



COUNCIL MINUTES

for the meeting

Tuesday 14 April 2020



Present - 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.

Acknowledgement of Country

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

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

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

Acknowledgement of Colonel William Light

The Lord Mayor stated:

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

Prayer

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

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

Memorial Silence

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

Apologies and Leave of Absence

Nil

Confirmation of Minutes

1. Item 6 - Confirmation of Minutes – 10/3/2020, 16/3/2020, 23/3/2020 & 7/4/2020 [C]

Moved by Councillor Martin,
Seconded by Councillor Simms –

That the Minutes of the meeting of the Council held on 10 March 2020, and the Minutes of the Special meetings of the Council held on 16 March 2020, 23 March 2020 and 7 April 2020 be taken as read and be confirmed as an accurate record of proceedings.

Carried

Deputations

2. Item 7 – Deputation – Jan Chorley, CEO & Fiona Dorman, Deputy Chairperson, Australia Day Council of SA Inc – Australia Day Funding [C]

Jan Chorley and Fiona Dorman addressed the Council to:

- Discuss funding for the Australia Day Council of SA Inc. and also future strategies for the Australia Day Council of SA

The Lord Mayor thanked Jan Chorley and Fiona Dorman for their presentation.

3. Item 7 – Deputation – Dr Jane Lomax-Smith – Adelaide Aquatic Centre [C]

Dr Jane Lomax-Smith addressed the Council to:

- Discuss other options for the Adelaide Aquatic Centre

The Lord Mayor thanked Dr Lomax-Smith for her presentation.

4. Item 7 – Deputation – Mr Shane Sody – Adelaide Football Club Draft Proposal Consultation [C]

Shane Sody addressed the Council to:

- Discuss the Adelaide Football Club Draft Proposal Consultation Results and treatment of community responses

The Lord Mayor thanked Shane Sody for his presentation.

Advice from the Audit Committee

5. Item 9.1 - Advice/Recommendation of the Audit Committee – 27/3/2020 [2018/04062] [C]

Moved by Councillor Couros,
Seconded by Councillor Simms -

THAT COUNCIL

1. Notes the report of the meeting of the Audit Committee held on 27 March 2020.

Carried

Lord Mayor's Reports

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

The Lord Mayor addressed the Council Chamber as follows:

'If ever there was a stark reminder that life can change in the blink of an eye, this is it. These are truly unprecedented and challenging times for us all as we adjust and adapt to the challenges COVID-19 presents.

This is the first Council meeting of the pandemic using this technology, which will be a new experience and will take some time to adapt to. By working together, we can continue with our job to serve the community.

This pandemic is first and foremost a health crisis, and the City has worked hard and quickly to ensure the safety of our workers, residents and visitors. We also know the economic impacts are extensive – with so many workers and businesses facing such an uncertain future, it's just awful.

Thank you members for your leadership in endorsing Council's four million dollar support package. It will assist vulnerable community members and our local businesses. Council's package is working in tandem with significant Federal and State government support, for which I am thankful.

Vulnerable people in our community are a high priority. Council has been working closely with, and assisting, Government and non-government services to support vulnerable people during this time. The State Government's response is providing a way for people who are rough sleeping to be safe during this crisis, with 241 people provided with temporary motel accommodation. Our customer service centre is also connecting people in need of extra support with relevant service providers.

The Council of Capital City Lord Mayor recently met via zoom. This was a useful opportunity for Lord Mayors and CEOs to share what each of the capital cities are doing to support communities.

I would like to congratulate the traders and staff at the Adelaide Central Market on their agility in moving to their pre-order and collect model which has proved highly popular with regular market shoppers who want to support local traders - my family included. Many City and North Adelaide businesses have also had to rapidly adjust their business plans, and my thoughts are with them during this challenging and uncertain time.

Like you, my Easter was very different from previous years. What I did notice was that our city's park lands are active with people enjoying exercising in the fresh air with their families and pets or chatting away to friends on the phone, and I encourage local people, within the guidelines, to continue to take advantage of Adelaide's greatest community asset.

Finally, I would like to recognise that the 27th of April will be the birthday anniversary for Colonel William Light. I would like to acknowledge Light's vision and the legacy his design for the City of Adelaide has created. The Adelaide Park Lands are playing an important role in supporting the physical and mental health and wellbeing of our communities, now more than ever.

Thank you.'

It was then -

Moved by Councillor Couros,
Seconded by Councillor Abrahamzadeh -

That the report be received and noted.

Carried

Councillors' Reports

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

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Simms –

That the report be received and noted.

Carried

Reports for Council (Chief Executive Officer's Reports)

8. Item 12.1 – Adelaide Aquatic Centre Needs Analysis Consultation Results [2019/01387] Presented to Committee 7/4/2020 [C]

Moved by Deputy Lord Mayor (Councillor Hyde),
Seconded by Councillor Knoll,

THAT COUNCIL

- Notes the Adelaide Aquatic Centre “Needs Analysis” Community engagement findings summarised in Attachment A to Item 12.1 on the Agenda for the meeting of the Council held on 14 April 2020.

Discussion ensued, during which Councillor Khera left the meeting at 6.21pm and re-entered at 6.21pm.

The motion was then put and carried

9. Item 12.2 – Adelaide Football Club Draft Proposal Consultation Results [2019/01387] Presented to Committee 7/4/2020 [C]

Moved by Councillor Martin,
Seconded by Councillor Simms –

THAT COUNCIL

- Notes the community engagement findings for the Adelaide Football Club Draft Proposal summarised in Attachment A to Item 12.2 on the Agenda for the meeting of the Council held on 14 April 2020 and expresses its disappointment that 746 responses from the Adelaide Park Lands Preservation Association were not included in the illustrations and figures.

Much discussion ensued, during which Councillor Simms left the meeting at 6.47pm and re-entered at 6.48pm.

The motion was then put and lost

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

Division

For (4):

Councillors Donovan, Martin, Moran and Simms.

Against (6):

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

The division was declared against the motion

It was then -

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

THAT COUNCIL

- Notes the community engagement findings for the Adelaide Football Club Draft Proposal summarised in Attachment A to Item 12.2 on the Agenda for the meeting of the Council held on 14 April 2020.

Discussion ensued, during which Councillor Moran left the meeting at 7.18pm and re-entered at 7.19pm.

The motion was then put and carried

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

Division

For (7):

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

Against (3):

Councillors Martin, Moran and Simms.

The division was declared in favour of the motion

10. Item 12.3 – Child Care Facilities [2019/00957] Presented to Committee 7/4/2020 [C]

Moved by Councillor Moran,
Seconded by Deputy Lord Mayor (Councillor Hyde),

THAT COUNCIL

1. Authorises the Chief Executive Officer to:
 - 1.1. Advocate for best practice child care centre design in Council's response to the current consultation on the Draft Planning and Design Code which will apply to the City of Adelaide when approved, and related policy initiatives.
 - 1.2. Liaise with the Education Standards Board, SAMFS, DPTI and other relevant bodies to prepare a Development Information Guide for Child Care Centres to be available on-line via the Planning Design and Development page of the City of Adelaide website.

