376,268.88, from current \$340,672.80 across the whole City (please refer to Table 1, below).

Table 1: Cost comparison of current and proposed street and footpath cleaning during leaf/pollen fall season (between September and October)

Street Section	Resources	CURRENT LEAF/POLLEN FALL - STREET AND FOOTPATH CLEANING			PROPOSED LEAF/POLLEN FALL - STREET AND FOOTPATH CLEANING		
		Frequency (Days per week)	No. of Non-Leaf /Pollen Fall Weeks	ESTIMATED COST per 26 Weeks	Frequency (Days per week)	No. of Non-Leaf /Pollen Fall Weeks	ESTIMATE D COST per 26 Weeks
Pulteney St – Pirie St to South Terrace	Large sweeper	2	26	\$ 3,346.72	4	26	\$ 6,693.44
	Mini-Sweeper	2	26	\$ 2,713.88	4	26	\$ 5,427.76
	Truck	2	26	\$ 1,709.76	4	26	\$ 3,419.52
	Crew - blowers	2	26	\$ 4,095.00	4	26	\$ 8,190.00
Hutt St – South Terrace to East Terrace	Large sweeper	2	26	\$ 3,346.72	4	26	\$ 6,693.44
	Mini-Sweeper	2	26	\$ 2,713.88	4	26	\$ 5,427.76
	Truck	2	26	\$ 1,709.76	4	26	\$ 3,419.52
	Crew - blowers	2	26	\$ 4,095.00	4	26	\$ 8,190.00
Frome Street	Large sweeper	2	26	\$ 3,346.72	4	26	\$ 6,693.44
	Mini-Sweeper	2	26	\$ 2,713.88	4	26	\$ 5,427.76
	Truck	2	26	\$ 1,709.76	4	26	\$ 3,419.52
	Crew - blowers	2	26	\$ 4,095.00	4	26	\$ 8,190.00
		TOTAL			TOTAL		
		\$35,596.08			\$71,192.16		

4. Administration supports retaining the current street cleansing service levels which already includes additional cleansing resources deployed between September and October. This service level is practical and sufficient to address the pollen concerns.

ATTACHMENTS

Nil

- END OF REPORT -

Planning & Design Code – Heritage

ITEM 12.8 11/02/2020
Council

2019/00626
Public

Program Contact:
Shanti Ditter, AD Planning,
Design & Development 8203
7756

Approving Officer:
Klinton Devenish, Director Place

EXECUTIVE SUMMARY

An effective system for the identification, protection and ongoing use of heritage places is a critical element of a planning system.

Council has been a nationally recognised long-term leader in heritage management through its heritage program commenced in the 1980s. It has taken a leadership role and has actively contributed to the current planning reform process on this topic.

This report facilitates Council's feedback to the State Planning Commission on the document released for consultation as part of the proposed Planning and Design Code (P&D Code).

Whilst parts of the draft P&D Code will ensure heritage matters are adequately considered, there are other significant gaps in the policy modules which have been identified, particularly the lack of recognition of the rich tapestry of historic characteristics which exist in the City of Adelaide that require attention to ensure the long-term protection and use of our heritage assets.

Presented to The Committee on 4 February 2020.

RECOMMENDATION

THAT COUNCIL:

1. Authorises the Chief Executive Officer to finalise the submission on the draft Planning and Design Code that incorporates the details of this report and recommendations of the Council.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Liveable It is a core objective of the Strategic Plan to ensure that our city will be iconic and celebrated for its distinctive heritage and cultural values.
Policy	The Government's planning reforms will change how the planning policy and development assessment functions are delivered. The Planning and Design Code will replace the current Development Plan.
Consultation	This report has arisen from consultation being undertaken on Historic Area Statements, a Practice Direction and other documents on heritage recently released by the State Planning Commission.
Resource	Not as a result of this report
Risk / Legal / Legislative	Policy that has been in place since the 1980s identifying and describing the important historic characteristics within the City of Adelaide will not be included within the Planning and Design Code. This policy remains of critical importance in the development assessment process when assessing the appropriateness of development in relation to heritage matters. The release of the Expert Panel on Planning Reform report to the Minister for Planning on Heritage and Character in the Planning and Design Code, dated 23 January 2020, if adopted, raises a number of risks to Council's 1850 Local Heritage Places and two Historic (Conservation) Zones and will have significant financial implications.
Opportunities	Including City of Adelaide specific content in the new Planning and Design Code supports protecting, preserving and promoting the city's heritage and unique character.
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. This report analyses the parts of the Planning and Design Code (P&D Code) that relate to heritage as released by the State Planning Commission (SPC) on 1 October 2019.
2. The analysis is partly based on the Practice Guideline that was released for consultation by the SPC on 1 October 2019 (Link 1 view [here](#)). The purpose of the Guideline is to assist with the interpretation of the heritage policy proposed by the Code and in particular, to provide definitions of standard terms, to specify the contents of Heritage Impact Statements and provide guidance on the demolition provisions contained in the various heritage policy tools.
3. This report also summarises and comments on the recently released Expert Panel on Planning Reform's Report to the Minister for Planning on Heritage and Character in the Planning and Design Code (Link 2 view [here](#)).
4. Comment is also provided on a letter that will be sent by DPTI to property owners (and to the CEO as a courtesy) who live within current Historic (Conservation) Zones (Link 3 view [here](#)).
5. A separate report in this agenda includes further information regarding the review of entire draft P&D Code.
6. Feedback on the draft P&D Code closes on 28 February 2020.
7. Following is a summary overview and analysis of the various components that relate to heritage. It is recommended that this analysis form the basis of the Council submission on heritage.

State and Local Heritage Places Overlay

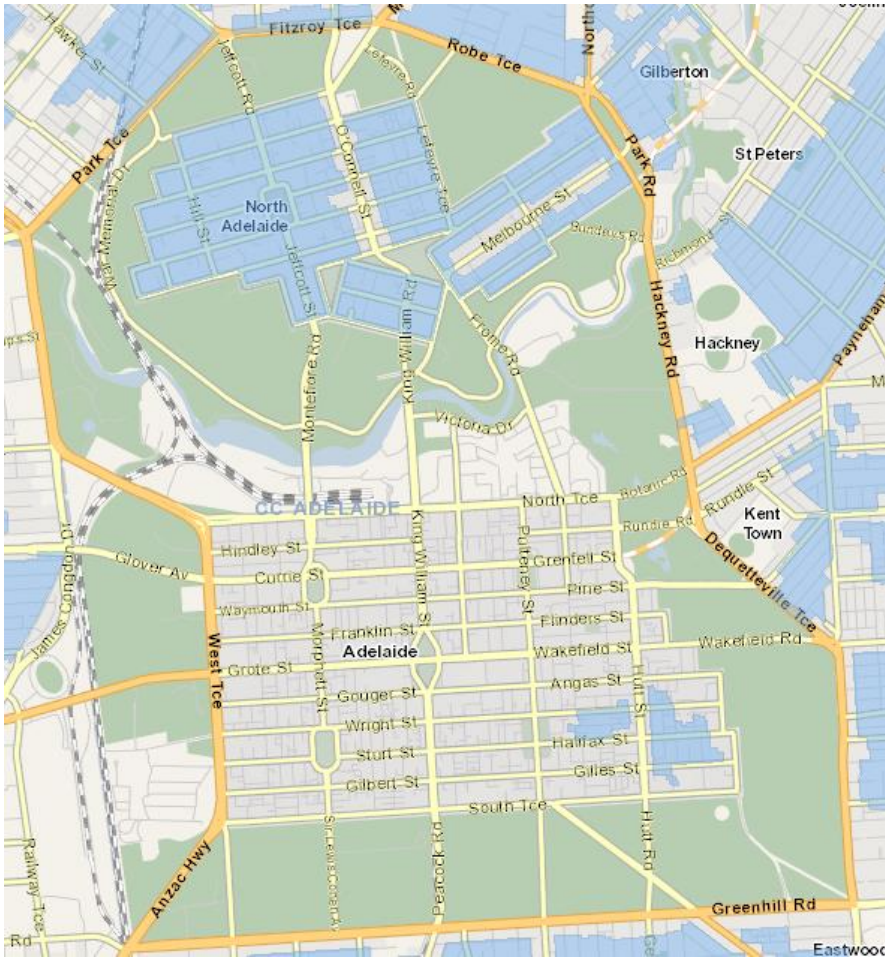
8. All existing State and Local Heritage Places have been transferred across in the draft P&D Code in a State Heritage Overlay and a separate Local Heritage Overlay.
9. The Overlays provide the policies upon which to assess development impacting heritage places.
10. Elevating the importance of these policies through inclusion in an Overlay is supported. The following matters have been identified that require attention to improve the policy framework for development assessment:
 - 10.1. The assessment of heritage impacts to Places will hinge on having an appropriate Statement of Heritage Value for each heritage place. This Statement does not currently exist for all Council's Places and will need further review in the future.
 - 10.2. Clarifying which provisions will apply to an application through improvement to the on-line mapping system as presently, there is no way to identify this.
 - 10.3. Inclusion of provisions for development adjacent to heritage places. This can be achieved through the reinstatement of existing policy.
 - 10.4. Tightening up of terminology and referral triggers (for State Heritage Places).
 - 10.5. Inclusion of land division policies that consider heritage impacts and opportunities to reinstate historic subdivision patterns.
 - 10.6. Ensuring policy emphasis is on heritage value rather than just what is visible from the public realm.
11. In addition, procedurally, there are glitches that require rectification. For example, in the Procedural Matters table, the 'demolition' of State and Local Places will result in applications for demolition not requiring public notification. This is not supported. Regarding 'conservation work', Council receives many applications for this type of work resulting from the Heritage Incentives Scheme. In the draft Code, as 'conservation work' is not listed within any Zone Classification tables, these applications would default to 'all other Code assessed development' and would require public notification. Both procedural pathways are accompanied by timelines, which would result in 20 days to determine a complex demolition application, and 70 days to assess simple conservation works. This would appear to be an adverse outcome that does not support the aims of the Code.
12. On the positive side, the Overlays provide an opportunity for stronger support and encouragement of adaptive re-use opportunities which is an important policy consideration in the City context.

Historic Area Overlay

13. All existing Historic (Conservation) Zones have been transferred in the Code to become Historic Areas in an Overlay format.
14. The Historic Area Overlay provides policies to conserve the important historic attributes of an area and applies to a historic area in its entirety, as compared to the State Heritage and Local Heritage Area Overlays which applies only to those listed places and their ancillary development.
15. The Historic Area Overlay has the potential to protect all contributing buildings within the historic area, but only if the Historic Area Statements adequately encapsulate the attributes of the area. (The role and current status of Historic Area Statements is discussed below.)
16. The Overlay has the clear intent of protecting the contributing built form and streetscape elements and will provide a sound basis for assessment with the following alterations:
 - 16.1. Finalisation of the Historic Area Statements to provide adequate recognition and protection of the individual attributes of each historic area within the City of Adelaide's former Historic (Conservation) Zones. (Further detail is provided below on these statements.)
 - 16.2. Inclusion of land division policies that consider heritage impacts and opportunities to reinstate historic subdivision patterns.
 - 16.3. The tightening up of terminology, including clarifying definitions particularly as they relate to the economic costs of replacement vs repair.

Historic Area Statements

17. The draft Practice Guideline released by the State Planning Commission identifies that the Historic Area Statements should '*identify the key historic characteristics and elements of importance in a particular area*' and '*be used to determine the prevailing styles and patterns of development*'.
18. By letter dated 25 October 2019, the Chair of the State Planning Commission invited Council to work with the Department of Planning, Transport and Infrastructure (DPTI) to draft Historic Area Statements specific to the City of Adelaide.
19. This invitation was received in response to the draft P&D Code released on 1 October which did not include such statements but included a generic set of example guidelines of Historic Area Statements.
20. The addition of Historic Area Statements to the draft P&D Code since the original released for consultation is supported as a necessary component of the Code.
21. On 19 November 2019, Council provided the State Planning Commission with a set of draft Historic Area Statements (Link 4 view [here](#)) to apply spatially to the existing covered by Historic (Conservation) Zones in the City of Adelaide as identified (in blue) on the map below:



22. The Statements were drafted in accordance with advice of DPTI staff, noting advice at that time was that the framework for these statements was still evolving and that the statements may be subsequently amended.
23. The statements in the current Development Plan were originally written in the mid-1980s (and updated since) to reference the area's history and heritage. The historic statements are written very specifically for each area to reference individual characteristics including the era of development, the pattern of subdivision, themes (eg workers cottages, mansions and the like), reference to architectural periods of development that reflect historic periods of boom/bust etc. In addition, the statements covered road patterns and topography, building heights and roof pitches, types of fencing and gardens being of specific importance. These statements have served the city well ensuring that our historic areas have both been conserved and respectfully developed.
24. On 23 December 2019, the State Planning Commission formally released draft Historic Area Statements for consultation, joining the draft P&D Code consultation process with submissions to be made until 28 February 2019 (Link 5 view [here](#)).
25. The Statements released for consultation are different to the version submitted by Council and have not included important detail identified by Council to identify the key characteristics and elements of importance that determine the prevailing styles and patterns of development in our areas. As currently proposed, their usefulness in assisting the development assessment process is of concern.
26. Consistent with this instruction, we recommend that Council re-confirms its position that the Statements as adopted by Council on 19 November 2019 support the above outcomes and seek further discussion with the State Planning Commission on this matter.

Expert Panel on Planning Reform's Report to the Minister for Planning into Heritage and Character in the Planning and Design Code

27. On 23 January 2020, the above report was released (Link 2 view [here](#)). Given that considerable community concern has been raised regarding the future of 'contributory items', the purpose of the Report was to:
 - 27.1. Clarify the nature and intent of the Panel's original heritage reform recommendations, especially those relating to contributory items.

- 27.2. Review the heritage and character policies proposed by the State Planning Commission for the draft Planning and Design Code.
28. Council does not have any contributory items within its area, only Local or State Heritage Places, and a significant amount of discussion in the Report relates to contributory items.
29. Notwithstanding that, the Expert Panel made several recommendations which will impact on Council's heritage places as follows:
- 29.1. The Panel noted that the opportunity to create a single integrated heritage system has been missed but continues to support greater integration of heritage matters. They recommend that the responsibility for State Heritage is transferred from the Minister for Environment to the Minister for Planning and the State Planning Commission; and that the South Australian Heritage Council is integrated into the system for the designation of State Heritage Places and Areas.
- 29.2. The Panel noted that the Historic and Character Statements, which reflect policy, are adequate and sufficient to ensure that the historic character will be enhanced within those areas. The Statements are currently being reviewed to strengthen the policies.
- 29.3. The Panel agreed with the treatment of Local Heritage Places, subject to an assurance that owners of designated properties are able to initiate a process to review that listing, and that there is appropriate community consultation should such a process be initiated.
- 29.4. The Panel agrees with the proposed treatment of Local Heritage Areas and Local Heritage Places (given the complexity of conducting a detailed review of that designation at this stage), subject to the requirement that these designations be audited and validated within the next three years.
- 29.5. Recommends that the term 'heritage' be restricted to matters that have been properly assessed against relevant criteria to avoid its confusion with general treatment of local amenity and character issues.
30. It is recommended that Council respond to the Expert Panel's Report with the following points:
- 30.1. Council has consistently supported the integration of heritage such that State and Local Places and Areas be dealt with under heritage legislation and development control occur through planning legislation. The reason for this is to allow listing to occur as a separate exercise and without being influenced by development-related decisions. While Council supports the suggestion that the remit of the South Australian Heritage Council be expanded to include the designation of State Heritage Areas, Council does not support the transfer of State Heritage from Environment to Planning.
- 30.2. While Council supports the general framework of Historic Area Statements, our comments raised above apply. Council does not support the current Statements of Heritage Value as prepared for the City of Adelaide for the reasons outlined above and strongly encourages further review to strengthen the policies.
- 30.3. While Council supports the notion that Local Heritage Place owners should be able to initiate a process to review the listing, clear parameters should be established to set out when such a review would be appropriate. Any review would require careful consideration as to the scope, purpose, benefit and cost. Some of the factors that should be considered include:
- 30.3.1. The reasons for the original listing and previous reviews.
- 30.3.2. The fact that existing listed properties have been bought and sold based on those listings.
- 30.3.3. For the last 30 years, city properties have received public funds through the Heritage Incentives Scheme. Previously protected and publicly funded work would become vulnerable.
- 30.3.4. The costs to Council of defending listings that have already been through an extensive review and testing process will be considerable. Council also suggests that assurance be given to it that Council will be able to initiate the process of creating additional Local Heritage Places.
- 30.4. The Expert Panel uses the term 'Local Heritage Area'. The term has been replaced by 'Historic Areas'. Council supports these areas being called Local Heritage Areas rather than Historic Areas as it is a logical progression of heritage controls and the emphasis of these areas is on preservation, rather than demolition.