Discussion ensued, during which Councillor Khera left the meeting at 7.29pm and re-entered at 7.30pm.

The motion was then put and carried

11. Item 12.4 – Amendments to Heritage Incentives Scheme Operating Guidelines [2003/02604] Presented to Committee 7/4/2020 [C]

Moved by Deputy Lord Mayor (Councillor Hyde),
Seconded by Councillor Couros,

THAT COUNCIL

1. Approves the updated Heritage Incentives Scheme (HIS) Operating Guidelines as per Attachment A to Item 12.4 on the Agenda for the meeting of the Council on 14 April 2020.

Discussion ensued

The motion was then put and carried

12. Item 12.5 – Adelaide Archery Club – Lease Consultation Results [2015/02131] Presented to Committee 7/4/2020 [C]

Moved by Deputy Lord Mayor (Councillor Hyde),
Seconded by Councillor Couros,

THAT COUNCIL

1. Notes the results of the consultation process that was undertaken by the Administration in accordance with the requirements of the *Local Government Act (SA) 1999*.
2. Notes that the 15-Year Community Park Lands Lease Agreement will be presented to both Houses of Parliament in accordance with the *Adelaide Park Lands Act (SA) 2005*.
3. Authorises Chief Executive Officer to finalise and to execute all documentation to give effect to the 15-year Community Park Lands Lease Agreement with the Adelaide Archery Club located in Bullrush Park / Warnpangga (Park 10).

Discussion ensued

The motion was then put and carried

13. Item 12.6 – The Stables of Victoria Park - Lease Assignment [2013/00354-2] Presented to Committee 7/4/2020 [C]

Moved by Deputy Lord Mayor (Councillor Hyde)
Seconded by Councillor Knoll,

THAT COUNCIL

1. Approves the Deed of Assignment of Lease, as a result of the sale of business, from The Stables of Victoria Park Pty Ltd (Lessee) to Solomos Bars & Clubs Pty Ltd (Purchaser) for the leased and licensed area in Victoria Park/Pakapakanthi (Park 16).
2. Authorises the Chief Executive Officer to execute all documentation to give effect to the Assignment of Lease.
3. Authorises The Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the Deed of Assignment and associated documentation.

Carried

14. Item 12.7 – City of Adelaide Submission – Federal Parliamentary Inquiry into Homelessness [2017/03664] Presented to Committee 7/4/2020 [C]

Moved by Deputy Lord Mayor (Councillor Hyde),
Seconded by Councillor Simms,

THAT COUNCIL

1. Notes that the House of Representatives Standing Committee on Social Policy and Legal Affairs will inquire into and report on homelessness in Australia.
2. Notes the Inquiry deadline for receiving submissions has been indefinitely postponed due to the COVID-19 pandemic.
3. Requests the attached submission to the Parliamentary Inquiry into Homelessness in Australia as per Attachment A to Item 12.7 on the Agenda for the meeting of Council held on 14 April 2020 is revised to also incorporate analysis and feedback on the South Australian government's response to accommodating rough sleepers during the COVID-19 pandemic, particularly focusing on the speed and ease of this initiative.
4. In the event of a new submission deadline that would preclude council meeting to approve the revised submission, approves the current submission per Attachment A to item 12.7 on the Agenda for the meeting of Council held on 14 April 2020.

Discussion ensued

The motion was then put and carried

15. Item 12.8 – E-Scooter Update Report [2020/00191] Presented to Committee 7/4/2020 [C]

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Knoll,

THAT COUNCIL

1. Notes the report.

Discussion ensued

The motion was then put and carried

16. Item 12.9 – Appointment of Councillor to the Adelaide Central Market Board Member Selection Panel [2015/02959] [C]

Discussion ensued

It was then -

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

THAT COUNCIL:

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

Discussion continued

The motion was then put and carried

The Lord Mayor called for nominations for one Council Member to be a part of the Adelaide Central Market Authority Board Member Selection Panel for the remainder of the 2018-2022 Council term.

Deputy Lord Mayor (Councillor Hyde) nominated Councillor Hou, who accepted the nomination.

Councillor Moran nominated Councillor Martin, who accepted the nomination.

There being two nominees for one position, a ballot was conducted, resulting in Councillor Hou being selected for appointment.

The Lord Mayor called for nominations for three Council Member to be a part of the Adelaide Central Market Authority Board Chair Selection Panel for the remainder of the 2018-2022 Council term.

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

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

Councillor Hou nominated Councillor Hyde (Deputy Lord Mayor) and Councillor Knoll, who accepted the nomination.

There being six nominees for three positions, a ballot was conducted, resulting in Lord Mayor, Councillor Hyde (Deputy Lord Mayor) and Councillor Knoll being selected for appointment.

It was then –

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

That Councillor Hou be appointed to be a part of the Adelaide Central Market Authority Board Member Selection Panel for the remainder of the 2018-2022 Council term.

Carried

It was then –

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

That the Lord Mayor, Councillor Hyde (Deputy Lord Mayor) and Councillor Knoll be appointed to be a part of the Adelaide Central Market Authority Board Chair Selection Panel for the remainder of the 2018-2022 Council term.

Carried

17. Item 12.10 – Election of GAROC Representative [2018/04054] [C]

Moved by Councillor Martin,
Seconded by Councillor Knoll -

THAT COUNCIL

1. Notes the advice of the Local Government Association of South Australia that an election is being held for one position on the Greater Adelaide Regional Organisation of Councils.
2. Authorises the Lord Mayor to mark the ballot paper in accordance with Council's resolution to vote for one of the following candidates:
 - 2.1. Mayor Kris Hanna (City of Marion)
 - 2.2. Cr Kym McKay (City of West Torrens)
 - 2.3. Mayor Jill Whittaker (Campbelltown City Council)
 - 2.4. Cr Helga Lemon (City of Burnside)
 - 2.5. Mayor Elizabeth Fricker (Town of Walkerville)
 - 2.6. Mayor Claire Boan (City of Port Adelaide Enfield)
 - 2.7. Cr Don Palmer (City of Unley)
 - 2.8. Mayor Erin Thompson (City of Onkaparinga)
 - 2.9. Mayor Heather Holmes-Ross (City of Mitcham)

Carried

The Lord Mayor called for nominations to receive Council's vote for one position on the Greater Adelaide Regional Organisation of Councils.

Deputy Lord Mayor (Councillor Hyde) nominated Mayor Claire Boan (City of Port Adelaide Enfield).

Councillor Martin nominated Mayor Erin Thompson (City of Onkaparinga).

There being two nominees for one vote, a ballot was conducted, resulting in Mayor Claire Boan (City of Port Adelaide Enfield) receiving Council's vote.

It was then –

Moved by Deputy Lord Mayor (Councillor Hyde),
Seconded by Councillor Abrahamzadeh –

That the Lord Mayor mark the ballot paper in accordance with Council's resolution to vote for Mayor Claire Boan (City of Port Adelaide Enfield).

Carried

The meeting **adjourned at 8.35pm** for a 20-minute break **and reconvened at 8.56pm** with all Council Members present.