- 30.5. While an audit of all Local Heritage Places and Areas occurring within the next three years is worth considering, Council believes that this should occur following a review of criteria and processes for listing within the PDI Act. Noting that the City of Adelaide has approximately 1850 Local Heritage Places and two large Historic (Conservation) Zones, one of which covers the majority of North Adelaide, any audit would have significant resourcing and financial implications.
- 30.6. Council agrees that terminology should be consistently and appropriately used throughout Code documents.

Letter to Property Owners in Historic Areas - former Historic (Conservation) Zones

31. On 23 January 2020, DPTI provided Council with a copy of a letter that will be sent to all affected residents who live in what is now Historic (Conservation) Zones (Link 3 view [here](#)).
32. The purpose of the letter is to introduce the Code, the structure surrounding 'heritage' and 'character' and explain the transfer of Historic (Conservation) Zones to Historic Areas. The letter explains the requirements of owners if they wish to demolish their property and the role that Historic Area Statements will play in identifying the features and key elements to be respected in development decisions. The letter concludes with a request for feedback from owners to DPTI.
33. Generally, the letter will assist owners in understanding the coming changes. Of note is that although the introductory email states that the letter will be sent to residents only, it is assumed it will be forwarded to all property owners in Historic (Conservation) Zones.

DATA & SUPPORTING INFORMATION

Link 1 - State Planning Commission – Practice Direction – (Interpretation of the Local Heritage Places Overlay, Historic Area Overlay and Character Area Overlay) 2019.

Link 2 - Expert Panel on Planning Reform – Heritage and Character in the Planning and Design Code - Report to the Minister for Planning – released on 23 January 2020.

Link 3 - DPTI – Letter to property owners in historic areas – Released on 23 January 2020.

Link 4 – City of Adelaide endorsed Historic Area Statements for submission to State Planning Commission – 27 November 2019

Link 5 - State Planning Commission – Historic Area Statements – consultation material – released 23 December 2019.

ATTACHMENTS

Nil

- END OF REPORT -

Creative Industries Discussion Paper Submission

ITEM 12.9 11/02/2020
Council

2019/00027
Public

Program Contact:
Susan Rudall, Manager Strategy,
Planning and Partnerships
8203 7068

Approving Officer:
Clare Mockler, Deputy CEO &
Director Culture

EXECUTIVE SUMMARY

The Government of South Australia (the Government) is seeking feedback by 28 February 2020 on the Creative Industries Discussion Paper to inform the development of the Creative Industries Sector Strategy; a 10 year plan to support the growth of the creative industries in South Australia.

This report seeks Council endorsement for the City of Adelaide submission to the consultation.

Presented to The Committee on 4 February 2020.

RECOMMENDATION

THAT COUNCIL:

1. Endorses the submission to the Department for Innovation and Skills on the Creative Industries Discussion Paper, as shown in Attachment A to Item 12.9 on the Agenda for the meeting of Council held on 11 February 2020.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2016-2020 Strategic Plan	<p>Strategic Alignment - Corporate Activities</p> <p>This report relates to corporate activities which enable the City of Adelaide to achieve its strategic action under the Creative theme to:</p> <p><i>'Support businesses, community groups and individuals to grow their contribution to the creative, cultural and artistic life of the City.'</i></p>
Policy	<p>The relevant policies of Council that relate to the Discussion Paper include:</p> <ul style="list-style-type: none"> • Cultural Strategy 2017-2023 • Live Music Action Plan 2017-2020 • Public Art Action Plan 2019 – 22. <p>It is also relevant to the City Brand:</p> <ul style="list-style-type: none"> • Adelaide. Designed for Life
Consultation	The State Government is undertaking consultation with members and stakeholders of the creative industry sectors regarding its proposed development of a Creative Industries Sector Strategy.
Resource	Not in relation to this report
Risk / Legal / Legislative	Not in relation to this report
Opportunities	This consultation process provides Council with an opportunity to work with the Government and creative industry sectors to positively influence the development and implementation of the Creative Industries Sector Strategy; a 10 year plan to support growth of South Australia's creative industries.
19/20 Budget Allocation	Not in relation to this report
Proposed 20/21 Budget Allocation	Not in relation to this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not in relation to this report
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. Designed for balance, growth and prosperity, Adelaide fosters a rich culture of arts and creativity; driving positive economic, environmental, social and cultural outcomes. The creative economy is expected to become even more important to South Australia's prosperity as we continue to shift from a manufacturing and resource-based economy to one dependent on knowledge and innovation.
2. The Government of South Australia (the Government) is seeking feedback on the Creative Industries Discussion Paper (the Discussion Paper) to inform the development of the Creative Industries Sector Strategy; a 10-year plan to support and foster the growth of the creative industries in South Australia.
3. We seek Council endorsement of the submission to meet the Government's 28 February 2020 deadline.

Creative Industries Sector Strategy

4. *Growth State: our plan for prosperity* is the Government's plan to promote industry growth. Key sectors with strong growth prospects have been identified as part of this plan, including the creative industries.
5. The Government has invited sectors within the creative industries to contribute to the *Growth State* by developing their own, industry-led sector strategies.
6. When industry-led sector strategies have been developed, the Government will work with industry to integrate the elements of these strategies that drive growth, into an overarching Creative Industries Sector Strategy, to be released in July 2020.
7. Proposed City of Adelaide recommendations for the Creative Industries Sector Strategy (Link 1 view [here](#)) include the need for the Strategy to:
 - 7.1. Highlight the instrumental value of the creative industries to achieve the varied aims of Government, and advocate for its contribution to cities and society.
 - 7.2. Reflect a greater diversity (including gender, age, accessibility, Aboriginal and Torres Strait Islander peoples' representation and multiculturalism) in support of an inclusive creative industries sector that reflects contemporary Australia.
 - 7.3. Develop partnerships with complementary sectors such as health, education and across all levels of government and industry.
 - 7.4. Explore collaborative opportunities to position Adelaide as an epicentre of screen and creative industries, supporting creators and consumers of film, technology, gaming and animation.
 - 7.5. Amplify the UNESCO Creative Music City Designation working with the Adelaide UNESCO City of Music (AUCOM) Executive and Advisory Committee to develop a sustainable management and funding model that supports the AUCOM office and delivers a program involving key stakeholders and public-private partnerships.
 - 7.6. Position South Australia as a state of Lifelong Creativity, a state where artists, enterprise and audiences flourish, embracing the creativity of all histories and backgrounds, across all ages, abilities and career stages.
 - 7.7. Attract investment that increases Adelaide's productivity, creativity and global competitiveness in the creative sector.
 - 7.8. Engage federal and local government, private industry and key stakeholders on strategies to improve the socio-economic status of artists, creatives and makers and to improve support for culture-related infrastructure.
 - 7.9. Provide a clear consistent definition of Creative Industries that can be used across Government.

Opportunities and challenges for each sector

8. According to the Creative Industries Discussion Paper the creative industries sector comprises:
 - 8.1. Advertising
 - 8.2. Broadcasting: TV and Radio
 - 8.3. Craft
 - 8.4. Design: Architecture, Fashion, Graphic and Web
 - 8.5. Festivals
 - 8.6. Literature and Publishing

- 8.7. Music
- 8.8. Performing Arts
- 8.9. Screen Production: TV, Film, post-production, digital and visual effects (PDV) and Game Development
- 8.10. Visual Arts and Photography
- 9. Stakeholders of the above sectors are encouraged to explore associated opportunities and challenges.
- 10. The Discussion Paper identifies a number of these challenges and opportunities and poses specific questions in relation to trade, investment, infrastructure, skills and innovation.
- 11. Proposed City of Adelaide responses to the above challenges, opportunities and questions can be found in **Attachment A**.

Opportunities for the Creative Sector in South Australia

- 12. City of Adelaide proposed feedback with regards to opportunities for the South Australian Creative Sector over the next 10 years, as set out in (Link 2 view [here](#)), relates to the following:
 - 12.1. Industry identity and development;
 - 12.2. Connecting and networking;
 - 12.3. Innovation and the digital economy;
 - 12.4. Specialised Education; and
 - 12.5. Layered Experiences.

Next steps

- 13. It is proposed that the City of Adelaide response to the Discussion Paper includes an offer to continue to work with Government, creative industry members and other interested parties to develop and implement the Creative Industries Sector Strategy to foster the growth of South Australia's creative industries.

DATA & SUPPORTING INFORMATION

Link 1 – City of Adelaide - Recommendations for the Creative Industries Sector Strategy

Link 2 - City of Adelaide – Opportunities for the South Australian Creative Sector

ATTACHMENTS

Attachment A – City of Adelaide - Submission to the Creative Industries Discussion Paper

- END OF REPORT -

Attachment A

City of Adelaide - Submission to the Creative Industries Discussion Paper

Below are the City of Adelaide's responses (in *italics*), where applicable, to the challenges and opportunities identified so far in the Creative Industries Discussion Paper and presented (where applicable) under each creative industries sector.

Item 12.9 - Attachment A

Craft

Trade and Investment

- What do you see as the most significant investment, trade and export opportunities for your sector?

Supporting emerging and recently established creatives through stronger and more meaningful networks in South Australia both within the creative industries and across other areas of the state's economy, and through the development of collateral for creatives to use as showcases to promote their work. Marketing and audience building skills are essential for creatives to access global markets via online platforms.

Supporting the trend towards buying artisan and bespoke craft items through active procurement policy, encouragement of markets and artisan shop establishments, as well as supporting co-working artists' studios and making hubs.
- How can the different sectors of the creative industries partner and leverage overseas opportunities?

While there are a wide range of partnerships and collaboration happening across sectors, it can be a challenge to know who is doing what in order to find synergies.

International touring and trade opportunities for local companies and artists could be backed up with a 'take away' pack that includes locally made gifts and information on SA craft products & services, including material from the City of Adelaide.

Some South Australian creatives already have excellent networks and experience in international markets. Consider a project to map this knowledge and identify those who are willing to assist others to access new markets.
- How can the global reputation of our creative industries be leveraged to generate business growth?

Tourism is a huge growth industry globally. Cultural tourists may combine learning a new skill with attending a festival or visiting a cultural institution. How can we promote to more tourists the opportunity to meet local craftspeople during their visit? Is the State brand catalysing this opportunity?

Ensure that promotion of South Australia tells the story of our creatives, with a focus on those with work in international collections and international prize winners.

A specific, targeted marketing campaign about the extraordinary talent and volume of our creative industries could be created for identified markets.
- What emerging technologies and innovations do you believe will grow globally over the next 10 years?

Technologies are opening opportunities for creatives to diversify their creative platforms, as well as to promote their works and engage audiences from around the world.

Online sales platform will continue to grow and identify new and extended markets for bespoke artisan wares. Services and creative 'thinking' will be sought through task based on-line platforms.

Small scale, bespoke manufacturing for limited edition design items will continue to trend.

Infrastructure

- What regionally-based infrastructure could be used more effectively to support the growth of local creative industries?

As well as providing opportunities for the integration of programs, clustering (from a precinct point of view) creates opportunities for creatives to come together to share practical skills, building strong networks across disciplines.

Many artists live in regional areas. It is important to provide practical support for creatives to continue to make work in their regional and remote areas. Additionally, explore the possibility of a centralised regional showcase (Gallery / Country Arts Headquarters) in the City of Adelaide, exclusively to promote the work of regional South Australian Artists.

Skills and Innovation

- What are the future needs of the workforce, and is there enough focus on developing and building the right mix of skills?

Crafts need to be embedded in school programming. In addition to recognising materials, making and design skills as part of curricula, these skills need to be valued through recognised rates, paid in job apprenticeships and traineeships.

VET programs, including those at TAFE to be increased as skills-based learning is critical for the craft sector.

Organisations that assist students in their first years after study are invaluable in supporting the successful transition from student to professional practitioner. Continue support for these organisations such as the Helpmann Academy, Guildhouse and Carclew and develop new Craft Based incentive programs and prizes.

- How can the sector support other industries to develop and integrate creative thinking through collaboration and the transfer of skills?

Incentives could be put in place for businesses and organisations across industries to include crafts people at the initial stages of projects to contribute their innovative design, making and materials knowledge and create positive project outcomes.

- How can start-ups, mentors, investors, government and markets be more effectively connected?

Bring together creative, arts, business, university, educational, tourism, health, and entrepreneurial leaders to foster collaboration, reduce barriers and advance opportunities for business growth and social wellbeing.

Mentors and investors need more information and education around the opportunities and benefits available in the creative sector. For many investors, the concept of start-up in the sector is unknown.

Case studies documented through short video and marketing tools, providing real examples of return on investment and benefit to investors can help the Creative Industries be seen as an area of interest.

There is a missed opportunity currently for local artists to co-create with Local and State Government to meet public realm needs. For example, local designers could produce functional street furniture which signals to users and visitors they are in a creative city. This would be a strong branding exercise as well as create local jobs in the sector.

Government could work with best practice artisans, i.e. Mim Harvey (fashion) to help educate and raise awareness with other aspiring artists.

Design: Architecture, Fashion, Graphic and Web

Trade and Investment

- What do you see as the most significant investment, trade and export opportunities for your sector?

The Fashion sector is quite spread out and while there is a national body (<https://ausfashioncouncil.com/what-we-do>), there is no industry body in South Australia. A small group of designers in SA is setting up an industry body to provide advocacy and assistance to the sector. This should be established within coming weeks/months (Fashion Industry SA FISA).

Opportunities exist to continue to develop relationships with City of Adelaide Sister City, Austin Texas, and the Austin Fashion Show will enable local designers to experience international markets. A delegation from Austin, including the founder and owner of Austin fashion Week (also owns Houston Fashion week and Dallas Fashion week), visited Adelaide in 2018 and 2019 coinciding with the Vogue Fashion Festival. City of Adelaide will be visiting Austin Texas in 2020.

Infrastructure

- How can we better use existing infrastructure to foster collaboration and innovation?

Fashion: There is an opportunity to better cluster fashion designers to showcase their work together, for example in a co-working/shared studio environment that emerging designers can access at lower cost.

There is another opportunity to identify and stimulate a precinct in the City that encourages new and emerging designers to have shop front visibility. A number of shops are required to create a 'cluster' which, in turn, will become a known area of new South Australian fashion.

- What **regionally-based** infrastructure could be used more effectively to support the growth of local creative industries?

Fashion: Continue work with Luxury Brands and establish a precinct in the City for fashion/design businesses.

All: The square mile of Adelaide and its grid layout design allows for the city to be used as a regional local area network. Ten Gigabit Adelaide is a fibre optic network connecting 1000 buildings in the CBD delivered in partnership between City of Adelaide and TPG. Ten Gigabit Adelaide enables uncontested, asymmetrical exchange of data at an incredible 10Gbps speed. This solution was designed to cater for the creative industries and business needing to transfer large amounts of data in a stable and secure environment at a low cost. The network allows for direct business to business connectivity which will accelerate collaboration between businesses, industry and government. A Ten Gigabit Adelaide Community has been established by the City of Adelaide with the specific purpose of fostering collaboration and innovation between its members.

Skills and Innovation

- How can start-ups, mentors, investors, government and markets be more effectively connected?

Fashion:

- *A draft of the South Australia's Fashion Industry Ecosystem Map has been developed. This will be further enhanced with engagement of designers and more established fashion businesses.*
- *Utilising the services of established designers such as Paolo Sebastian (Paul Vasileff) as ambassadors/mentors. Cristina Tridente, Couture+love+madness is a mentor and participant of missions to Austin and leading the charge for FISA establishment.*

- *Also supporting Australian Fashion Labels as a local design/distribution business based in Adelaide.*

All:

Opportunities to better leverage Ten Gigabit Adelaide for greater global connectivity and partnerships.

Item 12.9 - Attachment A

Festivals

Trade and Investment

- What do you see as the most significant investment, trade and export opportunities for your sector?

Festivals provide a platform for South Australian Creatives to showcase their work. This market-place occurs at all levels, from emerging artists to professional presentations.

The market-place can be further developed to attract 'buyers' from across the globe to see, invest or purchase work through our festivals.

With an increasing number of cities hosting festivals around the world SA Festivals need to create genuine and original content and experiences for visitors to Adelaide to entice people to stay longer. Showcasing the work of South Australian Artists is an opportunity

Festivals could be incentivised to ensure that visiting artists/creatives engage in sharing their skills with local entrepreneurs and help create new businesses. There are opportunities for the major festivals to connect with a wider number of smaller events to create something new and unique. There are opportunities for satellite or niche festivals within larger festivals. There are opportunities for existing festivals to increase the number and diversity of audiences from across all life stages.

- How can the different sectors of the creative industries partner and leverage overseas opportunities?

Festivals help South Australia to connect with other regions and build economic connections (soft diplomacy). There are opportunities in clustering events, conferences and international meetings alongside festivals to support trade connections or creating brands to tour globally.

Additionally, South Australian Creators touring internationally, can be further 'branded' with South Australian and City of Adelaide materials.

- How can the global reputation of our creative industries be leveraged to generate business growth?

Festivals are a key to cultural tourism, and the "experience economy", offering an alternative to the digitised world.

Targeted marketing campaigns both within Australian and nationally will assist with awareness raising of our world class festival offering.

The Ten Gigabit Adelaide network should be used as an attractor for new festival and events that leverage technology.

- What emerging technologies and innovations do you believe will grow globally over the next 10 years?

There may be opportunities of programming innovation festivals alongside major festivals.

Fast up-take of personal experiences, such as offered by festivals, will continue at a pace through communication technology, as will the ability to navigate the festival offering and make purchases of a fully rounded experience, including food, accommodation, tickets and like-minded people to attend with.

Sustainable practices will benefit the creative sector, including the development of Carbon Neutral Events and the development of local products and services to sustain the sector.

Skills and Innovation

- What are the future needs of the workforce, and is there enough focus on developing and building the right mix of skills?

Is investment in local creativity and local productions sufficient? How can education and industry collaborate to create relevant skill packages to meet the needs of the sector?

Festivals require content and product from local creatives. This eco-system needs to be supported at all levels, including the continued support for emerging creatives and their work.

There is a lack of outdoor theatrical work, such as the temporary installations and roving work seen at WOMADelaide. Opportunities exist for the development of such work, trialled in Adelaide and then toured globally.

Item 12.9 - Attachment A

Literature and Publishing

Trade and Investment

- What do you see as the most significant investment, trade and export opportunities for your sector?

South Australia's literature and publishing sector has significant opportunity for growth. With an audience trending towards reading and listening to the clarity of an independent voice, writers are in demand. Writers bring value to most sectors and provide a bedrock for most arts practices.

Digital platforms including blogs, gaming and media benefit from a strong writing sector

The most significant investment is with programs that support writers at all levels, whilst also providing the public with access to reading. The value of libraries cannot be underestimated for their role in the promotion of writers and publishers and their civic service. The value of libraries requires ongoing marketing and promotion to ensure maximum access by all South Australians.

- How can the different sectors of the creative industries partner and leverage overseas opportunities?

Libraries exist in a global network. They surprise, delight and attract people in and to Cities throughout the world. Dynamic partnerships to create relationships and experiences focussing on South Australian writers & publishers could happen across the world.

- How can the global reputation of our creative industries be leveraged to generate business growth?

Local stories and local content will play a strong role as people look to connect with their communities in a global world. Local stories showcase local talent and creativity, create a sense of place and build Adelaide's status as a leading global Creative City.

Writers have the talent and skill to help shape the way our City is perceived and should be encouraged and incentivised to use the City physically and for inspiration.

- What emerging technologies and innovations do you believe will grow globally over the next 10 years?

Libraries continue to play a vital role in addressing issues of digital citizenship, digital literacy and the digital divide supporting citizens to fully participate in their communities and work life. Despite the increased quantity of electronic content over the next 10 years, print books and quality collections will continue to be on demand. Libraries will stretch the horizons of South Australians by providing opportunities for experiential learning where people can try out new technologies as well as providing networks across the globe.

Infrastructure

- How can we better use existing infrastructure to foster collaboration and innovation?

Libraries offer their communities a dynamic and vibrant place that is flexible to respond to changing needs. More joined-up experiences for customers are important to connect people to new forms of knowledge.

Skills and Innovation

- What are the future needs of the workforce, and is there enough focus on developing and building the right mix of skills?

Writers and publishers need development, support and platforms to showcase their ideas.

Libraries are key areas for new cultural and creative spaces. As libraries are established venues for community engagement, they need to be adequately funded to enable them to be expanded into multidisciplinary arts and creative hubs.

Item 12.9 - Attachment A

Music

Trade and Investment

- What do you see as the most significant investment, trade and export opportunities for your sector?

Adelaide's UNESCO City of Music status, which includes greater Adelaide and the regions of South Australia, is a significant opportunity for the sector that should be promoted and celebrated. It creates opportunities to exchange talent and knowledge, to attract music events to the City, and to build partnering opportunities nationally and globally. Live music venues as well as new, experimental and start up music businesses also present important opportunities for the local music industry to attract visitors and music tourists, and to ensure they can access an unforgettable music experience in the City on any night of the week. New events such as Umbrella Winter City Sounds and incentive schemes such as Local Buzz or the Live Music Backline create more opportunities for musicians to play in the public realm while encouraging new audiences to City venues.

- How can the different sectors of the creative industries partner and leverage overseas opportunities?

Promotion of South Australian creatives can provide stronger partnerships between music makers, the music industry, festivals and events which showcase music and the organisations that support music expression.

- How can the global reputation of our creative industries be leveraged to generate business growth?

Adelaide's global excellence in music has been recognised through its designation as a UNESCO City of Music. Significant opportunities exist to grow the City's international reputation i.e. Adelaide Year of the Choir 2021 will promote Adelaide City of Music designation, support development of new audiences for local live music and attract and entertain city visitors.

- What emerging technologies and innovations do you believe will grow globally over the next 10 years?

New ideas, technologies and partnerships will achieve new and expanding music opportunities. The presence of and accessibility to music experiences will fill the City, attracting visitors, developing new audiences driving music tourism, and growing the music economy.

Infrastructure

- How can we better use existing infrastructure to foster collaboration and innovation?

City Laneways, buildings, rooftops, carparks, balconies and other unique spaces can be activated with music and used as rehearsal spaces through regulatory reform and partnerships. The development of unique precincts will support local businesses and communities. Music residencies and workshops in libraries and community centres are enhancing community and individual wellbeing and lifelong learning.

- What regionally-based infrastructure could be used more effectively to support the growth of local creative industries?

The square mile of Adelaide and its grid layout design allows for the city to be used as a regional local area network. Ten Gigabit Adelaide is a fibre optic network connecting 1000 buildings in the CBD delivered in partnership between City of Adelaide and TPG. Ten Gigabit Adelaide enables uncontested, asymmetrical exchange of data at an incredible 10Gbps speed. This solution was designed to cater for the creative industries and business needing to transfer large amounts of data in a stable and secure environment at a low cost. The network allows for direct business to business connectivity which will accelerate collaboration between businesses, industry and government.

Leveraging the City's connectivity via Ten Gigabit Adelaide will grow capacity for innovation by supporting the digital capabilities of both musicians and audiences: the digital as a creation platform, promotion tool and for audience participation and experience.

Development of a world class concert hall for the region in the CBD will be essential, in line with the South Australian Government's Art Plan, in order to support both performing arts and music.

Skills and Innovation

- What are the future needs of the workforce, and is there enough focus on developing and building the right mix of skills?

Live music small to medium enterprises and early career entrepreneurs should be supported to start new music ventures. Musicians should be reimbursed according to industry standards.

Item 12.9 - Attachment A

Visual Arts including Public Art and Photography

Trade and Investment

- What do you see as the most significant investment, trade and export opportunities for your sector?

The visual arts, and public art in particular, create unique Adelaide experiences, support Adelaide's reputation as a city renowned for its cultural and creative experiences. Public art is a catalyst to city growth and to attract individuals and businesses; it contributes to the cultural vitality of the city drawing people here to live, study, work and play. The inclusion of a cross-section of arts, people and cultures in the creation of public art and the visual arts will result in rich community conversation, deep appreciation and new expressions of cultural identity unique to South Australia. Stories about public art and the visual arts need to be shared to reach, educate and grow audiences. It is also crucial to build awareness of the contribution that arts and culture make to South Australian's lifelong learning and quality of life.

The City of Adelaide offers a unique playground for the experimentation of new art-forms, including temporary activations and large-scale visual art projects. Once tested and trialled in Adelaide, there is a global market for work that transforms urban environments.

- How can the global reputation of our creative industries be leveraged to generate business growth?

Partnerships with other Capital Cities and other friendly cities across the globe through the UNESCO Creative Cities network will attract artists, artworks and global audiences to the City. Rich and vibrant Aboriginal and diverse identities should be enabled and celebrated through existing and new relationships and opportunities, positioning Adelaide as a world leading city that tells the story of the past and connects the future, reflecting the growth and evolution of the city. Environmentally sustainable art works and practices will create conversations and showcase Adelaide's leading role as a carbon neutral city. Public art opportunities developed with health and wellbeing focused partners will position Adelaide as a walkable, liveable city and positively impact in the attraction of new residents.

- What emerging technologies and innovations do you believe will grow globally over the next 10 years?

New technologies and cutting-edge environmentally sustainable methods and materials will open opportunities for temporary and ephemeral visual/public art experiences. New and unexpected locations such as laneways, carparks and other unique spaces will enhance Adelaide's reputation as a must visit destination, renowned for its playful, thought provoking, unexpected and world class art experiences.

Infrastructure

- How can we better use existing infrastructure to foster collaboration and innovation?

City Libraries, Community Centres, and outdoor spaces such as city streets and laneways can be used to showcase new voices and arts practice, and foster collaboration and innovation.

Additional creative hubs for making and the showcase/exhibition of work will assist with visibility and sales.

Ten Gigabit Adelaide is the infrastructure this industry needs. It is a fibre optic network connecting 1000 buildings in the CBD delivered in partnership between City of Adelaide and TPG. Ten Gigabit Adelaide enables uncontested, asymmetrical exchange of data at 10Gbps. This solution was designed to cater for the creative and other industries and business needing to transfer large amounts of data in a stable and secure environment at a low cost. The network allows for direct business to business connectivity which will accelerate collaboration between businesses, industry and government. A Ten Gigabit Adelaide Community has been established by the City of Adelaide with specific purpose of fostering collaboration and innovation between its members.

- What regionally-based infrastructure could be used more effectively to support the growth of local creative industries?

Development of Cultural Hubs - Aboriginal Cultural Centre, Contemporary Art Gallery, performance space, concert hall, world class public art, as part of the development of Lot Fourteen.

Skills and Innovation

- What are the future needs of the workforce, and is there enough focus on developing and building the right mix of skills?

Resources need to be invested in artistic exploration and innovation. The economic viability and contribution of many creative practices is maximised if practitioners are supported to develop entrepreneurial skills and build their creative enterprise through incubator programs such as City of Adelaide's The Business of Being Creative. National protocols and Codes of Practice should inform the delivery of creative programs: The Code of Practice, National Association of the Visual Arts, Protocols for working with Indigenous Artists, Australia Council for the Arts, and Protocols for working with Children, Australia Council for the Arts.

- How can the sector support other industries to develop and integrate creative thinking through collaboration and the transfer of skills?

It is important to recognise the value of and engage with experts from diverse backgrounds to nurture and facilitate fresh and leading-edge artistic expression in the city. Artists need to be placed at the centre for creation fostering a multidisciplinary approach, empowering cultural diversity, maximising strategic partnerships and integrating with other art forms such as music. Promote the use of artists and creatives in design of and inclusion of public art in all State infrastructure development, including bridges, streetscapes, lighting, schools, hospitals and other projects.

Performing Arts

NB Lord Mayor has asked that we separate out from Visual arts

Trade and Investment

- What do you see as the most significant investment, trade and export opportunities for your sector?

Adelaide has a reputation as a city renowned for its cultural and creative experiences which attract people to live, play and work here, and contribute to the cultural vitality of the city.

The City hosts creative studios for the production of some of the best theatrical companies in Australia.

Regional work presented in the City enables accessibility to national and global audiences.

- How can the global reputation of our creative industries be leveraged to generate business growth?

Partnerships with other Capital Cities and other friendly cities across the globe through the UNESCO Creative Cities network will attract artists, artworks and global audiences to the City. These partnerships could be leveraged eg with Edinburgh??? What more support can be provided for performing arts and music – including infrastructure.

- What emerging technologies and innovations do you believe will grow globally over the next 10 years?

Ten Gigabit Adelaide will provide connectivity that will enable access to greater international audiences, collaborations and partnerships.

Infrastructure

- How can we better use existing infrastructure to foster collaboration and innovation?

- What regionally-based infrastructure could be used more effectively to support the growth of local creative industries?

Development of a world class concert hall in the CBD in line with the South Australian Government's Art Plan, in order to support both performing arts and music.

Work with the festival platforms to ensure more local companies and artists have visibility to the global touring markets that use the festivals to find work.

Skills and Innovation

- What are the future needs of the workforce, and is there enough focus on developing and building the right mix of skills?

Resources need to be invested in artistic exploration and innovation.

The development of outdoor theatre/art experiences requires new skills and consideration.

- How can the sector support other industries to develop and integrate creative thinking through collaboration and the transfer of skills?

It is important to recognise the value of and engage with experts from diverse backgrounds to nurture and facilitate fresh and leading-edge artistic expression in the city. Artists need to be placed at the centre for creation fostering a multidisciplinary approach, empowering cultural diversity, maximising strategic partnerships and integrating with other art forms such as music.

Creative community hubs and spaces can provide creatives access to city spaces to create, rehearse and perform.

Screen Production: TV, Film, Post-Production, Digital and Visual Effects (PDV) and Game Development

Trade and Investment

- What do you see as the most significant investment, trade and export opportunities for your sector?

Game development has typically an 80% export market, where films are more domestically driven and could be considered less commercial due to the level of funding by govt.

Films are an excellent marketing and branding opportunity as well as a significant industry within South Australia. Encouragement of South Australian script development can lead to films being made based in the City of Adelaide.

Ten Gigabit Adelaide offers a significant opportunity to the sector to form national and international partnerships and collaborations, by providing reliable, superfast, affordable uncontested 10 gigabit per second data transfer.

- How can the different sectors of the creative industries partner and leverage overseas opportunities?

Game development has the ability to connect across lots of industries as many sectors are looking to gamify their activities i.e. defence, mining, medtech and education. Film and Streaming Services are looking to include interactive elements which provides gaming development integration opportunities.

Rapid advances in technology are seeing the convergence of three industries in which Adelaide and South Australia have a competitive advantage, including online education, AR and VR technology and game development.

- How can the global reputation of our creative industries be leveraged to generate business growth?

Adelaide (and South Australia) has potential to position itself as a post-production hub for the Southern Hemisphere, given our studios, sound studios and other post-production facilities. We need to consider lessons learned from network series and smaller features, that have had post-production here, in order to make Adelaide and South Australia an attractor for such projects. We can also look to cities like e.g. Vancouver for examples of how they have established themselves as the cities people choose to film in. This involves incentivising the city and State as places to film by marketing our post-production capabilities, and by streamlining processes for and lowering the cost of e.g. road closures for filming purposes.

More needs to be done to brand the game development sector in SA and better understand the value of the sector to the State from an economic and social perspective. SA needs to do more to promote the sector from Education; Developers, University, Games Plus etc. It could benefit from having its own 'hero' event in the State and further leveraging of the success of Melbourne International Games Week <http://gamesweek.melbourne/> Oct 2019 with 80,000+ attendees) PAX-AUS Melbourne <https://aus.paxsite.com/>. South Australia should explore doing something similar and invest in the industry.

- What emerging technologies and innovations do you believe will grow globally over the next 10 years?

Video Streaming services will mature and will grow their level of local content, and companies like Netflix are investing in content creation creating local jobs. Changes/trend/advances in major consoles, handheld consoles, personal computers, and mobile phones will likely determine to how the games market develops. This is an increasingly competitive landscape and many countries and regions have recognised the opportunity and are well ahead in subsidising/supporting industry i.e. New Zealand and Canada.

Infrastructure

- How can we better use existing infrastructure to foster collaboration and innovation?

Ten Gigabit Adelaide is the infrastructure this industry needs. It is a fibre optic network connecting 1000 buildings in the CBD delivered in partnership between City of Adelaide and TPG. Ten Gigabit Adelaide enables uncontested, asymmetrical exchange of data at 10Gbps. This solution was designed to cater for the creative industries and business needing to transfer large amounts of data in a stable and secure environment at a low cost. The network allows for direct business to business connectivity which will accelerate collaboration between businesses, industry and government. A Ten Gigabit Adelaide Community has been established by the City of Adelaide with specific purpose of fostering collaboration and innovation between its members.