Questions on Notice

18. Item 13.1 – Councillor Martin – Question on Notice – Strategic Property Review [C]

The Question and Reply were taken as read.

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

19. Item 13.2 – Councillor Martin – Question on Notice – Adelaide Football Club Draft Proposal Consultation – Question 1 [C]

The Question and Reply were taken as read.

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

20. Item 13.4 – Councillor Martin – Question on Notice – Adelaide Football Club Draft Proposal Consultation – Question 3 [C]

The Question and Reply were taken as read.

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

21. Item 13.5 – Councillor Martin – Question on Notice – Adelaide Football Club Draft Proposal Consultation – Question 4 [C]

The Question and Reply were taken as read.

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

22. Item 13.6 – Councillor Martin – Question on Notice – Aquatic Centre Needs Analysis Consultation [C]

The Question and Reply were taken as read.

The tabled Reply for Item 13.6 is attached for reference at the end of the Minutes of this meeting.

23. Item 13.7 – Councillor Martin – Question on Notice – Council Debt [C]

The Question and Reply were taken as read.

The tabled Reply for Item 13.7 is attached for reference at the end of the Minutes of this meeting.

24. Item 13.3 – Councillor Martin – Question on Notice – Adelaide Football Club Draft Proposal Consultation – Question 2 [C]

The Question was taken as read.

The Lord Mayor read the following answer:

1. The City of Adelaide's (CoA) Community Engagement Strategy principles are based on the International Association for Public Participation's core values, the principles within the strategy are used to determine ethical and good practice throughout the engagement process from planning through to reporting.
2. The Policy states that when engaging the community in a decision-making process (of which legislated public consultation is a part) Council will provide relevant, timely and balanced information so people can contribute in a meaningful way.
3. There is no definition of bias defined in the Policy or Strategy. We use these principles as a guide to determine ethical and good practice throughout the engagement process from planning through to reporting.
4. The APPA brochure was prepopulated and:
 - 4.1. did not provide all information that was available on the YourSay site to enable people to provide a fully informed response to the questions being asked in the consultation and;
 - 4.2. did not give the complete range of response options and to the contrary, it pre-selected and pre-populated a limited range of response options. If community members had no context regarding the project, they would have been limited in their ability to make an informed submission to the questions being asked as this was not a poll.
5. The Property Council and the Adelaide Football Club directed their membership bases to participate via 'Your Say Adelaide', where they could access all of the relevant information to inform their submission.

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

Councillor Abrahamzadeh left the meeting at 9.03pm.

Question without Notice

Discussion ensued, during which:

- Councillor Moran left the meeting at 9.05pm and re-entered at 9.06pm.
- Councillor Abrahamzadeh re-entered the meeting at 9.05pm.

Motions on Notice

25. Item 15.1 – Councillor Moran – Motion on Notice – Council Chamber [2009/00789] [C]

Moved by Councillor Moran,
Seconded by Councillor Simms –

That:

Council repositions the portrait of former Lord Mayor and Member of Parliament Dr Jane Lomax-Smith into the main chamber, in line with the current Lord Mayor's desire to have female portrait representation in the chamber.

Discussion ensued

The motion was then put and lost

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

Division

For (4):

Councillors Donovan, Martin, Moran and Simms.

Against (6):

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

The division was declared against the motion

26. Item 15.2 – Councillor Moran – Motion on Notice – Location East West Bikeway [2018/04053] [C]

Moved by Councillor Moran,
Seconded by Councillor Martin –

That:

If Council fails to identify a suitable location for the east west bikeway, the Council requests that the State Government's promised bequest of \$2.75 million be reallocated to bike safety, including but not limited to green overlay treatments on road bike lanes etc.

It was then –

Moved by Councillor Abrahamzadeh,
Seconded by Deputy Lord Mayor (Councillor Hyde) –

That the motion be put.

The motion was then put and lost,
on the casting vote of the Lord Mayor

Discussion continued

The motion was then put and lost

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

Division

For (4):

Councillors Donovan, Martin, Moran and Simms.

Against (6):

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

The division was declared against the motion

27. Item 15.3 – Councillor Moran – Motion on Notice – Meeting Schedule [2018/04071] [C]

Moved by Councillor Moran,
Seconded by Councillor Martin –

That part 1.1 of the decision of Council on **10/12/2019** in relation to Meeting Structure 2020-2022, namely:

- 1.1 Ordinary meetings of the Council will be held on a Tuesday once per month commencing at 5.30pm in the Council Chamber, Adelaide Town Hall."

be amended to read as follows:

- 1.1 Ordinary meetings of the Council will be held on a Tuesday **twice** per month commencing at 5.30pm in the Council Chamber, Adelaide Town Hall.

Discussion ensued

The motion was then put and lost

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

Division

For (4):

Councillors Donovan, Martin, Moran and Simms.

Against (6):

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

The division was declared against the motion

28. Item 15.4 – Councillor Moran – Motion on Notice – Rates [2020/00150] [C]

Moved by Councillor Moran,
Seconded by Councillor Martin –

That:

1. Council acknowledges that we can't bind future budgets to a rate freeze, but we can show our ratepayers that is our strong intent and promise;
2. Therefore the City of Adelaide undertakes to freeze or reduce the rate in the dollar until the end of the Council term unless an unforeseen financial situation hits us.

Discussion ensued, during which Councillor Hou left the meeting at 10.03pm and re-entered at 10.03pm.

The motion was then put and lost

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

Division

For (2):

Councillors Martin and Moran.

Against (8):

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

The division was declared against the motion

29. Item 15.5 – Councillor Moran – Motion on Notice – Superloop [2019/00735] [C]

Councillor Moran withdrew her motion from consideration.

30. Item 15.6 – Councillor Moran – Motion on Notice – Unsolicited Bid Process [2019/01387] [C]

Moved by Councillor Moran,
Seconded by Councillor Simms –

That Council:

1. Asks the Administration to prepare a report by August 2020 identifying a range of options and a timeframe for the renovation or the replacement of the Adelaide Aquatic Centre, including possible sources of Federal, State and Local Government funding.

Discussion ensued

Amendment –

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

That the motion be amended to read as follows:

That Council:

1. Notes that the Adelaide Football Club have withdrawn their unsolicited bid proposal and accepts their withdrawal.
2. Requests the Administration provide recommendations to council for the future of the Adelaide Aquatic Centre, giving consideration to the feedback received during the Needs Analysis consultation, but not limited only to this information.
3. Requests the above options are presented as possible projects for economic recovery stimulus after the COVID-19 pandemic.
4. In noting only 9% of Adelaide Aquatic Centre users are City of Adelaide ratepayers, council seeks to partner, and seek funding, from federal and state governments and local governments whose residents and ratepayers make up a significant proportion of the Centre's users.'

Much discussion ensued, during which Councillor Couros left the meeting at 10.34pm and re-entered at 10.37pm.

The amendment was then put and carried

Discussion continued, during which Councillor Hou left the meeting at 10.45pm.

The motion, as amended, was then put and carried

Deputy Lord Mayor (Councillor Hyde) then requested that a division be taken on the motion as amended.

Division

For (9):

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

Against (0):

Nil

The division was declared in favour of the motion, as amended

31. Item 15.7 – Deputy Lord Mayor (Councillor Hyde) – Motion on Notice – Standing Orders [2018/04066] [C]

Moved by Deputy Lord Mayor (Councillor Hyde),
Seconded by Councillor Abrahamzadeh –

That Council:

Amend standing order 209 to read: At a meeting of Council, the asking of a question on notice and/or the reply may be taken as read by the Presiding Member, with leave from the meeting.

Discussion ensued, during which Councillor Hou re-entered the meeting at 10.51pm.

The motion was then put and carried

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

Division

For (6):

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

Against (4):

Councillors Donovan, Martin, Moran and Simms

The division was declared in favour of the motion

The meeting **adjourned at 10.58pm** for a 10-minute break **and reconvened at 11.10pm** with all Council Members present.

32. Item 15.8 – Councillor Couros – Motion on Notice – Parking Assistance for Hospital Workers [C]

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

That Council:

Investigate and implement free parking for critical health workers and staff during the COVID-19 crisis within the City of Adelaide.

Discussion ensued

Amendment –

Moved by Councillor Martin,
Seconded by Councillor Moran –

That the motion be amended to read as follows:

‘That Council:

Investigate and implement free parking for critical health and essential service workers during the COVID-19 crisis within the City of Adelaide, together with one free booklet of parking vouchers to residents on application in recognition of the current parking problems, particularly in North Adelaide.’

Discussion ensued

The amendment was then put and lost

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

Division

For (3):

Councillors Martin, Moran and Simms

Against (7):

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

The division was declared against the amendment

Discussion continued

The motion was then put and carried

33. Item 15.9 – Councillor Martin – Motion on Notice – On-street parking changes in response to COVID-19 [2019/00551] [C]

Councillor Martin withdrew his motion from consideration

34. Item 15.10 – Councillor Simms – Motion on Notice – Unsolicited Proposals Guideline Amendment [2019/01361] [C]

Moved by Councillor Simms,
Seconded by Councillor Moran –

That Council:

1. Notes the Adelaide Crows withdrawal from the City of Adelaide's Unsolicited Bids Process.
2. Amends the Unsolicited Proposals Guideline to exclude its application to the Adelaide Park Lands (as defined by the Adelaide Park Lands Act 2005).

Discussion ensued

Amendment –

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

That the motion be amended to read as follows:

That Council:

1. Notes the Adelaide Crows withdrawal from the City of Adelaide's Unsolicited Bids Process.
2. Notes that this was the first time this process, which was developed and approved by the previous council, was used.
3. Suspends the current Unsolicited Bids Guidelines policy.
4. Considers the policy in a Committee workshop, and during that workshop gives particular attention the need to address how the policy would apply differently to the Adelaide Park Lands.'

Discussion continued, during which Councillor Khera left the meeting at 11.55pm.

The amendment was then put and carried

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

Division

For (5):

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

Against (4):

Councillors Donovan, Martin, Moran and Simms

The division was declared in favour of the amendment

Discussion continued, during which Councillor Khera re-entered the meeting at 12.02am

The motion, as amended, was then put and carried

35. Item 15.11 – Councillor Simms – Motion on Notice – Growing Edible Plants in the City of Adelaide [C]

Moved by Councillor Simms,

Seconded by Councillor Moran –

That Council:

Requests Administration to investigate opportunities to increase local food security for city residents by planting seeds for fruit trees, vegetables and other edible plants in public gardens and parks, as part of its response to the coronavirus pandemic.

Discussion ensued, during which Councillor Knoll left the meeting at 12.13am and re-entered at 12.18pm.

The motion was then put and lost

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

Division

For (4):

Councillors Donovan, Martin, Moran and Simms

Against (6):

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

The division was declared against the motion

Discussion ensued, during which the Lord Mayor advised the meeting that Confidential Item 18.2.1 - Telstra SmartHub Telephones, would be considered prior to Item 15.12 – Deputy Lord Mayor (Councillor Hyde) – Motion on Notice – Council Member Remuneration.

Exclusion of the Public

36. Item 17.1 – Exclusion of the Public [2018/04291] [C]

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

18.2.1. Telstra SmartHub Telephones [s 90(3) (b) & (h)]

ORDER TO EXCLUDE FOR ITEM 18.2.1:

Moved Councillor Donovan,

Seconded by Councillor Moran -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (b) & (h) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14/4/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2.1 [Telstra SmartHub Telephones] 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 certain information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business, prejudice the commercial position of the Council and prejudice the commercial position of the person who supplied the information.

Council has also sought legal opinion on the matter and the advice provided requested that the matter should be considered in confidence due to ongoing or potential litigation.

Public Interest

The Council is satisfied that in principle the meeting be conducted in a place open to the public has been outweighed in the circumstances given that information within this update pertains to non-binding commercial negotiations for the Council. The release of such information may severely prejudice the Council's ability to influence a proposal 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 14/4/2020 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 [Telstra SmartHub Telephones] 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) & (h) of the Act.

Councillor Moran, the public and members of Corporation staff not directly involved with Item 18.2.1 left the meeting at 12.25am.

Confidential Item 18.2.1

Telstra SmartHub Telephones

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

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The Council Chamber re-opened to the public at 12.57am.

Confidentiality Order

Minute 37 - Item 18.2.1 - Telstra SmartHub Telephones [C]

In accordance with Section 91 (7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 18.2.1 [Telstra SmartHub Telephones] listed on the Agenda for the meeting of the Council held on 14 April 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (h) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2027.
2. The confidentiality of the matter be reviewed in December 2021.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

It was then –

Moved by Councillor Donovan,
Seconded by Councillor Martin –

That the meeting be adjourned to a time and place to be determined by the Chief Executive Officer.

Discussion ensued

The motion was then put and lost

Councillor Donovan left the meeting at 1.02am.

Motions on Notice (Cont..)

38. Item 15.12 – Deputy Lord Mayor (Councillor Hyde) – Motion on Notice – Council Member Remuneration [C]

Moved by Deputy Lord Mayor (Councillor Hyde),
Seconded by Councillor Abrahamzadeh –

‘That Council:

1. Notes the significant financial hardship of most of the City’s commercial ratepayer base and the City’s reliance on those ratepayers and commercial operations for operating revenue.
2. Requests all elected members take a voluntary 20% reduction in their allowances for the next 3 months.
3. Encourages the CEO to consider similar reductions for the executive and administration.

Discussion ensued

Amendment –

Moved by Councillor Martin,
Seconded by Councillor Simms –

That the motion be amended to read as follows:

‘That Council:

1. Notes the significant financial hardship of most of the City’s commercial ratepayer base and the City’s reliance on those ratepayers and commercial operations for operating revenue.
2. For the next three months, requests all elected members take a voluntary 20% reduction in their allowances and Board and authority fees (donating the latter amount to the registered charity of their choice where it is not possible to return remuneration).
3. Requests the CEO to encourage the executive to voluntarily consider a 20% reduction in their salaries.’