Skills and Innovation

- What are the future needs of the workforce, and is there enough focus on developing and building the right mix of skills?

The entry level education for the Gaming Industry in Adelaide is mature and provides a competitive advantage for Adelaide. Opportunities include "Train the Trainer" where local Industry are paid to provide industry placement opportunities to help maintain and keep up with industry changes and trends.

Game Developers struggle to get mid-level skills. Need to attract international and national skills to deliver on growth opportunity. Liveability helps but competitive wages have the biggest impact on attraction of staff.

- How can the sector support other industries to develop and integrate creative thinking through collaboration and the transfer of skills?

Showcase other sectors which have been gamified by local developers, such as defence, and supporting local procurement by government.

- How can start-ups, mentors, investors, government and markets be more effectively connected?

Games: Having an appropriate funding regime which recognises the market size and export potential of the gaming industry similar to the film rebates. Funding should separately target start-ups and those who are established players which have scale. In considering the merits of funding a business/project might also consider its export potential and if it's generating original IP. Boosting the growth of the sector requires a dual focus on growing the volume of this international investment, whilst also focussing on home-grown ideas and production.

Pre-Transition Development Plan Amendment

ITEM 12.10 11/02/2020
Council

2019/00956
Public

Program Contact:
Shanti Ditter, AD Planning,
Design & Development 8203
7756
Approving Officer:
Klinton Devenish, Director Place

EXECUTIVE SUMMARY

In August 2019, Council submitted a proposal to the Minister for Planning to update a number of out of date policies in the Development Plan before transition across to the new Planning and Design Code ('the P&D Code').

The draft P&D Code has now been released for consultation and is currently being reviewed before the 28 February 2020 deadline for submissions.

On 6 January 2020, we received notice that the Minister for Planning has approved Council commencing this project, however in doing so the Minister notes that many of the amendments proposed by Council will likely be addressed in the draft P&D Code.

Our preliminary review of the draft P&D Code against the items identified by Council suggests that some items may have been addressed, and some items remain outstanding as they are likely beyond the scope of first version of the new P&D Code.

Given the scale and complexity of the current P&D Code including the broad consultation currently underway, it is suggested that Council focuses on its response to the P&D Code and then consider whether this project is still required.

Presented to The Committee on 4 February 2020.

RECOMMENDATION

THAT COUNCIL:

1. Approves deferring further consideration of the Council Pre-Transition Development Plan Amendment until after July 2020 when the new Planning & Design Code comes into operation.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment - Corporate Activities The objective of the Government's planning reforms is to improve decision-making efficiency to enable and support development in South Australia. This accords with Council's objective to grow the City's economy.
Policy	Proceeding with the Development Plan Amendment or Code Amendment (after 1 July 2020) would seek to amend the policy that is used to assess development applications.
Consultation	Public consultation would be required if Council proceeds with the Development Plan Amendment or Code Amendment
Resource	If a DPA/Code Amendment proceeds, a project budget may be required
Risk / Legal / Legislative	Not as a result of this report
Opportunities	The response from the Minister for Planning provides Council the opportunity to consider future updates to planning policy within the City of Adelaide (within the scope agreed)
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. On 25 June 2019, Council approved submitting a Statement of Intent to the Minister for Planning to undertake a series of updates to the Adelaide (City) Development Plan to bring it up to date before transition to the new planning system.
2. The Statement of Intent was subsequently lodged with the Minister on 5 August 2019 (Link 1 view [here](#)).
3. The state-wide draft Planning & Design Code (P&D Code) was released for consultation on 1 October 2019. The P&D Code will replace all Development Plans across South Australia when fully implemented on 1 July 2020.
4. On 6 January 2020 a reply from the Minister for Planning was received, advising that he has approved Council commencing the Pre-Transition DPA. In doing so the Minister noted that the many of the amendments proposed by Council will likely be addressed in the draft P&D Code (Link 2 view [here](#)).
5. Based on an initial review, it appears that some items identified by Council as requiring update have been included in the draft P&D Code. Some items identified by Council in the Statement of Intent required further investigation before amendments to policy could be put forward. It does not appear that these items have been picked up in the draft P&D Code.
6. Council has the following options available should it choose to proceed with the Pre-Transition DPA:
 - 6.1. Option A: Proceed immediately with policy investigations and drafting of the Pre-Transition DPA. Consultation would be required to be completed by the Minister for Planning by 30 June 2020 and lodged for final approval by 30 September 2020.
 - 6.2. Option B: Hold and review the need for the amendments following completion of the current P&D Code process in July 2020.
7. Taking into account the scale and complexity of the current State Government-led P&D Code process which involves the review and replacement of the whole Adelaide (City) Development Plan, commencing a separate and new planning amendment is not well-timed likely to lead to confusion.
8. We recommend that Council focus on its response to the P&D Code and then consider whether this project is still required.
9. Accordingly, it is recommended that Council hold progressing the Pre-Transition DPA at this time (Option B).
10. The Minister's letter has expressed a commitment to work with Council following implementation of the P&D Code on 1 July 2020 to address any outstanding issues identified in Council's Statement of Intent for the Pre-Transition DPA.

DATA & SUPPORTING INFORMATION

Link 1 – Statement of Intent

Link 2 – Reply from Minister Knoll

ATTACHMENTS

Nil

- END OF REPORT -

Planning & Design Code - Public Realm policies

ITEM 12.11 11/02/2020
Council

2018/01363
Public

Program Contact:
Shanti Ditter, AD Planning,
Design & Development 8203
7756

Approving Officer:
Klinton Devenish, Director Place

EXECUTIVE SUMMARY

The introduction of the *Planning, Development and Infrastructure Act 2016 (SA)* (PDI Act), *Planning, Development and Infrastructure (General) Regulations 2017 (SA)* and Planning and Design Code (P&D Code) is a once in a generation event and is an immense undertaking by the State government. The Expert Panel originally recommended that open space and public realm planning and design matters be embedded within the new planning system.

On 1 October 2019, the State Planning Commission released the draft P&D Code for consultation (subject of a separate report to Committee tonight). The draft P&D Code was not released with any policies relating to the public realm nor were any Design Standards (which the PDI Act states will relate to public realm matters) released for consultation. This is currently a missing element of the planning reform and is a significant risk to Council if not dealt with urgently as it is to be implemented with the P&D Code by 1 July 2020.

The PDI Act also makes amendments to Sections 221 and 222 of the *Local Government Act 1999 (SA)* (LG Act). These sections relate to permits currently issued by Council for work and development within the public realm. Whilst Council supports streamlining processes and removing red tape, these amendments appear to have not considered some fundamental and important processes of permits and poses a significant risk to Council.

This report outlines the risks to Council if these matters are not dealt with by the State Planning Commission by 1 July 2020 and makes recommendations on how these critical matters could be addressed.

Presented to The Committee on 4 February 2020.

RECOMMENDATION

THAT COUNCIL:

1. Authorises the Chief Executive Officer to write to the Minister for Planning and State Planning Commission to:
 - 1.1. Express Council's significant concerns that the planning reform has not yet considered public realm matters within either the Planning and Design Code or Design Standards.
 - 1.2. Requests the urgent attention and action of the Minister for Planning and State Planning Commission to commence and complete this necessary work for implementation by 1 July 2020 with the Planning and Design Code.
 - 1.3. Requests the State Planning Commission collaborate with the City of Adelaide to ensure that all relevant public realm matters are encapsulated appropriately in either the Planning and Design Code or a City of Adelaide Design Standard
 - 1.4. Express Council's significant concerns with the amendments that the *Planning, Development and Infrastructure Act 2016 (SA)* makes to Sections 221 and 222 of the *Local Government Act 1999 (SA)* and make recommendations about how adverse impacts could be avoided, including the following:
 - 1.4.1. Not proclaiming Schedule 6, Part 7 (*Amendment of the Local Government Act 1999*) of the *Planning, Development and Infrastructure Act 2016 (SA)*, to allow for further investigations to be undertaken to understand the impacts and put appropriate measures in place to avoid adverse impacts.

- 1.4.2. Requests the State Planning Commission write a Practice Direction and/or Practice Guideline to clearly state that the planning approvals process should not consider construction matters and management of the use the public realm and that these remain within the ambit of Section 221 and 222 of the *Local Government Act 1999*.
 - 1.4.3. Ensures public realm matters are encapsulated appropriately in either the Planning and Design Code or Design Standards for implementation by 1 July 2020.
 - 1.4.4. Investigates whether under the *Planning, Development and Infrastructure Act 2016* (SA), if any standard conditions on a Development Application may resolve some matters currently dealt with by a Section 221/222 permit.
 - 1.4.5. Investigates the further legislative impacts of the amendment and puts in place appropriate measures to ensure procedural processes are in place by 1 July 2020.
2. Authorises the Chief Executive Officer to finalise the submission on the draft Planning and Design Code that incorporates the details of this report and recommendations of the Council.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Corporate The objective of the Government’s planning reforms is to improve decision-making efficiency that enables and supports development in South Australia. This accords with Council’s objective to grow the City’s economy.
Policy	The Government’s planning reforms will change how the planning policy and development assessment functions are delivered, as well as multiple other functions undertaken by Council.
Consultation	The planning reform is being led by the State Planning Commission. It is their responsibility to undertake consultation in accordance with the Community Engagement Charter. Notwithstanding this, Council have established and implemented their own communication plan for the planning reform.
Resource	There are no additional resource implications arising from this report and presentation at this stage.
Risk / Legal / Legislative	Without Design Standards in place when the Planning and Design Code becomes operational in the City of Adelaide, matters relating to the public realm may not be adequately dealt with by the planning system, which may open up potential liabilities to Council.
Opportunities	The report and presentation provide information about the Government’s planning reforms.
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. South Australia's planning system is currently undergoing its biggest modernisation in over 25 years.
2. Recommendation 18 of the Expert Panel sought to ensure that open space and public realm planning and design be embedded within the new planning system.
3. One of the key reforms involves creating a single state-wide planning rule book, the Planning and Design Code (P&D Code). The P&D Code will replace all Development Plans across the State.
4. Section 102(1)(a) of the *Planning, Development and Infrastructure Act 2016* (SA) (PDI Act) provides that developments must be assessed against the 'planning rules'. The PDI Act defines 'planning rules' as including the P&D Code and 'Design Standards'.
5. Section 69 of the PDI Act deals with Design Standards, stating that Design Standards will relate to public realm or infrastructure matters.
6. Section 102 of the PDI Act makes several references to encroachments and how these are to be assessed in the new planning system, including through policies within the P&D Code or a Design Standard.
7. Many developments within the City of Adelaide have an impact or propose development on or within the public realm.
8. On 1 October 2019, the State Planning Commission released the draft P&D Code for consultation (subject of a separate report to Committee tonight). The draft P&D Code was not released with any policies relating to the public realm nor were any Design Standards released for consultation. This is currently a missing element of the planning reform and significant risk to Council.
9. Without policies in place, when the P&D Code is implemented by 1 July 2020, many public realm matters may be at risk of not having a policy framework within which these would be appropriately dealt with.
10. Additionally, the PDI Act makes amendments to Sections 221 and 222 of the *Local Government Act 1999* (SA) (LG Act). These sections relate to permits currently issued by Council for work and development within the public realm. In summary, these amendments mean that anything that would currently require a Section 221 or 222 permit to be issued by Council, if approved by a future development application under the PDI Act, a permit will no longer be required.
11. Whilst Council supports streamlining processes and removing red tape, these amendments appear to have not considered some fundamental and important processes of permits and poses a significant risk to Council.
12. Legal advice has been sought regarding the amendments. This advice outlines the risks for Council of this not being adequately resolved prior to 1 July 2020 when the P&D Code is implemented (Link 1 view [here](#)). In summary the legal advice is as follows:
 - 12.1. If an application shows road closures or a crane on a plan that is granted Development Approval, a permit from Council would not be required. This would lead to an odd public policy outcome where an applicant for approval under the PDI Act can sidestep the clear legislative intent of the Parliament that certain alterations or use of public roads must be subject to public consultation.
 - 12.2. Council's public realm policy documents need to be transferred to either policies within the P&D Code or to a City of Adelaide Design Standard in the new planning system to be considered in the planning assessment process.
 - 12.3. The practical implementation of s 102(11)(b) which allows Council to charge fees for public realm matters is unclear.
 - 12.4. The requirement for, for example, the State Commission Assessment Panel to 'consult' with Council on anything that would otherwise be dealt with by s 221/22 of the LG Act, does not provide a timeframe for this process within the *Planning, Development and Infrastructure (General) Regulations 2017*, but does provide new statutory assessment timeframes. It is unclear how this 'consultation' will occur, and the timeframe involved.
 - 12.5. Matters relating to public indemnity insurance and liabilities are at risk of not being dealt with.
 - 12.6. It is unclear if Council wanted to undertake maintenance to a road and required public realm elements be removed to allow this, if this would be possible and if so, how it would occur.
 - 12.7. It is also unclear what powers Council has to hold an encroachment owner accountable should their encroachment fall into disrepair.
13. Whilst Council staff have been discussing with DPTI staff possible ways to mitigate the unintended consequences of this legislative amendment, this must be resolved prior to the implementation of phase 3.

This could put several public realm matters relating to construction, public consultation, liabilities, public indemnity insurance etc. at risk.

14. It is essential that these matters be dealt with and implemented at the same time the P&D Code is implemented.
15. The preferred option to avoid adverse impacts of this amendment is to request Parliament to not proclaim Schedule 6, Part 7 (*Amendment of the LG Act 1999*) of the PDI Act to allow for further investigations to be undertaken to understand the impacts and put appropriate measures in place.
16. Possible solutions, in lieu of amending the PDI Act include:
 - 16.1. Council requesting that the State Planning Commission writes a Practice Direction and/or Practice Guideline to clearly state that the planning approvals process should not consider construction matters or management of the use the public realm and that these remain within the ambit of Section 221 and 222 of the *Local Government Act 1999*.
 - 16.1.1. Discussions with DPTI indicated that they believed Practice Direction 6 – Scheme to Avoid Conflicting Regimes 2019 dealt with this matter sufficiently.
 - 16.1.2. We have sought further legal advice which confirms that this Practice Direction does not mitigate the problem (Link 2 view [here](#)).
 - 16.2. Ensure public realm matters are encapsulated appropriately in either the Planning and Design Code or Design Standards for implementation by 1 July 2020.
 - 16.3. Investigate whether under the PDI Act, any standard conditions on a Development Application may resolve some matters currently dealt with by a Section 221/222 permit.
 - 16.4. Investigate the further legislative impacts of the amendment and put in place appropriate measures to ensure procedural processes are in place by 1 July 2020. The other legislation considerations include, but are not limited to:
 - 16.4.1 The amendments to the LG Act require relevant authorities to either ‘consult’ or obtain the ‘concurrence of the council’, however the *Planning, Development and Infrastructure (General) Regulations 2017* provide no statutory timeframe for this process to take place, but does provide statutory timeframes the development assessments must meet.
 - 16.4.2 Section 102(11)(b) allows council to impose a reasonable charge for encroachments when the relevant development is undertaken. This process currently occurs as part of the s 221/222 permit process, but if a permit is not required, it is unclear when and how the reasonable charge would occur.
17. Investigations indicate that the following documents should have some or all parts transferred to either the Planning and Design Code or a City of Adelaide Design Standard by 1 July 2020. Further investigations across Council is required to appreciate other documents that may need to be considered also.
 - 17.1. Encroachment Policy
 - 17.2. City Works Guidelines
 - 17.3. Outdoor Dining Guidelines
 - 17.4. Adelaide Design Manual
 - 17.5. Draft Park Lands Building Design Guidelines
 - 17.6. Civil Design Standards.
18. This report provides Council with the opportunity to elevate this matter with a view to a speedy resolution prior to the implementation of the P&D Code on 1 July 2020.

DATA & SUPPORTING INFORMATION

Link 1 – Legal Advice

Link 2 – Legal Advice Amendments

ATTACHMENTS

Nil

- END OF REPORT -

Planning and Design Code draft submission

ITEM 12.12 11/02/2020
Council

2018/04459
Public

Program Contact:
Shanti Ditter, AD Planning,
Design & Development 8203
7756

Approving Officer:
Klinton Devenish, Director Place

EXECUTIVE SUMMARY:

The introduction of the *Planning, Development and Infrastructure Act 2016* (SA) (PDI Act), *Planning, Development and Infrastructure (General) Regulations 2017* (SA) and Planning and Design Code (P&D Code) is a once in a generation event, and is an immense undertaking by the State government.