Discussion continued, during which Councillor Khera left the meeting at 1.21am and re-entered at 1.23am

The amendment was then put and lost

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

Division

For (3):

Councillors Martin, Moran and Simms

Against (6):

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

The division was declared against the amendment

Discussion continued

The motion was then put and carried

Deputy Lord Mayor (Councillor Hyde) then requested that a division be taken on the motion.

Division

For (8):

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

Against (1):

Councillor Moran

The division was declared in favour of the motion

39. Item 15.13 – Councillor Couros – Motion on Notice – Culture [C]

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

That Council

1. Recognises the valuable role the City of Adelaide administration plays in supporting Council Members
2. Expresses concern about the impact the conduct and behaviours of some Council Members may have on the health and wellbeing of the Administration.
3. Requests an urgent independent investigation to determine the extent of any impact and provide recommendations where appropriate.

Discussion ensued, during which:

- Councillor Khera left the meeting at 1.39am and re-entered at 1.42am
- Councillor Simms left the meeting at 1.41am, re-entered at 1.41am, left at 1.51am and re-entered at 1.51am
- Councillor Moran left the meeting at 1.54am and re-entered at 1.55am

The motion was then put and carried

Deputy Lord Mayor (Councillor Hyde) then requested that a division be taken on the motion.

Division

For (9):

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

Against (0):

Nil

The division was declared in favour of the motion

40. Item 15.14 – Councillor Couros – Motion on Notice – ANZAC Day Acknowledgement [C]

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

That Council:

1. Notes that the Spirit of the Anzacs and 25th April is one of Australia's most important national occasions and that we are unable to conduct a dawn service due to COVID-19 and the current restrictions.
2. Requests administration work with RSL and defence forces and/or other musicians to have pipers and/or buglers stationed at strategic points throughout the city of Adelaide and North Adelaide, including at the Adelaide Town Hall to play the RSL nominated tune in support of the nation-wide 11am piper activity and 2 minute silence.

Discussion ensued, during which:

- Councillor Simms left the meeting at 2.00am and re-entered at 2.02am.
- Councillor Khera left the meeting at 2.08am and re-entered at 2.09am.

The motion was then put and carried

Councillor Couros then requested that a division be taken on the motion.

Division

For (9):

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

Against (0):

Nil

The division was declared in favour of the motion

Councillor Simms disclosed a perceived conflict of interest in Item 18.2.3 [Strategic Property Review], pursuant to Sections 75 & 75A of the Local Government Act 1999 (SA), because he is an owner of a property mentioned within the report and it was his intention to leave the meeting.

Councillors Moran and Simms left the meeting at 2.12am

The meeting **adjourned at 2.12am** for a 10-minute break **and reconvened at 2.23am** with the following Council Members present -

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

Motions without Notice

41. Item 16.1 - Deputy Lord Mayor (Councillor Hyde) – Motion without Notice – Supplementary Election [C]

Moved by Deputy Lord Mayor (Councillor Hyde),
Seconded by Councillor Abrahamzadeh –

That Council

1. Notes that on the day of nominations closing for the Central Ward Supplementary Election, the Electoral Commission of South Australia office is currently closed to the public, including not receiving phone calls.
2. Notes that voting in City elections is non-compulsory and many businesses in Central Ward are closed due to COVID-19.
3. Notes the general advice for vulnerable members of the community, including older Australians and those with comorbidities, to limit travel that is non-essential.
4. Notes in light of COVID-19, New South Wales, including the City of Sydney, have delayed their elections for 12 months.
5. Requests urgent advice from SA Health on any public health risks of holding a Supplementary Election during this state emergency, including risks associated with candidates who might seek to physically contact members of the public, electors' travel to and from properties for the purpose of collecting ballot papers and to and from post boxes for the purposes of posting ballot papers, and contemplating any other risks.
6. Requests that this advice is provided to the South Australian State Coordinator for consideration.

Discussion ensued

The motion was then put and carried

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

Division

For (6):

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

Against (1):

Councillor Martin

The division was declared in favour of the motion

42. Item 16.1 - Deputy Lord Mayor (Councillor Hyde) – Motion without Notice – West Franklin development [C]

Moved by Deputy Lord Mayor (Councillor Hyde),
Seconded by Councillor Hou –

That Council:

1. Notes that many new residents in the city have purchased apartments in the West Franklin apartment building at 180 Franklin Street, Adelaide.
2. Notes that at the time of purchase, no adjacent buildings were to be built that would decrease the amenity of the new apartments in the West Franklin development.
3. Opposes SCAP's approval of a new multi storey apartment building to the north of the 180 Franklin Street site that would be only eight metres away from the existing West Franklin building, adversely affecting the property prices and equity of those residing in West Franklin.
4. Notes that this approval was made without any rights to object being afforded to surrounding properties or property owners.
5. Requests the Lord Mayor to write to the State Minister for Planning, Transport and Infrastructure, the Hon Stephan Knoll MP, urging him to intervene in this grossly inequitable and perverse outcome.
6. Requests to the Lord Mayor to write to the State Planning Commissioner highlighting our opposition to this development.

Discussion ensued

The motion was then put and carried

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

Division

For (6):

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

Against (1):

Councillor Martin

The division was declared in favour of the motion

Exclusion of the Public

43. Item 17.1 – Exclusion of the Public [2018/04291] [C]

For the following report of the Audit Committee seeking consideration in confidence

18.1.1 Advice/Recommendation of the Audit Committee – 27/3/2020 [s 90(3) (b) & (e)]

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

18.2.2. Bonython Park Kiosk EOI Results [s 90(3) (d)]

18.2.3. Strategic Property Review [s 90(3) (b) & (d)]

ORDER TO EXCLUDE FOR ITEM 18.1.1:

Moved Councillor Abrahamzadeh,
Seconded by Councillor Knoll -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (b) & (e) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14/4/2020 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/Recommendation of the Audit Committee – 27/3/2020] 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 commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on persons with whom the council is conducting business and prejudice the commercial position of the council. The item addresses matters affecting the security and safety of the council, members and employees of the council, and the safety of persons in our community.

The disclosure of information in this presentation could reasonably prejudice the commercial position of the Council as it identifies Council's risk exposure and forecasts the financial impact of the COVID-19 pandemic. It outlines safety and financial measures which have workforce and contractual implications, disclosure of which at this point in time may confer a commercial advantage on a third party, prejudice the ability for Council to undertake/participate in future discussions or negotiation and prejudice the Council's commercial position and opportunity to discuss or negotiate options yet to be determined by Council at this point in time.

Public Interest

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 will result in release of information prior to a determination of the Council in the matter of its medium and long-term response to the COVID-19 pandemic. The disclosure of scenarios related to Council's commercial position may severely prejudice Council's ability to discuss/participate or influence proposals for the benefit of the Council and the community. Disclosure of the safety and financial measures which have workforce and contractual implications may further cause unnecessary concern to members of the community and employees of the council.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14/4/2020 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/Recommendation of the Audit Committee – 27/3/2020] 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) & (e) of the Act.

Carried

ORDER TO EXCLUDE FOR ITEM 18.2.2:

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

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14/4/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2.2 [Bonython Park Kiosk EOI Results] 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 (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and confer a commercial advantage on a third party.

Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in release of information prior to the finalisation of 'commercial in confidence' negotiations between the proponent and their suppliers and may materially and adversely affect the financial viability of the proponent in relation to contract negotiations 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 14/4/2020 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 [Bonython Park Kiosk EOI Results] 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) of the Act.

ORDER TO EXCLUDE FOR ITEM 18.2.3:

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

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (b) & (d) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14/4/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 18.2.3 [Strategic Property Review] 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 certain information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, prejudice the commercial position of the council and prejudice the commercial position of the person who supplied the information and confer a commercial advantage to a third party.

More specifically, the disclosure of certain information in this report could reasonably prejudice the commercial position of the council including its future commercial dealings given that it contains financial information and further direction with regard to Council's assets and strategic land holdings.

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 the information in this report, including certain financial information and further direction, may prejudice its future commercial dealings within regard to its assets and strategic land holdings. On this basis, the disclosure of such information may severely prejudice the City of Adelaide's ability to influence the proposal for the benefit of the City of Adelaide 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 14/4/2020 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 [Strategic Property Review] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (b) & (d) of the Act.

Discussion ensued

The motion was then put and carried

The public and members of Corporation staff not directly involved with Items 18.1.1, 18.2.2 & 18.2.3 left the meeting at 2.50am.

Confidential Item 18.1.1

Advice/Recommendation of the Audit Committee – 27/3/2020

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Confidential Item 18.2.2

Bonython Park Kiosk EOI Results

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

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Confidential Item 18.2.3

Strategic Property Review

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

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The meeting re-opened to the public at 3.18am.

Confidentiality Orders

Minute 44 - Item 18.1.1 - Advice/Recommendation of the Audit Committee – 27/3/2020 [C]

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 18.1.1 [Audit Committee Report – 27/3/2020] listed on the Agenda for the meeting of the Council held on 14 April 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (e) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:

1. the resolution, the report, the discussion and any other associated information submitted to this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2027.
2. the confidentiality of the matter be reviewed in December 2021.
3. the Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Minute 45 - Item 18.2.2 - Bonython Park Kiosk EOI Results [C]

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 18.2.2 [Bonython Park Kiosk EOI Results] listed on the Agenda for the meeting of the Council held on 14 April 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (d) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2027.
2. The confidentiality of the matter be reviewed in December 2021.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Minute 46 - Item 18.2.3 - Strategic Property Review [C]

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 18.2.3 [Strategic Property Review] listed on the Agenda for the meeting of the Council held on 14 April 2020 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (d) of the *Local Government Act 1999 (SA)*, this meeting of Council, do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2027.
2. The confidentiality of the matter be reviewed in December 2021.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Closure

The meeting closed at 3.18am

Mark Goldstone,
Chief Executive Officer

Sandy Verschoor,
Lord Mayor.

Documents Attached for Reference

Minute 18 - Item 13.1 – Councillor Martin – Question on Notice – Strategic Property Review, Tabled Reply

Minute 19 - Item 13.2 – Councillor Martin – Question on Notice – Adelaide Football Club Draft Proposal Consultation – Question 1, Tabled Reply

Minute 20 - Item 13.4 – Councillor Martin – Question on Notice – Question on Notice – Adelaide Football Club Draft Proposal Consultation – Question 3, Tabled Reply

Minute 21 - Item 13.5 – Councillor Martin – Question on Notice – Question on Notice – Adelaide Football Club Draft Proposal Consultation – Question 4, Tabled Reply

Minute 22 - Item 13.6 – Councillor Martin – Question on Notice – Aquatic Centre Needs Analysis Consultation, Tabled Reply

Minute 23 - Item 13.7 – Councillor Martin – Question on Notice – Council Debt, Tabled Reply

Minute 24 - Item 13.3 – Councillor Martin – Question on Notice – Question on Notice – Adelaide Football Club Draft Proposal Consultation – Question 2, Tabled Reply

Minute 32 - Item 15.8 – Councillor Couros – Motion on Notice – Parking Assistance for Hospital Workers, Administration comment distributed separately

Minute 35 - Item 15.11 – Councillor Simms – Motion on Notice – Growing Edible Plants in the City of Adelaide, Administration comment distributed separately

Minute 38 - Item 15.12 – Deputy Lord Mayor (Councillor Hyde) – Motion on Notice – Council Member Remuneration, Administration comment distributed separately

Minute 39 - Item 15.13 – Councillor Couros – Motion on Notice – Culture, Administration comment distributed separately

Minute 40 - Item 15.14 – Councillor Couros – Motion on Notice – ANZAC Day Acknowledgement, Administration comment distributed separately

Strategic Property Review

ITEM 13.1 14/04/2020
Council

Council Member
Councillor Martin

2017/04450
Public

Contact Officer:
Ian Hill, Director Growth

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'In a number of documents subsequent to a Motion on Notice in open Council, the Administration has publicly advised it has been conducting a Strategic Review of Council Property Assets. It (at a recent City of Adelaide Audit Committee meeting) was proposed that the sale of such assets is one of the levers available to Council to manage the City's burgeoning debt. Could the Administration assure ratepayers;

1. That in the current economic circumstances created by the COVID 19 pandemic which is putting downward pressure on property prices there will no sale of property assets at less than pre pandemic market valuations?
2. That any Council property asset sale will take place on the open market rather than through private negotiation?
3. That any proposed sale of property assets acquired as a result of the financial acumen of previous Councils will be preceded by community consultation?"

REPLY

1. The Strategic Property Review responds to the legislative, strategy and policy context set out below:
 - 1.1. *Local Government Act 1999 (SA)* requirements to use resources fairly, effectively and efficiently;
 - 1.2. Acquisition and Disposal of Land and Infrastructure Assets Policy which requires a regular review of land and asset performance with appropriate actions to improve public value or disposal where public value cannot be improved;
 - 1.3. City of Adelaide Strategic Plan 2016-2020 action to "*Explore opportunities in Council's current property holdings and pursue strategic opportunities to lead or partner in future property developments*";
 - 1.4. City of Adelaide 2020-2024 Strategic Plan incorporating the action to "*Implement the Strategic Property Review*".
2. The review and action plan aim to optimise the performance of the City's property portfolio ensuring the effective use of its assets with improved alignment to Council's strategic, community and financial objectives and has been communicated to Council with increasing detail over the past twenty-four months.
3. Sale of Council owned property will be undertaken in accordance with Council's Acquisition and Disposal of Land and Infrastructure Assets Policy (*as per # 1 in the Administration response*).
4. Any property which is recommended for sale would be released on a strategic basis and would consider market conditions. The decisions on the sale of assets and the process for the sale would be considered by Council prior to release to market.

5. Land classified as Community Land will require revocation from its classification as Community Land prior to sale. This will be undertaken in accordance with the requirements of the Local Government Act 1999 including the required community consultation.