On 1 October 2019, the State Planning Commission released Phase 3 of the Planning and Design Code (P&D Code) for consultation. The P&D Code will replace all local government Development Plans by 1 July 2020.

This report provides Council an opportunity to review and inform a draft submission on Phase 3 of the P&D Code. Whilst the draft submission provides a critique of the P&D Code and makes several recommendations for improvement, importantly it outlines the City of Adelaide's fundamental commitment to the role of good planning in shaping a smart, green, liveable and creative capital city.

Presented to The Committee on 4 February 2020.

RECOMMENDATION

THAT COUNCIL:

1. Authorises the Chief Executive Officer to finalise the City of Adelaide Planning and Design Code Phase 3 Submission as Attachment A to Item 12.12 on the Agenda for the meeting of Council held on 11 February 2020), to be submitted to the State Planning Commission by 28 February 2020.
2. Notes the Lord Mayor will meet with the Minister for Planning and Chair, State Planning Commission to discuss Council's key concerns with the draft Planning and Design Code.
3. Authorises the Chief Executive Officer, on behalf of the City of Adelaide, to write to the Minister for Planning, State Planning Commission and other relevant Members of Parliament to request a delay in the implementation of the Planning and Design Code to ensure that the new planning system represents good planning practice and outcomes and is not rushed.

IMPLICATIONS AND FINANCIALS:

City of Adelaide 2016-2020 Strategic Plan	Strategic Alignment – Corporate The objective of the Government's planning reforms is to improve decision-making efficiency that enables and supports development in South Australia. This accords with Council's objective to grow the City's economy.
Policy	The Government's planning reforms will change how planning policy and development assessment functions are delivered, as well as multiple other functions and services undertaken by Council.
Consultation	This report has arisen from community and local government engagement initiated by the State Government. Council also implemented its own Communication Plan to ensure our community is made aware of the State Government's consultation.
Resource	Implementation of the P&D Code will likely have resourcing impacts in order to meet new statutory timeframes and maintain services. A further report will be brought back for Council consideration in March 2020.
Risk / Legal / Legislative	The Draft P&D Code does not represent the complete new planning system. For example, policy/guidelines to assess proposals in the public realm are missing and without these in place by 1 July 2020, represents a risk for Council.
Opportunities	The report provides information about the Government's planning reforms. It provides Council with an opportunity to provide feedback to the State Planning Commission on the new State planning system.
19/20 Budget Allocation	Not as a result of this report
Proposed 20/21 Budget Allocation	Implementation of the P&D Code will likely have resourcing impacts in order to meet new statutory timeframes and maintain services. A separate report will be brought back to Council for its consideration in March 2020.
Life of Project, Service, Initiative or (Expectancy of) Asset	Ongoing new planning system
19/20 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Implementation of the P&D Code will likely have resourcing impacts in order to meet new statutory timeframes and maintain services. A separate report will be brought back to Council for its consideration in March 2020.
Other Funding Sources	Not as a result of this report

DISCUSSION

Background

1. South Australia's planning system is currently undergoing its biggest modernisation in over 25 years.
2. The Planning system has been under review since 2013, when the then State government appointed an 'Expert Panel on South Australia's planning system' (Expert Panel). The Expert Panel engaged widely with the community, councils, industry groups, professionals and Government agencies to form their recommendations.
3. The planning reform agenda is the result of the recommendations of the final report of South Australia's Expert Panel on Planning Reform.
4. The outcome of the Expert Panel's report was for new legislation in the form of the *Planning, Development and Infrastructure Act 2016* (PDI Act) which is being progressively "switched on" and the relevant parts of the *Development Act 1993* (SA) concurrently being "switched off". The PDI Act established a new planning framework and legislative tools which will substantially change the planning framework in South Australia.
5. With the PDI Act, the State Planning Commission was also created. It is the State Planning Commission's responsibility to prepare and implement the planning reform.
6. A key element of the planning reform involves creating a single state-wide planning rule book, the Planning and Design Code (P&D Code). The P&D Code will replace all 68 Development Plans across the State. This is an immense task to undertake.
7. In early 2019, the State Planning Commission announced that they would consult and implement the P&D Code across the state in three phases.
 - 7.1. Phase 1 (Land not within a Council area).
 - 7.1.1. Consultation complete.
 - 7.1.2. Implemented 1 July 2019.
 - 7.2. Phase 2 (Regional Council areas with population below 10,000), and
 - 7.2.1. Consultation complete.
 - 7.2.2. To be implemented 1 April 2020.
 - 7.3. Phase 3 (Larger Regional Councils and Metropolitan Councils, including the City).
 - 7.3.1. Consultation finishes 28 February 2020.
 - 7.3.2. To be implemented 1 July 2020.
8. On 1 October 2019, the State Planning Commission released the draft P&D Code – Phase 3 for consultation. The consultation documentation includes:
 - 8.1. 3,031-page draft P&D Code in pdf format;
 - 8.1.1. Council specific draft P&D Code's were made available 9 October 2019, although these versions still contained Zones, Overlays and General Development Policies which did not apply within the City of Adelaide.
 - 8.2. Online draft P&D Code Map viewer;
 - 8.3. 17 guidance sheets were uploaded to the SA Planning Portal during the consultation period;
 - 8.4. 15 fact sheets were uploaded to the SA Planning Portal during the consultation period, including 'Capital City Building Heights', 'Design in the Planning System' and 'Heritage and Character';
 - 8.5. Draft Practice Guideline for the interpretation of the Local Heritage Place Overlay, Historic Area Overlay and Character Area Overlay;
9. On 23 December 2019, the State Planning Commission released, to join the consultation;
 - 9.1. Draft Historic Area Statements;

9.1.1. Following a request from the State Planning Commission to collaborate, Council submitted drafts of their own Historic Area Statements to the State Planning Commission in late November 2019.

9.1.2. The drafts Historic Area Statements released by the State Planning Commission do not reflect the required detail as submitted by the City of Adelaide. This matter is the subject of a separate report to Committee tonight.

9.2. 2,200-page amendment doc of the draft P&D Code classification tables;

9.2.1. The City of Adelaide submission will not make comment on this updated P&D Code as there was limited time to review this document in order to prepare a submission and report into Council within consultation timeframe.

Phase 3: P&D Code submission

10. The draft City of Adelaide submission on the P&D Code is structured in a way so that it can be read by several readers, including (but not limited to), Council, State Planning Commission, the community and planning practitioners at Councils, private and within DPTI. The layers of the submission include:

10.1. Introduction;

10.2. Unique context of planning in the City of Adelaide;

10.3. Council's high level and fundamental feedback on the draft P&D Code, including:

10.3.1. What the draft Code does well (discussed further below);

10.3.2. Critical problems with the draft Code (discussed further below); and

10.3.3. Zone analysis summaries and recommendations.

10.4. City of Adelaide amended P&D Code reflecting analysis undertaken by Council's professional planners;

10.5. City of Adelaide audit of the existing Development Plan policies are were these are or are not located within the draft P&D Code and whether they need to be;

10.6. City of Adelaide P&D Code testing of development applications.

11. This report provides Council with the opportunity to review and inform Council's submission on the draft P&D Code. Attachment A provides the draft submission which will continue to be finalised until the consultation deadlines of 28 February 2020. The below points outline the fundamental comments that the submission proposes to make, subject to Council endorsement.

What the draft P&D Code does well

12. The draft P&D Code recognises that the City of Adelaide has a set of unique planning circumstances. This is reflected in the number of Zones that are peculiar to the City of Adelaide and number of Subzones that have been applied. Subzones are only intended for use to retain local contextual policies. The draft P&D Code has 28 subzones (13 are within the City of Adelaide).

13. All of the City of Adelaide's listed heritage places will be transferred to the new planning system. Whilst the heritage policies within the Code require strengthening, the framework for heritage that the Draft P&D Code has set up is appropriate and could maintain these unique and important places and areas.

14. There are also some good new policies to strengthen assessment in some areas, such as water sensitive urban design which is critical in our climate and a required consideration across the state with increasing infill development.

Criticisms of the draft P&D Code

15. The draft P&D Code is incomplete:

15.1. The new planning system states that development assessment must be undertaken with consideration of the P&D Code and Design Standards. The PDI Act states that Design Standards will relate to public realm matters, such as encroachments, outdoor dining, changes to crossovers etc. Design Standards have not been drafted or released for consultation, so understanding the full changes of the planning system is unclear. This matter is the subject of a separate report to Committee tonight.

- 15.2. The consultation on the draft P&D Code commenced without the release of Historic Area Statements. This meant that for almost three months, the changes to our existing Historic (Conservation) Zones was unclear.
16. The loss of important policies risks the future of our City:
- 16.1. Demolition within the City of Adelaide has not been dealt with in the draft P&D Code, despite being previously stated in documentation released by the State Planning Commission that the P&D Code would maintain this unique but important trait of the City of Adelaide. A letter received from the Minister for Planning during the consultation also confirms that the draft P&D Code deals with demolition in the City, however, this is not the case.
- 16.2. The draft P&D Code has not transitioned all of the City of Adelaide's current policies relating to design and lacks any additional detailed design policies to assess development applications.
- 16.3. The loss of Desired Character Statements has lost important local contextual detail which assists with guiding and maintaining areas.
- 16.4. Land use definitions currently found within the Adelaide (City) Development Plan have not been included within the draft P&D Code, despite consultation on land use definitions occurring in early 2018 with Council providing feedback through this process.
- 16.5. The draft P&D Code was released with significant errors throughout it, making it extremely difficult to understand the true impact or intent of the proposed policies.
17. The draft P&D Code is not streamlining planning assessment:
- 17.1. As currently drafted, the P&D Code will see a significant increase in envisaged developments being publicly notified.
- 17.2. Through our Code testing, confirming the assessment pathway of an application can be an arduous task, requiring a quasi-assessment of an application before it is even lodged.
18. Implementation of the draft P&D Code has the potential to undermine good planning practice and outcomes, specifically:
- 18.1. The community engagement and consultation of the draft P&D Code has been limited. The changes proposed by the new planning system will impact every property owner, however the reach of the engagement by the State Planning Commission has been limited.

Other feedback

19. Phase 3 of the P&D Code consultation was not supported by the new State ePlanning solution as it is not ready. Without an ePlanning solution, it has been difficult to interpret the P&D Code for planning practitioners and the community.
- 19.1. It is expected that the ePlanning solution will be implemented when the P&D Code is finalised on 1 July 2020. Whilst DPTI have undertaken some consultation with local government on this process, it has been limited, and a full appreciation of its functionality is not possible.
- 19.2. It is understood that the ePlanning solution being created to support the State's new planning system will not enable Council to maintain a seamless procedure and service to customers. This will require Council to undertake urgent integration works in order to maintain business and customer service standards, despite contributing financially to the new ePlanning system.

Timeframes

20. The PDI Act stipulates that the P&D Code is to be implemented by 1 July 2020. There is no disputing that creating the state-wide P&D Code is an enormous undertaking. Whilst consultation should pick up errors, the extent of errors within the draft P&D Code, as well as critical missing pieces and a flawed community engagement approach has meant that the consultation of the draft P&D Code has not met the intent of the Community Engagement Charter, which sets out that consultation should be genuine, inclusive, respectful, fit for purpose, informed and transparent.
21. The draft submission on the P&D Code will state that 3 Zones currently proposed for the City of Adelaide are not appropriate and makes recommendations of other Zones and Subzones that would be more appropriate. Additionally, the City of Adelaide submission makes several recommendations of required policy amendments and additional policies that should be added to the P&D Code prior to it being implemented.

22. It is understood that due to this 1 July 2020 deadline, that the State Planning Commission does not believe they will have time to re-consult on changes of the P&D Code, meaning that major changes may be unlikely. This is a risk to the implementation of the P&D Code and could result in negative planning outcomes. Additionally, it does not reflect the Community Engagement Charter or core object of the PDI Act. It will mean that the outcome of the planning reform as recommended by the Expert Panel may not be achieved.
23. On 13 November 2019, the Hon. M.C. Parnell introduced the [Planning, Development and Infrastructure \(Commencement of Code\) Amendment Bill](#). The proposal seeks to amend Schedule 8 by replacing the 1 July 2020 deadline with a “designated day” that can be proclaimed, at the Minister’s discretion.
- 23.1. The Bill passed through the Upper House and is yet to be debated in the Lower House. To pass, it will require Labor and Independent support as well as four Liberals to cross the floor.
- 23.2. Whilst a difficult task, it is a worthy amendment. The P&D Code still requires considerable work and likely re-consultation.
- 23.3. It is recommended that Council formally support this Bill.

DATA & SUPPORTING INFORMATION

The following documents form part of **Attachment A** - Draft City of Adelaide Planning and Design Code Phase 3 Submission

[Link 1](#) - Attachment A.1 - City of Adelaide P&D Code amendment document (draft)

[Link 2](#) - Attachment A.2 - Audit of Adelaide (City) Development Plan into draft Planning and Design Code (draft)

[Link 3](#) - Attachment A.3 - Code Testing using City of Adelaide examples

[Link 4](#) - Attachment A.4 - Low Risk Application study

ATTACHMENTS

Attachment A – Draft City of Adelaide Planning and Design Code Phase 3 Submission.

- END OF REPORT -

PLANNING AND DESIGN CODE PHASE 3 SUBMISSION

City of Adelaide

Document Date



DOCUMENT PROPERTIES

Contact for enquiries and proposed changes

If you have any questions regarding this document or if you have a suggestion for improvements, please contact:

Contact Officer: Rick Hutchins
Title: Manager, Spatial Planning and Heritage
Program: Planning, Design and Development
Phone: (08) 8203 7241
Email: R.Hutchins@cityofadelaide.com.au

Record Details

HPRM Reference:

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Version History

Version	Revision Date	Revised By	Revision Description

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FIGURES

Figure 1 Image 1	Error! Bookmark not defined.
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Item 12.12 DRAFT WORK ANTICIPATED



EXECUTIVE SUMMARY

To be completed

1. INTRODUCTION

To be completed.

2. A UNIQUE CONTEXT

To be completed

3. WHAT THE DRAFT CODE DOES WELL

3.1 Recognising the City of Adelaide

The draft Code preserves a number of the City of Adelaide's specific Zones and includes with several Subzones, acknowledging the unique and important areas of the City and North Adelaide to the state.

3.2 Structure and layout

The Code modules (Zones, Subzones, Overlays and General Development Policies (GDP)) consistent structure is logical and assists with understanding. The use of subheadings within these modules makes particular policies easy to find. It is understood that all modules will utilise the previously promoted table format by implementation of the Code by July 2020, with performance outcomes and deemed-to-satisfy or designated performance features sitting in side-by-side columns. This will significantly assist the readability and understanding of the Code.

The structure for the administrative and land use definitions (parts 7 and 8 of the Draft Code) is excellent. The use of an 'includes' and 'excludes' column are very useful. Whilst the tables require additional definitions to be added (see detailed discussion on this below), the structure is a good starting point and will assist to provide clarity in the future, and reduce the need for preliminary legal advice to determine the true nature of development.

3.3 Framework for heritage conservation

Whilst the policies require strengthening (see detailed discussion on this below), the framework for heritage that the Draft Code proposes is appropriate and maintains these unique and important places and areas. Additionally, the roll-over of all listed State Heritage Places and Local Heritage Places is valued by Council, with the City of Adelaide having 27% of South Australia's listed heritage places.

3.4 Water Sensitive Urban Design

The introduction of improved water sensitive urban design (WSUD) principles. However, the Code would benefit from WSUD principles appearing under all subheadings within the 'Design in Urban Areas' GDP. WSUD should be an aspiration for all development types, from small scale residential to high scale; this is currently not the case in the Draft Code.

4. RECOMMENDATIONS ON AMENDMENTS TO THE DRAFT CODE

The matters summarised below must be resolved prior to the finalisation and implementation of the Code. Unresolved, these issues pose real risks to the future environment, community and economy of the City of Adelaide.

The introduction of the *Planning, Development and Infrastructure Act 2016 (SA)* (PDI Act), *Planning, Development and Infrastructure (General) Regulations 2017 (SA)* and Planning and Design Code is a once in a generation event, and an immense task to embark and complete.

South Australia's Expert Panel on Planning Reform (the panel) established clear directions for the new planning system, intended to benefit all South Australians. Since the panel's ideas for reform were published in 2014, significant work has occurred, but the process has in part lost sight of the directions for reform, and how to best achieve the desired outcomes for a new planning system.

The matters identified here are not intended as critique for critique's sake, but rather represent the City of Adelaide's fundamental commitment to the role of good planning in shaping a vibrant, sustainable, competitive, and liveable capital city.

4.1 The Draft Planning and Design Code is incomplete

The City of Adelaide has thoroughly considered the consultation version of the Draft Planning and Design Code.¹ Regrettably, key policy elements with direct bearing on the implementation of the Code in the City of Adelaide have not been provided for comment, and the status of these elements is unclear.

In effect and based on the information provided, the City of Adelaide is unable to understand, communicate, or prepare for the full impact and implications of the Code on the City's landscapes and communities.

¹ Updates to the Draft Code released by DPTI in late December 2019 have not been reviewed. The large volume of additional material released unexpectedly and without extension to the consultation timeframe has made review of this material impracticable in terms of the resources required to consider the volume of content, and the council's internal processes for endorsement of submissions.

MISSING PIECES in the Draft Code/system	CHALLENGES for the City of Adelaide
<p>Public realm</p> <p>Following requests for draft Design Standards, DPTI confirmed in December 2019 that none had been developed. The PDI Act requires that aspects of development relating public realm, infrastructure and encroachment be assessed against the P&D Code or Design Standards.² The P&D Code does not include adequate provisions relating to development or activity in the public realm for the City of Adelaide.</p>	<p>Protection and enhancement of the public realm cannot be achieved through development control, resulting in reduced quality of the public realm, and more uncertainty and conflict around the use of public land.</p>
<p>Approvals under sections 221 and 22 of the <i>Local Government Act 1999</i></p> <p>The PDI Act amends Sections 221 and 222 of the <i>Local Government Act 1999 (SA)</i> (LG Act) with the effect that activities currently requiring a council-issued permit will no longer require a permit if the activity forms part of an approved development application under the PDI Act.</p> <p>This relates to activities such use of public roads (e.g. road closures, erection of cranes, encroachments).</p> <p>DPTI have indicated that <i>Practice Direction 6 – Scheme to Avoid Conflicting Regimes 2019</i> deals with this matter sufficiently, however the City of Adelaide has obtained legal advice that does not support this view.</p>	<p>Unregulated use of public roads (e.g. road closures, crane erection) without public consultation, and with impacts on the use and enjoyment of the public realm, impacts on public safety, public liability and indemnity, maintenance and repair, and local trade and other occupiers of private land.</p>

Recommendations

- Authorise the City of Adelaide's current public realm policy documents to form provisions within the P&D Code or a City of Adelaide Design Standards in the new planning system to be considered as part and parcel of the planning assessment process
- Provide direction to implementation section 102(11)(b) of the PDI Act which allows a council to charge fees for the use and management of the public realm.
- Enable regulation of use of public roads through the following options (in order of preference):

² *Planning Development and Infrastructure Act 2016* Sections 102 and 69.

- Amending the PDI Act; or
- Not proclaiming Schedule 6, Part 7 (Amendment of the LG Act), to allow for further investigations to be undertaken to understand the impacts and put appropriate measures in place to avoid adverse impacts; or
- Development of a Practice Direction and/or Practice Guideline to clearly state that the planning approvals process should not consider construction matters or management of the use the public realm and that these remain within the ambit of Sections 221 222 of the LG Act; and
- Ensure public realm matters are encapsulated appropriately in either the P&D Code or a specific City of Adelaide Design Standard for implementation by 1 July 2020; and
- Investigate whether under the PDI Act, any standard conditions on a Development Application may resolve some matters currently dealt with by a Section 221/222 permit; and
- Investigate the further legislative impacts of the amendment and put in place appropriate measures to ensure procedural processes are effective by 1 July 2020.

4.2 Loss of important policies risks the future look and feel of our City

From the earliest stages of development of the new planning system, DPTI communicated that the initial Planning and Design Code would comprise current Development Plan policies in the new Code format, in effect a “like for like” transition to precede future changes to policy content developed in consultation with councils.

The current version of the Draft Code does not represent that commitment. Policy intent, content and tools fundamental to the City of Adelaide’s ability to sustain and enhance the quality of its streets and buildings are absent from the Draft Code, and have not been replaced with substantive planning policy to the detail or rigour necessary to enable good development outcomes, evidenced by the review and testing of the Code contained in Attachments A, B and C.

Amongst current Adelaide (City) Development Plan policies excluded from the Draft Code are best-practice, evidence-based policies that directly contribute to the quality of environment and experience the city provides to its residents, workers, and visitors. For example, pedestrian scale legibility and movement, Crime Prevention through Urban Design (CPTUD), and building setbacks are not in the draft Code.

Attachments A, B and C illustrate in detail the extent and significance of policy loss in the City of Adelaide, while the following table summarises the losses of greatest impact.

Policies EXCLUDED from the Draft Code	CHALLENGES for the City of Adelaide
<p>Demolition</p> <p>In response to the unique and historic context, currently all demolition in the City of Adelaide requires planning consent. Under the Draft Code no provision is made for demolition control in the City of Adelaide other than for a listed heritage place. This policy has been in place since the 1980s being an effective policy mechanism.</p>	<p>Unnecessary and premature demolition of buildings leading to vacant sites which provide little or no economic benefit to the city, reduce activation opportunities and negatively affect city streetscapes.</p>

Policies EXCLUDED from the Draft Code	CHALLENGES for the City of Adelaide
<p>Design and character</p> <p>Policy tools to sustain local character and that facilitate good design outcomes have been removed across the City of Adelaide (Refer below Section 5. Zone Summaries and Attachment B Development Plan to Code Audit).</p> <p>Specific policies lost include those relating to:</p> <p>In the Capital City Zone</p> <ul style="list-style-type: none"> • Human scale, a comfortable pedestrian environment, and intimate, active, inclusive and walkable spaces • Maintenance of Adelaide's distinct / historic grid pattern • The role of North Terrace as a cultural boulevard, King William Street as the commercial spine and Pulteney Street and Morphett Street as mixed-use commercial boulevards • Design solutions to ensure and facilitate good land use co-existence outcomes • Design of small-scale external alterations, e.g. shopfront alterations and canopies over footpaths • Application of podiums and associated design guidelines • Spacing between tower buildings to enable sunlight access to the public realm • Design and appearance of buildings e.g. façade composition, articulation and modelling with regard to settlement pattern Built form aspects of interface with the City Living Zone • Adaptability of ground floor levels through minimum ceiling to floor level heights. <p>In the City Living Zone:</p> <ul style="list-style-type: none"> • Design guidance to ensure buildings and additions are compatible with existing development (rather than a generic Deemed to Satisfy measure, e.g. for front setback) • Built form elements e.g. massing, frontage and setback widths, façade articulation • Local characteristics e.g. grand buildings on East Terrace, importance of landscaped grounds to historic character 	<p>Poorly designed development that does not respond to its context.</p> <p>Lowered quality of the built form and streetscapes that make the City:</p> <ul style="list-style-type: none"> • Economically attractive • Liveable • Walkable • Attractive to visitors • Competitive • Unique in the local character of its precincts and neighbourhoods. <p>Complaints due to poor outcomes being generated with little or no avenue for recourse.</p>
<p>Local Context</p> <p>Desired Character Statements (DFCs) have been removed and the proposed Zones provide limited detail on the local context. The existing DFCs drafted over 3- 4 decades have stood the test of time and facilitated good outcomes that are suited to each locality within the City.</p>	<p>The amenity of areas may be eroded by incompatible and inappropriate development.</p>

Policies EXCLUDED from the Draft Code	CHALLENGES for the City of Adelaide
<p>Pedestrians</p> <p>Policy tools to protect and enhance pedestrian movement has been removed from the City of Adelaide Zones and the General Development Policy modules do not relate to the complexity of the pedestrian network required for the City of Adelaide.</p> <ul style="list-style-type: none"> • The human scale element and objectives in achieving a comfortable pedestrian environment is missing from the policies. • Map and policies addressing the core pedestrian area and envisaged pedestrian links has been removed. 	<p>Poor outcomes for pedestrian movement and the comfort of pedestrians moving within and through the City of Adelaide.</p> <p>Removal of these policies also has ramifications for how vehicle movements are currently managed.</p>
<p>Car and bicycle parking</p> <p>Lower car parking rates and higher bicycle parking rates unique to the City of Adelaide.</p>	<p>A backwards step for sustainable transport.</p> <p>Less development potential and economic development potential due to excessive car parking requirements.</p> <p>Changes to car parking rates will be a cost burden to the development sector and have negative impacts on the land economics of development in the City of Adelaide. It will make the City a less attractive place to encourage development.</p>
<p>Noise</p> <p>Detailed noise policies appropriate to assess noise impacts in a high-density mixed-use area. The policies in the Development Plan were developed in 2006 with the collaboration and support of the State government</p>	<p>Compromises to amenity and likely increased compliance problems for Council.</p> <p>The City of Adelaide is one of a handful of worldwide cities recognised City for Music. Facilitating music in the City of Adelaide is contingent of good planning policy that mitigates the impacts of noise on more sensitive land uses.</p>

Policies EXCLUDED from the Draft Code	CHALLENGES for the City of Adelaide
<p>Heritage</p> <p><i>Insert details from 'Planning and Design Code' report to Council 11 February 2020.</i></p>	
<p>Heritage adjacency</p> <p>The Code provides no principles regarding development adjacent a listed heritage place or within a historic area.</p>	<p>Weakened heritage policies will have unintended consequences and impacts on the unique and important historic streetscapes of the City of Adelaide.</p>
<p>Adelaide Park Lands</p> <p><i>Insert details from APLA report 'Submission to the Planning and Design Code consultation' 6 February 2020 and any additional recommendations of the Council from their meeting 11 February 2020.</i></p>	
<p>CPTED</p> <p>City of Adelaide Development Plan policies for Crime Prevention through Environmental Design. Safety policies within the <i>Design in Urban Areas General Development Policy</i> module have limited application particularly in the City of Adelaide context.</p>	<p>Lost ability to contribute through internationally recognised best practice to community safety in public places utilising good design.</p>
<p>Public Art</p> <p>Adelaide (City) Development Plan Living Culture policies providing guidance on assessment of applications for public art, including consideration of design, materials, locations and safety.</p>	<p>No tools available to assess the numerous applications for public art received each year.</p>
<p>Land Use Definitions</p> <p>Definitions of land uses for which the City of Adelaide receives applications, including but not limited to:</p> <ul style="list-style-type: none"> • Adult entertainment premises • Adult products and services premises • Amusement machine centre • Licenced premises • Licenced entertainment premises • Community centre • Health care facilities <p>The Draft Code also uses inconsistent language, such as 'residential', 'apartments' and 'dwellings', with not all of these terms defined.</p>	<p>Increased uncertainty of development assessment outcomes for applicants and the City of Adelaide resulting from undefined land uses and/or inconsistency of language.</p> <p>Increased legal review and costs to applicants, the community and Council.</p>

Policies EXCLUDED from the Draft Code	CHALLENGES for the City of Adelaide
<p>Inappropriate land uses</p> <p>Land uses which are not envisaged in a Zone have been omitted from policy and will instead default to a performance assessed development assessment pathway, with no additional policies added to the Code to guide an assessment.</p> <p>In the reverse, some proposed zonings open up land use opportunities that are inappropriate for an area. The draft City Living Zone now has a more mixed-use approach than the intended residential focus. This is not a provision that is contained anywhere within the Adelaide (City) Development Plan currently and has the potential to facilitate the infiltration on non-residential land uses within an historic residential area. This is not supported.</p>	<p>Inappropriate land use may infiltrate areas leading to adverse amenity impacts.</p>

Recommendations

- Include existing Development Plan policies in the Planning and Design Code, as detailed in Attachment A.
- Include non-envisaged land use list to provide clarity and certainty to the community about what is envisaged and assist Council planning assessment within reduced timeframes under the PDI Regulations.

Uncertainty in demolition control

Through previous submission on the planning reform, the City of Adelaide has raised the importance of demolition controls within the City.

Currently, demolition within the City of Adelaide requires planning consent. This is a historic, unique and important policy to the City to avoid the unnecessary and premature demolition of buildings leading to vacant sites which provide little or no economic benefit to the city, reduce activation opportunities and negatively affect city streetscapes.

The gazetted *Planning, Development and Infrastructure (General) Regulations 2017* allows the demolition of buildings without development approval, other than a listed heritage place or where it is otherwise identified in the Planning and Design Code. In the *State Planning Commission's Guide – Key Changes to the PDI (General) Regulations 2017*, it was stated that in response to feedback received during consultation, the City of Adelaide would be an area designated by the Planning and Design Code that would require development approval for the demolition of a building.

This has not eventuated in the current Draft Code, in which 'demolition' is not listed in any classification table within any Zone within the City of Adelaide, other than demolition of a State Heritage or Local Heritage Place.

On 22 August 2019, the Lord Mayor wrote to the Minister for Planning about the importance of maintaining demolition controls within the City of Adelaide.

On 8 November 2019, the Minister for Planning replied to the Lord Mayor's letter, stating:

"I am advised by the Department of Planning, Transport and Infrastructure (the department) the recently released consultation draft of the Planning and Design Code (the Code) contains demolition control within the City."

This advice contradicts the Draft Code, in which reference to demolition of buildings within any Zone classification table within the City of Adelaide is absent.

4.3 The Draft Code is unlikely to streamline development assessment

An aim of the planning reform process as per the Expert Panel's recommendations was to streamline development assessment, reduce unnecessary cost and time and provide clarity and certainty for applicants, planning authorities and communities.

As it stands, the Draft Code incorporates barriers to more streamlined development assessment, specifically as a result of the imprecise guidance provided for land use classification and public notification across many zones.

There are many instances in which implementation of the Draft Code would subject applications that are simple and straightforward under the current Development Plan to a more onerous assessment process and require public notification despite their low community impact or desired development outcome.

Attachments A, B and C illustrate these changes in detail, the below table summarises some of the key findings within the Draft Code. Attachment D has been provided to the Department and Commission on numerous occasions and is a study which illustrates how the Code could make improvements to current practices to streamline what we have described as "low risk" applications. Council supports making additional improvements to the Code to reduce cost and complexity for simple, envisaged applications and to save business and the community time and cost.

Draft Code	CHALLENGES for the City of Adelaide
<p>Classification of envisaged land uses</p> <p>'Envisaged land uses' identified in zone provisions are not consistently reflected in the associated zone classification tables.</p> <p>Envisaged land uses omitted from the classification tables are classified as <i>all other Code assessed development</i>, meaning:</p> <ul style="list-style-type: none"> • Public notification is required other than where applications are determined to be minor (minor is undefined). • The Council Assessment Panel (CAP) is the relevant authority 	<p>Through procedural anomaly, the council bears the time and cost of performance assessment and public notification of applications for:</p> <ul style="list-style-type: none"> • land uses that are explicitly envisaged by the zone policies; or • minor applications which are adjacent another Zone due to narrow Zone boundaries or large parcel cadastres. <p>Notification of conservation works to a heritage place but not demolition of a heritage place.</p> <p>A substantially higher number of applications will be subject to public notification, at increased time and cost with no material benefit.</p>
<p>Procedural matters</p> <p>The procedural matters wording of 'the site of the development is adjacent land to land in a different zone' used in many City of Adelaide Zones requires clarification of applicability. Due to the boundaries of the Zones and land parcels, this wording will require notification of more applications.</p> <p>Applications which should be subject to public notification, such as demolition of a State Heritage Place or Local Heritage Place is not required in the Draft Code. However, an application for 'conservation work' to a heritage place would default to 'all other code assessed development' and would require public notification. This is an adverse outcome of the P&D Code and is not supported.</p>	<p>Unclear what policies will be applied to common application types, creating confusion.</p>
<p>Classification of envisaged development</p> <p>The classes of development listed within classification tables, generally list land uses or common suburban type development types, but does not reflect common application types that the City of Adelaide receives, such as 'external alterations to shop/restaurant/office/consulting rooms', 'installation of verandah/canopy above footpath', 'public art'</p>	

Draft Code	CHALLENGES for the City of Adelaide
<p>Exemptions to Placement of Notices</p> <p>None of the City of Adelaide zones provide the exemptions row for the placement of notices within the procedural matters table. This should be considered in the City high-scale context, particularly with the increase in public notification the draft Code currently proposes.</p>	<p>Increased notices in windows at ground level.</p>
<p>Restricted Development</p> <p>The Draft Code proposes some (but limited) land uses or forms of development be 'restricted'. However, this does not always reflect the current Development Plan, in terms of undesired land use or development, nor does it necessarily reflect complexity.</p> <p>The State Planning Commission assesses 'restricted' forms of development.</p>	<p>Loss of ability to assess applications that are currently assessed by Council. This further erodes Council's role as a legitimate assessment body.</p>
<p>Streamlining minor applications</p> <p>The Draft Code could go further to streamline low impact development applications, as envisaged by the Expert Panel.</p>	<p>Low impact developments will still require a development assessment, increasing time and cost for all.</p>

Recommendations

- Reword the procedural matters tables within all Zones within the City of Adelaide so as not to unnecessarily increase public notification in the city for minor applications.
- List all 'envisaged land uses or development types' within the Zone classification tables and provide the policies these will be assessed against, to avoid envisaged land uses defaulting to 'all other code assessed development'.
- All procedural matters tables should include that applications for demolition of a State Heritage Place or Local Heritage Place require public notification.
- Review and refine classification tables in the City Zone to reflect the common application types that occur in this context.
- Current 'merit' development should not transition to the Code as restricted development'.