6. – END OF REPORT –

Minute 18 - Item 13.1 - Tabled Reply

Adelaide Football Club Draft Proposal Consultation – Question 1

ITEM 13.2 14/04/2020
Council

Council Member
Councillor Martin

2019/01387
Public

Contact Officer:
Ian Hill, Director Growth

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'The Adelaide Park Lands Preservation Association has complained in a media release and in emails to its membership that the City of Adelaide Crows Plan for Park 2 Consultation did not include in the "strongly disagree" or "disagree" Community Engagement Summary "Figure 4 - All Responses" the submissions of a significant number of its members.

Could the Administration provide the total and exact number of such excluded responses?'

REPLY

1. Administration has interpreted the question is in relation to Appendix 3, Figure 4 from Attachment A of Item 12.2 of the Council agenda.
2. Figure 4 represents the quantitative analysis conducted on Question #1 of Council's endorsed community consultation. The question asked of respondents was, "*in your opinion, does the Draft Proposal provided by Adelaide Football Club align with the Guiding Principles?*". The answers available were Strongly Disagree, Disagree, Neutral, Agree and Strongly Agree.
3. As listed in section 3.8 of Attachment A, 475 Adelaide Parkland Preservation Association (APPA) flyers were received. An exact graphical copy of the flyers is included in Appendix 2. The same question is present; however, the same responses are not available and 'Strongly Disagree' is preselected.
4. This removes the ability to analyse the two data sets as one, as survey respondents were not given equal opportunity to select the same responses; however, all data is included across the report contents and as such no responses have been excluded.
5. No responses received through the Council endorsed community consultation channels were excluded from the report.

- END OF REPORT -

Adelaide Football Club Draft Proposal Consultation – Question 3

ITEM 13.4 14/04/2020
Council

Council Member
Councillor Martin

2019/01387
Public

Contact Officer:
Ian Hill, Director Growth

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Did the City of Adelaide Crows Plan for Park 2 Community Engagement exclude from the summary "Figure 4 - All Responses" illustration any responses greater than 100 either through the Your Say website or other means of communication from any group or grouping of submissions including the supporters of the Adelaide Football Club and the Property Council?'

REPLY

1. Figure 4 represents the quantitative analysis conducted on Question #1 of the Council endorsed community consultation. The question asked of respondents was, "In your opinion, does the Draft Proposal provided by Adelaide Football Club align with the Guiding Principles?" The answers available were Strongly Disagree, Disagree, Neutral, Agree, Strongly Agree.
2. All responses received via the Council endorsed community consultation channels are included in the figures. Variations of the question and available answers were produced on a flyer by Adelaide Park Lands Preservation Association (shown in Appendix 2) and subsequently received by Council.
3. These are included within the report, but as the answers available to respondents were not the same, were prepopulated and multiple submissions received via different channels, they were not presented as a single data set. The information was included separately for Council's consideration within the body of the report.

- END OF REPORT -

Adelaide Football Club Draft Proposal Consultation – Question 4

ITEM 13.5 14/04/2020
Council

Council Member
Councillor Martin

2019/01387
Public

Contact Officer:
Ian Hill, Director Growth

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'The City of Adelaide Crows Plan for Park 2 Community Engagement Summary included at 3.8 an estimate (based on social media) that somewhere in the range of 16, 000 and 25, 000 pamphlets were distributed by the Adelaide Park Land Preservation Association encouraging submissions putting APPA's point of view.

Could the Administration advise if it can estimate (using social media or other sources) the number of emails or other communications the Adelaide Football Club and the Property Council sent out encouraging submissions putting their point of view?'

REPLY

1. Table 4 within the report shows all known non-Council promotion of the community consultation with quantities shown in the "reach" column for items listed. Those that Administration has been unable to ascertain the reach of have been quoted as unknown.
2. Administration notes that there were two forms of communication by third parties, the first directing people to the Council endorsed consultation channels, the second provided prepopulated answers and requested they be submitted on content produced by the third party.

- END OF REPORT -

Aquatic Centre Needs Analysis Consultation

ITEM 13.6 14/04/2020
Council

Council Member
Councillor Martin

2019/01387
Public

Contact Officer:
Ian Hill, Director Growth

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'A report provided by a consultant and published by the City of Adelaide (which has since been redacted) in the Adelaide Aquatic Centre Needs Analysis Community Engagement Summary gave the first and last names and email addresses of most of more than 70 individuals who, at 13 in a questionnaire, responded to an invitation to be kept informed of any future plans for the Adelaide Aquatic Centre by providing their details.

Could the Administration advise;

1. The nature and number of apologies issued to the individuals for breaching their privacy?
2. How many senior staff approved the publication of this private information and what, if any, action has been taken to ensure such a breach does not occur again?'

REPLY

1. The information contained within Attachment A was names and email addresses of 71 members of the public. An address was also included for 1 respondent.
2. The report was modified prior to the sitting of the Committee on 7 April 2020. All members of the public were emailed personally (71 in total) notifying them and apologising for the mistake in publishing the data.
3. Processes in place should have resulted in the personal information being redacted before the agenda was published. Further training has been conducted with the authors of the reports to ensure they are aware reports are carefully reviewed to ensure private information is not inadvertently included in the future.

- END OF REPORT -

Council Member
Councillor Martin2020/00150
Public**Contact Officer:**
Clare Mockler, Deputy CEO &
Director Culture

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Using the QF 2 financial reports as a base line, could the Administration advise in the light of the disastrous economic outlook as a result of the COVID 19 pandemic;

1. If it has estimated the amount by which the approximate operating deficit of \$20 million revealed earlier this year will be exceeded and what is that amount?
2. The impact of any deterioration in the operating deficit on Council's debt and whether its earlier advice that the City of Adelaide will breach the Council's prudential borrowing limit in the second half of the 2020/21 financial year will be revised to the first or second quarter of the year?'

REPLY

1. The impacts of this unforeseen financial situation are unfolding in real-time. As our communities comply with the advice and restrictions progressively announced by the Federal and State Governments for social distancing, self-isolation and quarantine, the pressure on our income and cash-flow is immediate, significant and anticipated to be long-term.
2. Council is presently experiencing a significant reduction in income from on street parking and expiations, Business Operations including UParks, Aquatic Centre, Golf Links, the property portfolio, Town Hall, Park Lands events, and other fees and charges. Preliminary scenario modelling indicates that the reduction in net income will be between \$10-20 million for Quarter 4 2019-20.
3. Action is being taken to reduce and defer non-essential expenditure, including operational expenditure, projects and capital works. Innovative measures such as the introduction of UPark Plus Card have been introduced to minimise the loss in net income.
4. We have provided regular updates to Council on the impact of the COVID-19 pandemic. Council members will continue to be briefed; including a Discussion on COVID-19 Future Critical Decisions on Wednesday 15 April 2020 to discuss and workshop in detail all aspects of Council's financial position, including Council's operating position, funding position, anticipated borrowings for the year ending 30 June 2020, and prudential borrowing limits.
5. The QF3 Finance Report will be presented to Committee on 5 May 2020 and will enable Council to make informed decisions about its response to the COVID-19 pandemic including any future borrowings and investment in recovery stimulus packages.