4.4 The development of the Code has the potential to undermine good planning practice and outcomes

A critical recommendation of the Expert Panel was to 'legislate to create a charter of citizen participation' with the focus being on 'testing ideas with community input before they become

definitive propositions'.³ This recommendation was recognised as a code objective of the PDI Act.

Council has significant concerns with the scope, approach, activities and reach of the engagement undertaken by the State Planning Commission on the Draft Code. It is also concerned by the lack of progression and consultation with Council on the state-wide ePlanning solution which will have significant impact to Council business.

The below summarises Council's view that the development of the Code does not achieve good planning practice and may result in detrimental impacts to the City's landscapes and community. It is critical to avoid unintentional change; The Code needs more testing to engender better industry support.

The implementation of the Code is being rushed due to a legislated deadline of 1 July 2020. This date has resulted in the rushing of policy making with a lack of evidence base guiding development and disingenuous consultation. This may result in a flawed planning system with unintended consequences, at odds with the core objective of good planning practice of the PDI Act.

Compromised Planning Practice	RISKS to the City of Adelaide
<p>Community Engagement Charter</p> <p>A core objective of the PDI Act is to provide a scheme for community participation regarding the initiation and development of planning policies.⁴ The Community Engagement Charter envisages an engagement process which "<i>matches the significance of the planning change</i>". The Commission's engagement plan identifies that "<i>everyone who lives in South Australia is affected by the Code</i>". The scope, approach, activities and reach of the engagement undertaken by the State Planning Commission has been less than that stated and does not match the level of potential impact proposed by the Draft Code.</p>	<p>The community are not aware or do not understand the level of changes to planning policies to their area or property.</p>

³ South Australia's Expert Panel, 'The Planning System we want on planning reform', December 2014, p 36.

⁴ *Planning, Development and Infrastructure Act 2016 (SA)* s 12(1)(b).

Compromised Planning Practice	RISKS to the City of Adelaide
<p>ePlanning</p> <p>The Draft Code was designed for an <i>ePlanning</i> format but was not ready for the consultation. Undertaking consultation on such a complicated document in the current manner is arguably not '<i>fit for purpose</i>'.</p> <p>The state-wide ePlanning solution will not provide all business requirements of Council, however the full impacts of this remain unclear. Consultation on the ePlanning solution has been limited. Council will have to work undertake significant integration works, but the specific details of what this involves remains unclear.</p> <p>The P&D Code Map viewer that was released with the consultation had many errors, relating to ambiguities with technical and numerical variations. Additionally, it is unclear whether a property selected is a listed heritage place itself or adjacent a heritage place. This creates confusion.</p>	<p>Council may not be business ready by 1 July 2020, impacting services to the community.</p> <p>Planning zoning and policies which apply to a property will not be clear to the customer on 1 July 2020.</p>

Recommendations

- Delay implementation to:
 - enable additional consultation on changes to the Code arising from Phase 3 submissions; and
 - ensure every South Australian is notified of the changes proposed to their property to meet the PDI Act and Charter.
 - Provide Council's adequate time to preparing for the full impact of the changes, including the considerable integration works they will be required to undertake in order to maintain required business operations and service to our community.
- Reinstate the policies developed by the City of Adelaide and DPTI in good faith, and/or clearly communicate why this body of work was excluded from the Draft Code.

Has South Australia's Community Engagement Charter been upheld?

Table 4.1 summarises the City of Adelaide's greatest concerns with the community and stakeholder engagement process with reference to the principles of South Australia's Community Engagement Charter, and suggestions to realign the Code development process with those principles.

Community Engagement Charter Principle	Evidence of non-alignment	Proposed action to align
Engagement is genuine	No opportunity for consideration of the revised Code between close of Phase 3 consultation and implementation in July 2020. In effect this means either significant changes arising from Phase 3 will not be consulted on, or no significant changes will be made based on Phase 3 submissions.	<ul style="list-style-type: none"> • Delay implementation to enable additional consultation on changes to the Code arising from Phase 3 submissions and ensure every South Australian is notified of the changes proposed to their property to meet the PDI Act and Charter. • Reinstate the policies developed by the City of Adelaide and DPTI in good faith, and/or clearly communicate why this body of work was excluded from the Draft Code.
Engagement is inclusive and respectful	<p>Significant collaborative policy work undertaken by the City of Adelaide and DPTI is not reflected in the Draft Code, without explanation.</p> <p>The governance framework for making changes post consultation is also unclear.</p>	
Engagement is fit for purpose	The Draft Code was released with extensive errors. A majority of the consultation period has had to be used to note errors, rather than focus on whether the policies are sufficient, can be applied appropriately or identify what is missing.	
Engagement is informed and transparent	<p>Many of the City of Adelaide's areas have had policies removed, new policies created, or areas rezoned completely. No evidence base for these decisions has been provided by the State Planning Commission, making it unclear as to how or why some things have been drafted and whether the Commission understands the history of some policies/areas and the impact that these changes will create.</p> <p>The release of an update report, updated classification tables and Phase 3 Historic Area Statements on 23 December 2019 has not allowed for an informed consultation period for the community or Council.</p>	
Engagement processes are reviewed and improved	The Commission has acknowledged the complexity of the Code and its accessibility; however, it remains unclear how this issue will be resolved in the interest of the community and ensuring sufficient engagement of the Code has occurred.	

5. SUMMARIES AND RECOMMENDATIONS OF PROPOSED ZONES

Individual pages on each Zone and Subzone to be inserted here.

The City of Adelaide has maintained a number of its city specific Zones and has also been provided with several Subzones, acknowledging the unique and important areas of the City and North Adelaide. However, every Zone has had some level of change; being either a reduction in policy to adequately reflect the local context or needs of the area or a proposed rezoning that does not provide the necessary policy requirements for the area.

The below is a collated summary on each of the proposed Zones that may apply to the City of Adelaide with a recommendation on how these Zones or Subzones need to be finalised in the final Code for the Council to be satisfied that all necessary policy requirements are catered for within the new planning system so as not to lead to possible adverse outcomes.

Development Plan		Code		Level of Policy Change	Draft Recommendation for Submission
Zone	Policy Area(s)	Zone	Subzone(s)		
Capital City	14	City Main St	Rundle Mall Rundle St Hindley St Gouger/Grote St	MODERATE	Support only with policy changes
	-	Capital City	-	MODERATE	Support only with policy changes
City Frame	-	Capital City	City Frame	MODERATE	Support only with policy changes
City Living	30	Capital City Zone	City Frame	MODERATE	Support only with policy changes
	All excluding 30	City Living Zone	Medium-High Intensity	MODERATE	Support only with policy changes
Adelaide Historic (Conservation)	-	City Living	-	HIGH*	Support only with policy changes

Development Plan		Code		Level of Policy Change	Draft Recommendation for Submission
Zone	Policy Area(s)	Zone	Subzone(s)		
North Adelaide Historic (Conservation)	1, 3, 5, 7, 10, 12	City Living Zone	North Adelaide Low Intensity	HIGH*	Recommend this apply to all of North Adelaide
	2, 4, 6, 8, 11		-	HIGH*	Support only with policy changes
	15		Medium-High Intensity	HIGH*	Recommend this form its own subzone
	9	Community Facilities	-	HIGH*	NOT Support. Still considering alternative Zones.
Institutional (St Andrews)	-	Community Facilities	-	MODERATE	NOT Support. Still considering alternative zones.
Riverbank Zone	27	City Riverbank	Health	MODERATE	Support only with policy changes
Riverbank Zone	28	City Riverbank	Entertainment	MODERATE	Support only with policy changes
Institutional (Government House)	-	City Riverbank	Cultural Institutions	HIGH*	NOT Support. Recommend Government House form its own subzone of the City Riverbank Zone.
Institutional (University/Hospital)	West of Frome St	City Riverbank	Cultural Institutions	HIGH*	Support only with policy changes
	East of Frome St	City Riverbank	Innovation	HIGH*	
Main St (Adelaide)	-	Urban Corridor (Main St)	-	HIGH*	NOT Support. Recommend City Main Street Zone with own Subzone.

Development Plan		Code		Level of Policy Change	Draft Recommendation for Submission
Zone	Policy Area(s)	Zone	Subzone(s)		
Main St (Hutt)		Urban Corridor (Main St)		HIGH*	NOT Support. Recommend City Main Street Zone with own Subzone.
Main St (Melbourne East)		Urban Corridor (Main St)		HIGH*	NOT Support. Recommend City Main Street Zone with own Subzone.
Main St (O'Connell)		Urban Corridor (Main St)		HIGH*	NOT Support. Recommend City Main Street Zone with own Subzone.
Mixed Use (Melbourne West)		Suburban Activity Centre		HIGH*	NOT Support. Recommend Business Neighbourhood Zone.
Park Lands Zone	All except 19, 21 and 25	City Park Lands Zone		HIGH*	Support only with policy changes
	19, 21	City Park Lands Zone	Eastern Park Lands	HIGH*	Still under review
	25	City Park Lands Zone	Adelaide Oval	HIGH*	Still under review

* Some of the HIGH ratings, relate to the fact that the current zone is proposed as a new Zone and our preliminary research has identified a number of policy changes for these areas as a result.

6. ATTACHMENTS

Attachment A.1 City of Adelaide P&D Code amendment document – proposed rewording and additional policies to be added

(not all proposed re-wording has been included in this draft)

Attachment A.2 Audit of Adelaide (City) Development Plan into draft Planning and Design Code

(not all audit tables have been included in this draft)

Attachment A.3 Code Testing using City of Adelaide examples

Attachment A.4 Low Risk Application study

Attachment A.5 Commentary on draft Practice Directions

(To be completed)

Maintaining Our Public Realm

ITEM 13.1 11/02/2020

Council

Council Member

Deputy Lord Mayor (Councillor Hyde)

Public

Contact Officer:

Garry Herdegen, Acting Director Place

QUESTION ON NOTICE

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

'Could the Administration provide details of the public realm budget over the past 6 years?

Has the budget been increased by CPI for each of those financial years?

Have there been increases to this budget that reflect the need to maintain new horticultural, civil and other public realm assets as they are completed?

Does the Administration currently have a methodology applied annually to calculate the cost of maintaining new public realm assets as they are completed?

Noting significant additions and enhancements to the public realm the city must maintain, such as Rundle Mall, Gawler Place, Bank Street, Anzac Centenary Memorial Walk, Topham Mall, Hindley Street (west), Victoria Square, as well as a number of greening and horticultural projects, could the administration detail the assets built, upgraded or transferred to our ownership that require maintenance out of the public realm budget for that 6 year period?

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 -

Former Councillor Abiad

ITEM 13.2 11/02/2020
Council

Council Member
Councillor Martin

Public

Contact Officer:
Mark Goldstone, Chief
Executive Officer

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could the Administration advise;

1. When it or the Lord Mayor/Deputy Lord Mayor first became aware, formally or informally, that the former Councillor Houssam Abiad had accepted employment in Saudi Arabia
2. The date on which the Council register of interests was updated to reflect these new employment arrangements
3. If any member of the Administration sought legal advice about Councillor Abiad's appointment in Saudi Arabia and the nature of that advice?'

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 -

Golf Links Park Lands

ITEM 13.3 11/02/2020
Council

Council Member
Councillor Martin

Contact Officer:
Ian Hill, Director Growth

Public

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'On the December 11th 2018 during debate of a motion to release the Golf Course Master Plan which was defeated by the majority faction of Council, the Administration suggested that the Master Plan would be revealed in "March 2019".

At the opening of State Parliament on February 5th, the Marshall Government foreshadowed a priority was to construct an entertainment hub at either the railyards adjacent to the new health precinct or, among competing proposals, on the southern end of the Adelaide Golf Course.

Could the Administration advise;

- i) Have there been discussions, formal or informal, between the Lord Mayor or any member of the Administration with the State Government or any other party, including representatives of Adelaide Venue Management Corporation, about any part of the Park Lands constituting the Golf Course or around the Golf Course being developed or an entertainment hub or stadium
- ii) If so, what has been the nature of those discussions
- iii) Is the one year delay in the release of the Golf Course master Plan related to the possibility of development on that part of the Park Lands
- iv) Have there been discussions, formal or informal, between the Lord Mayor or any member of the Administration with the State Government or any other party, including representatives of Adelaide Venue Management Corporation, about any part of the Park Lands on or around the railyards mentioned above being developed or an entertainment hub or stadium
- v) If so, what has been the nature of those discussions
- vi) If there have been any discussions as in ii) and v) when will the elected body be fully briefed?'

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 -

Supporting the Adelaide Fringe Festival

ITEM 15.1 11/02/2020
Council

Council Member
Councillor Simms

2019/01425
Public

Contact Officer:
Clare Mockler, Deputy CEO &
Director Culture

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 requests that administration:

1. works with the Adelaide Fringe and property owners to investigate potential locations in the city or North Adelaide (excluding the Park Lands) for a temporary accommodation hub, or ‘Artists Village’ for the Adelaide Fringe 2021;
2. considers options to encourage the use of vacant land and/ or properties as future Fringe venues;
3. reports back to Council by June 2020.’

ADMINISTRATION COMMENT

1. We will work with the Adelaide Fringe to further explore their intentions for an ‘Artists Village’. We are currently working with interested accommodation businesses that are looking for opportunities to expand their offering to visiting artists.
2. We will work with our strategic partner, Renew Adelaide, to identify vacant commercial properties that may be suitable for temporary accommodation.
3. The Economic Development & Innovation Program is currently trialling a new system for collecting and visualising commercial property occupancy / vacancy and tenant mix. This could be used to identify potential vacant land (excluding the Park Lands) and suitably zoned vacant property. City of Adelaide could facilitate introduction of interested parties through its partnership with Renew Adelaide.
4. We will advise the Adelaide Fringe of vacant and property within the timeframe required for the 2021 festival.
5. If supported, a report will be provided to Council by June 2020.

- END OF REPORT -

Council Member
Councillor Simms

2019/01425
Public

Contact Officer:
Clare Mockler, Deputy CEO &
Director Culture

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 requests that:

1. administration prepare a brief report outlining strategies for how Council can encourage and support events and activities held in the City, to be more accessible and inclusive for patrons with disability;
2. this report includes the potential establishment of a grants program (to cover such things as hire of marveloo and/or Auslan interpreters) to be available to events/ activity organisers in the city, as part of Council's budget consideration process.'

ADMINISTRATION COMMENT

1. The City of Adelaide Disability Access and Inclusion Plan 2019-2022 (DAIP) outlines a range of strategies and actions for breaking down barriers to participation. Since the endorsement of our DAIP in February 2019, the State Government has launched their Inclusive SA Plan 2019-2023. There are opportunities to support and collaborate on actions within these plans to achieve outcomes for the City in relation to event and activity accessibility.
 - 1.1. City of Adelaide Disability Access and Inclusion Plan, Outcome 2.1 City Events are accessible to all, Action 2.1.3 – City of Adelaide encourages the delivery of accessible events in the city, by providing information, support and funding to event organisers.
 - 1.2. City of Adelaide Disability Access and Inclusion Plan, Outcome 2.1 City Events are accessible to all, Action 2.3.3 – City of Adelaide grants and sponsorship programs support accessible activities and events; the guidelines, application forms and online application system are accessible to all users.
 - 1.3. Inclusive SA Plan 2019-2023, Priority 1 – Involvement in the Community, Action 1: Develop an event toolkit to promote accessible and inclusive practices for State authorities in the community events.
2. We have been working with the Access and Inclusion Advisory Panel on an access and inclusion case study project for "Accessible Events". Through this, a range of opportunities for improvement have been identified which can be outlined in the report.
3. The report can also provide an update on the development of the State Government's "Events Toolkit". City of Adelaide has been identified as a key stakeholder for the project.
4. Grant funding to support and encourage the inclusion of accessibility measures for activities and events in the City can be explored in the report. Accessibility measures can include but are not limited to:
 - 4.1. Auslan interpreters, captioning, Marveloo (portable Changing Places), hearing augmentation, audio description, ramps, tactile ground surface indicators and electric wheelchair recharge.
 - 4.2. We know that as well as funding, information and support are also vital to ensuring best practice accessible events management becomes understood and implemented. Therefore, the report could also explore opportunities to provide access consulting expertise and disability awareness training to event organisers.

- END OF REPORT -

Recycling and Waste Management

ITEM 15.3 11/02/2020
Council

Council Member
Councillor Simms

2019/01444
Public

Contact Officer:
Ian Hill, Director Growth

MOTION ON NOTICE

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

'Council requests that :

administration advise of options to increase the number of recycling bins and install e-waste and green-waste bins in public places, as part of the upcoming budget consideration process.'

ADMINISTRATION COMMENT

1. Administration is investigating opportunities for innovation and meaningful change in the management of waste and recycling within the City of Adelaide in the development of the draft Waste and Recycling Strategy. This includes public waste management.
2. The result of our recent waste audits and investigation on the public bins in the City of Adelaide identified that there is significant room for improvement.
3. Administration is currently investigating a systems-based approach to target our goal of waste minimisation and diversion from landfill in the public space, from the point of generation to the point of disposal. This includes implementing tailored waste separation stations in both public places and community centres. In addition, a waste reduction campaign will support waste avoidance/minimisation and the uptake of alternatives to single-use plastics.
4. Changes in State legislation are anticipated with regard to single-use plastics. If enacted, this would result in a change of the types of materials generated and will likely increase the volumes of organic waste (compostable materials) in the public space.

- END OF REPORT -

City of Adelaide Zero Waste Target

ITEM 15.4 11/02/2020
Council

Council Member
Deputy Lord Mayor (Councillor
Hyde)

2019/01444
Public

Contact Officer:
Ian Hill, Director Growth

MOTION ON NOTICE

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

'That:

Council commit to becoming a zero waste City by 2030 including its own operations, clearly demonstrating environmental leadership through such initiatives in the new Strategic Plan.'

ADMINISTRATION COMMENT

1. Administration is investigating opportunities for transformational change in the management of waste and recycling within the City of Adelaide. It is proposed that the draft Waste and Recycling Strategy will be underpinned by tailored, innovative and bold goals targeted to the Circular Economy. This could include the potential for the City of Adelaide to be zero waste by 2030.
2. As part of the development of the Waste and Recycling Management Strategy, Administration has undertaken several initiatives including:
 - 2.1. conducting an extensive review of our current waste service offering and programs;
 - 2.2. developing a baseline of research by conducting a series of comprehensive waste audits of our internal and external operations. Data results were presented to Committee in November 2019.
 - 2.3. investigating international and local case studies demonstrating best practises in the industry. Some of these case studies involve jurisdictions which have established goals of zero waste.
3. Administration is committed to initiatives that demonstrate environmental leadership in waste management. The motion is consistent with our current approach to Carbon Neutral Adelaide.

- END OF REPORT -

Adelaide Aquatic Centre Consultation

ITEM 15.5 11/02/2020
Council

Council Member
Councillor Couros

2019/01387
Public

Contact Officer:
Ian Hill, Director Growth

MOTION ON NOTICE

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

That Council:

1. Notes its commitment to undertake a thorough consultation on both the Independent Needs Analysis commissioned by the Administration and the draft Unsolicited Bid Proposal received from the Adelaide Football Club.
2. Extends the current community consultations underway for three weeks and includes as part of this extension:
 - a. An improved user interface that more readily displays the supporting information for those completing the survey and one that is more mobile friendly;
 - b. Increasing the availability of translation and interpretive options to assist members of the multicultural community in completing the survey;
 - c. An assessment to ensure the consultations are easily accessible for members of our community with a disability.'

ADMINISTRATION COMMENT

1. The Administration notes that there has been feedback from a section of the community with respect to difficulty in interpreting the information and completing the survey.
2. Community consultation has been undertaken in accordance with the endorsed Engagement Plan and the City of Adelaide's (CoA) established engagement practices with the community and stakeholders notified of the consultation using the following methods / platforms:
 - 2.1. Your Say Adelaide (YSA): online engagement platform;
 - 2.2. Hard copies of the consultation material located within all CoA Libraries, Community Centres, Adelaide Aquatic Centre (ACC) and upon request;
 - 2.3. Letterbox drop to CoA residents;
 - 2.4. Inclusion in various community electronic newsletters;
 - 2.5. Social Media (e.g. Facebook, Instagram);
 - 2.6. Posters, postcards and pop-up banners within the AAC (four).

- 2.7. Electronic banner displayed on screens located at the AAC and CLC buildings.
- 2.8. Face to Face surveying of users at the AAC
3. Should this Motion be adopted, Administration will:
 - 3.1. Extend the consultation period for a further three weeks to conclude on the 11 March 2020;
 - 3.2. Make changes on the 'Your Say' Adelaide platform to improve the display of information on both PC and mobile devices;
 - 3.3. Produce information to promote the consultations to those multicultural community identified by the Australian Bureau of Statistic (ABS) for wider Adelaide;
 - 3.4. Promote the already available translation service (Google Translate) located at the top of the Your Say Adelaide website to make the availability of this this service more prominent. This translates the pages into approximately 80 languages, based on current service provisions;
 - 3.5. In addition to the methods / platforms outlined above, CoA will actively promote the extension of the consultation process through a range of mediums.
 - 3.6. Undertake an assessment of the Your Say Adelaide platform to ensure maximum available accessibility for members of our community with a disability noting that the Your Say Adelaide platform is regularly audited and is fully compliant with the Web Content Accessibility Guidelines (WCAG).

- END OF REPORT -

Kingston Terrace

ITEM 15.6 11/02/2020
Council

Council Member
Councillor Couros

2018/04053
Public

Contact Officer:
Garry Herdegen, Acting Director
Place

MOTION ON NOTICE

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

‘That Council:

Consider the design and construction upgrade of Kingston Terrace - West (between Fuller Street to Francis Street intersections) in the 1920/21 Integrated Business Plan and Budget. Such considerations would include reconstructed road pavement and road surface, blue stone kerb, footpath and landscaped verge.’

ADMINISTRATION COMMENT

1. The overall asset condition of Kingston Terrace West is currently fit for purpose. Asset condition data which informs the Asset Management Plans and Long-Term Financial Plan indicates that the asset class components are serviceable for the following periods;
 - 1.1. The road pavement is currently structurally sound and not showing signs of significant formation movement. The pavement has a structural estimated 40 years remaining.
 - 1.2. The road surface (asphalt) predicted useful asset life has 4 years remaining. But is actually performing well and therefore the standard asset management approach is to “sweat” the assets to reprioritise funding to other roads in worse condition.
 - 1.3. The existing bluestone kerb has an estimated 49 years remaining.
 - 1.4. The footpath between number 40-50 Kingston Terrace has an estimated 40 years useful life remaining, and 50 Kingston Terrace to Fuller Street has 8 years remaining.
 - 1.5. The stormwater network has an estimated 40 years remaining.
2. It is noted that there is a section of Kingston Terrace that doesn’t have formal kerb and gutter on the northern side abutting Park 6 “Nantu Wama” (opposite number 48-64 Kingston Terrace). This area is currently utilised for informal 90-degree car parking. The potential construction of the north edge kerb infrastructure would require the formalisation of car parking space and would likely reduce car park numbers if undertaken. It is estimated that to formalise this section of road would cost \$1.2m.
3. Infrastructure can include a design investigation project in the draft 2020-21 Integrated Business Plan for Council consideration which will explore the opportunities to formalise the northern edge of Kingston Terrace and this process will prioritise any future construction projects and timing to coincide with existing infrastructure in the street coming to its end of life.

- END OF REPORT -

State & Federal Funding for Aquatic Centre Upgrade

ITEM 15.7 11/02/2020
Council

Council Member
Councillor Martin

2019/01387
Public

Contact Officer:
Ian Hill, Director Growth

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;

Noting the supportive comments of the Deputy Lord Mayor to a public meeting outside the Aquatic Centre on February 4th, requests the Lord Mayor writes to the Premier and also to the Prime Minister to ascertain the nature of any programs and the level of any associated funding which could be used to upgrade the Adelaide Aquatic Centre in order to provide a modern, fit for purpose facility for this State's Capital City.'

ADMINISTRATION COMMENT

1. The Administration notes the intent of the Motion on Notice. If Council supports the Motion, Administration will prepare appropriate correspondence to respective State and Commonwealth leaders.

- END OF REPORT -

Exclusion of the Public

ITEM 17.1 11/02/2020
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 reports of the Adelaide Park Lands Authority and Audit Committee seeking consideration in confidence

18.1.1 Advice of the Adelaide Park Lands Authority in Confidence – 6/2/2020

18.1.2. Advice/Recommendations of the Audit Committee – 7/2/2020

For the following reports for Council (Chief Executive Officer's Reports) seeking consideration in confidence

18.2.1. 2019-20 Quarter 2 Commercial Operations Report [s 90(3) (b)]

18.2.2 2019-20 Planning and Development Fund Projects [s 90(3) (b)]

18.2.3 Partnership Proposals 2019-20 [s 90(3) (b)]

18.2.4 Capital City Committee Update [s 90(3) (g) & (j)]

18.2.5 Appointment of Board Members to Rundle Mall Management Authority Board [s 90(3) (a)]

The Order to Exclude for Items 18.1.1, 18.1.2, 18.2.1, 18.2.2, 18.2.3, 18.2.4 and 18.2.5:

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 18.1.1

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (d) & (j) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/2/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.1.1 [Advice of the Adelaide Park Lands Authority in Confidence – 6/2/2020] 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 contains commercial information of a confidential nature which the State Government has requested be considered in confidence on the grounds that the details and budget for the project are still being resolved and the release of this information prematurely may be misleading. The disclosure of the draft project details could reasonably be expected to prejudice the commercial position and negotiations of the State Government with external parties.

Public Interest

The Board 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 may result in the release of information prior to the finalisation commercial negotiations. The disclosure of this commercial information may materially and adversely affect the negotiations and the ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter which on balance would be contrary to the public interest.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/2/2020 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 [Advice of the Adelaide Park Lands Authority in Confidence – 6/2/2020] 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) (d) & (j) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.1.2

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (b) & (i) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/2/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.1.2 [Advice/Recommendations of the Audit Committee – 7/2/2020] 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 30 June 2020.

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

This Item is confidential nature because the report includes information on Council litigation.

The disclosure of information in this report could reasonably be expected to prejudice the outcome of Council's actual litigation.

The Audit 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 relates to actual litigation of council.

Public Interest:

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because 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 11/2/2020 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 18.1.2 [Advice/Recommendations of the Audit Committee – 7/2/2020] 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) & (i) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.2.1

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (b) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/2/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2.1 [2019-20 Quarter 2 Commercial 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 30 June 2020.

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

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because 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 11/2/2020 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 18.2.1 [2019-20 Quarter 2 Commercial 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) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.2.2

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (b) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/2/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2.2 [2019-20 Planning and Development Fund Projects] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

Disclosure of the confidential funding strategies and associated information could reasonably prejudice the commercial position of Council in its negotiations with its funding partners, which, on balance, would be contrary to the public interest as it would likely implicate the optimisation of funding opportunities council may be able to secure through its funding negotiations.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may confer a commercial advantage on a third party and severely prejudice the Council's ability to influence proposals for the benefit of the Council and the community in this matter.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/2/2020 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 18.2.2 [2019-20 Planning and Development Fund Projects] 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) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.2.3

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (b) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/2/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2.3 [Partnership Proposals 2019-20] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

The disclosure of proposed funding strategies and associated information including anticipated capital and operating expenditure on key strategic projects could reasonably prejudice the commercial position of Council in its negotiations with its funding partners and other third parties, which, on balance, would be contrary to the public interest, as it would likely undermine the optimisation of funding opportunities council may be able to secure through its negotiations and may result in inflated project costs.

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 given that release of such information may confer a commercial advantage on a third party and severely prejudice the Council's ability to influence proposals and efficiently deliver strategic projects for the benefit of the Council and the community in this matter.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/2/2020 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 18.2.3 [Partnership Proposals 2019-20] 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) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.2.4

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (g) & (j) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/2/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2.4 [Capital City Committee Update] 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 to ensure that the Council does not breach any law, any duty of confidence, or other legal obligation or duty.

The disclosure of information in this report would breach 'cabinet in confidence' information presented to the Capital City Committee and the *City of Adelaide Act 1998* which has provided for a State/Capital City inter-governmental forum (the Capital City Committee) to operate 'in confidence' and a breach of the associated duty of confidence and duty as a member of the inter-governmental forum.

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 would be contrary to the Capital City Committee's operations and could prejudice the position of the State Government and/or Council in relation to current/future proposals prior to State Government and/or City of Adelaide evaluation and deliberation.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/2/2020 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 18.2.4 [Capital City Committee Update] 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) (g) & (j) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.2.5

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 11/2/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2.5 [Appointment of Board Members to Rundle Mall Management Authority Board] 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 contains information that must be considered in confidence in order to ensure that the Council does not breach any law, any duty of confidence, or other legal obligation or duty. The disclosure of information in this report prior to a resolution being determined by Council may be of potential harm to the nominee's reputation in the business community

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 11/2/2020 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 18.2.5 [Appointment of Board Members to Rundle Mall Management Authority Board] 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 reports are submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 18.1.1 - Advice of the Adelaide Park Lands Authority in Confidence – 6/2/2020
 - 6.1.1 Is subject to an Existing Confidentiality Order dated 6/2/2020.
 - 6.1.2 The grounds utilised to request consideration in confidence is s 90(3) (d) & (j)
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which—
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest
 - (j) information the disclosure of which—
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest
 - 6.2 Information contained in Item 18.1.2 – Advice/Recommendations of the Audit Committee – 7/2/2020
 - 6.2.1 Is subject to Existing Confidentiality Orders dated 7/2/2020.
 - 6.2.2 The grounds utilised to request consideration in confidence is s 90(3) (b) & (i)
 - (b) information the disclosure of which—
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest
 - (i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council

- 6.3 Information contained in Item 18.2.1 – 2019-20 Quarter 2 Commercial Operations Report
- 6.3.1 Is not subject to Existing Confidentiality Orders.
- 6.3.2 The grounds utilised to request consideration in confidence is s 90(3) (b)
- (b) information the disclosure of which—
- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
- (ii) would, on balance, be contrary to the public interest
- 6.4 Information contained in Item 18.2.2 – 2019-20 Planning and Development Fund Projects [2019/00464] Presented to Committee 4/2/2020
- 6.4.1 Is subject to an Existing Confidentiality Order dated 4/2/2020.
- 6.4.2 The grounds utilised to request consideration in confidence is s 90(3) (b)
- (b) information the disclosure of which—
- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
- (ii) would, on balance, be contrary to the public interest
- 6.5 Information contained in Item 18.2.3 – Partnership Proposals 2019-20
- 6.5.1 Is subject to an Existing Confidentiality Order dated 4/2/2020.
- 6.5.2 The grounds utilised to request consideration in confidence is s 90(3) (b)
- (b) information the disclosure of which—
- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
- (ii) would, on balance, be contrary to the public interest
- 6.6 Information contained in Item 18.2.4 – Capital City Committee Update
- 6.6.1 Is not subject to Existing Confidentiality Orders.
- 6.6.2 The grounds utilised to request consideration in confidence is s 90(3) (g) & (j)
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty
- (j) information the disclosure of which—
- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
- (ii) would, on balance, be contrary to the public interest
- 6.7 Information contained in Item 18.2.5 – Appointment of Board Members to Rundle Mall Management Authority Board
- 6.7.1 Is not subject to Existing Confidentiality Orders.
- 6.7.2 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)

ATTACHMENTS

Nil

Confidential Item 18.2.1

2019-20 Quarter 2 Commercial Operations Report
Section 90 (3) (b) of the *Local Government Act (SA) 1999*
Pages 215 to 229

Confidential Item 18.2.2

2019-20 Planning and Development Fund Projects
Section 90 (3) (b) of the *Local Government Act (SA) 1999*
Pages 230 to 241

Confidential Item 18.2.3

Partnership Proposals 2019-20
Section 90 (3) (b) of the *Local Government Act (SA) 1999*
Pages 242 to 275

Confidential Item 18.2.4

Capital City Committee Update
Section 90 (3) (g) & (j) of the *Local Government Act (SA) 1999*
Pages 276 to 281

Confidential Item 18.2.5

Appointment of Board Members to Rundle Mall Management Authority Board
Section 90 (3) (a) of the *Local Government Act (SA) 1999*
Pages 282 to 286