- END OF REPORT -

Adelaide Football Club Draft Proposal Consultation – Question 2

ITEM 13.3 14/04/2020
Council

Council Member
Councillor Martin

2019/01387
Public

Contact Officer:
Ian Hill, Director Growth

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'The City of Adelaide Crows Plan for Park 2 Community Engagement Summary at 3.8 in the preamble to the exclusion of submissions from members or supporters of the Adelaide Park Lands Preservation Society states that pamphlets distributed by APPA were "pre-filled" and "...biased to the three questions being asked ...". Could the Administration advise;

1. Is there a policy that "pre-filled" responses to community engagements are not acceptable and where is that to be found in the Council's Community Engagement policy documents?
2. Is there a policy that "biased" responses are not acceptable and where is that to be found in the Council's Community Engagement policy documents?
3. If there is no clear policy on "pre-filled" or "biased" responses was the decision to apply the criteria approved by a member of the Executive or the CEO or flagged prior to publication of the Engagement Summary to the Office of the Lord Mayor?
4. What is the definition of "biased" used by the Council Administration and how is bias discerned when assessing submissions influenced by, say, the Property Council or the Adelaide Football Club versus the Adelaide Park Lands Preservation Association?'

REPLY

1. The City of Adelaide's (CoA) Community Engagement Strategy principles are based on the International Association for Public Participation's core values, the principles within the strategy are used to determine ethical and good practice throughout the engagement process from planning through to reporting.
2. The Policy states that when engaging the community in a decision-making process (of which legislated public consultation is a part) Council will provide relevant, timely and balanced information so people can contribute in a meaningful way.
3. There is no definition of bias defined in the Policy or Strategy. We use these principles as a guide to determine ethical and good practice throughout the engagement process from planning through to reporting.
4. The APPA brochure was prepopulated and:
 - 4.1. did not provide all information that was available on the YourSay site to enable people to provide a fully informed response to the questions being asked in the consultation and;
 - 4.2. did not give the complete range of response options and to the contrary, it pre-selected and pre-populated a limited range of response options. If community members had no context regarding the project, they would have been limited in their ability to make an informed submission to the questions being asked as this was not a poll.

5. The Property Council and the Adelaide Football Club directed their membership bases to participate via 'Your Say Adelaide', where they could access all of the relevant information to inform their submission.

- END OF REPORT -

Minute 24 - Item 13.3 - Tabled Reply

Parking Assistance for Hospital Workers

ITEM 15.8 14/04/2020
Council

Council Member
Councillor Couros

2019/00551
Public

Contact Officer:
Clare Mockler, Deputy CEO
& Director Culture

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:

Investigate and implement free parking for critical health workers and staff during the COVID-19 crisis within the City of Adelaide.'

ADMINISTRATION COMMENT

1. We acknowledge the work of all health care professionals along with the many other essential service providers working under increased pressure and demands during this time.
2. Council has provided parking support in a variety of ways since the covid-19 outbreak.
3. On Monday 23 March 2020 Council adopted a more flexible approach to monitoring on-street parking. Since then our Parking & Information Officers have focused on parking controls in place for safety and accessibility reasons, allowing more flexibility in ticketed and time limit zones.
4. In addition, Council's UPark team recently launched capped \$8 all day parking through UPark Plus, available to any city user.
5. As part of the North Adelaide Parking Review, we have recently converted 60 parking spaces back to unrestricted access around North Adelaide, bringing the total of unrestricted parking bays in North Adelaide to approximately 950.
6. Since the outbreak of covid-19 we have been in contact with the major City of Adelaide based hospitals including the Royal Adelaide, Women's & Children's and Memorial Hospitals, regarding approaches to parking for their staff. Discussions have been constructive and to date the organisations have plans in place for their staff should they be required. Some hospitals have indicated a preference not to manage their own on-street permit systems for staff and/or patients/visitors.
7. We also note the decision at the 7 April 2020 Special Council Meeting regarding SACA and Royal Adelaide Hospital's proposal for temporary parking for hospital staff in Park 25.
8. It is also worth noting there is a 128-bay permit zone already in place on McKinnon Parade for exclusive use by the Women's & Children's Hospital. This permit zone is managed by the Women's & Children's Hospital and provides subsidised paid parking for hospital staff.
9. We can contact each hospital again to offer and negotiate suitable free parking options for their staff and visitors. The final outcome may differ between hospitals depending on their situation.

10. We have also been approached by a number of other essential services including SAPOL, SA Health, SA Fire and Emergency Dept and a number of others providing critical services with increased demands. Each organisation has sought a level of parking support which to date we have managed by encouraging the use of the UPark discount or a negotiated rate with UPark for their staff, as opposed to free parking on the street.

- END OF REPORT -

Growing Edible Plants in the City of Adelaide

ITEM 15.11 14/04/2020
Council

Council Member
Councillor Simms

2018/04053
Public

Contact Officer:
Klinton Devenish, Director
Place

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 Administration to investigate opportunities to increase local food security for city residents by planting seeds for fruit trees, vegetables and other edible plants in public gardens and parks, as part of its response to the coronavirus pandemic.'

ADMINISTRATION COMMENT

1. Current City of Adelaide (CoA) Food Security Initiatives

- 1.1. Veale Park/Walyu Yarta (Park 21) and Park Terrace (Park 27b) are volunteer-run community gardens located in the Park Lands. These gardens are publicly accessible, have existing community support and are always welcoming of new members or volunteers. CoA also maintains the olive groves in The Olive Groves/Pakapakanthi (Park 16) and The Olive Groves/Kuntingga (Park 7), as well as the pocket orchard in Bunday's Paddock/Tidlangga (Park 9), which includes approximately 8 fruit producing trees for the community to use.
- 1.2. CoA also provides support for food production at Common Ground Community Garden at the Joinery site, Secateurs Community Garden Group at St Andrews Hospital, North Adelaide Community Garden located behind the North Adelaide Community Centre and Library and the Whitmore Square Community Verge Garden located on the western side of Morphett Street.

2. Considerations

- 2.1. There are several identified barriers that hinder more food production activities in the city:
 - a. Environmental Protection Authority requirements regarding contaminated land across the city;
 - b. On-going maintenance of assets - Council v Community responsibilities;
 - c. Lack of information available and clarity on process to assist community members on how they can progress their ideas;
 - d. Funding options for projects are minimal; and
 - e. Difficulty for the community in negotiating and then securing tenure over available (and affordable) land/locations for projects.

3. Opportunities

- 3.1. CoA understands that there is desire from the community to drive these activities within the city and as such, staff from a variety of programs provide ongoing support to enable the visions of local communities within the existing policies and systems. Council can also provide community with funding through its Community Development Grants Programs for small-scale projects. This funding is available for Incorporated groups and also individuals.
- 3.2. Further to this, if this motion is supported by Council, we will investigate opportunities within current Council programs and projects that have identified community support to be able to include food producing landscapes with a mix of Council and community responsibilities. These include but not limited to the Nature Strip program, Assets Renewal program and other Capital Works projects.

- END OF REPORT -

Council Member Remuneration

ITEM 15.12 14/04/2020
Council

Council Member
 Deputy Lord Mayor (Councillor
 Hyde)

2018/03525
 Public

Contact Officer:
 Mark Goldstone, Chief
 Executive Officer

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:

1. Notes the significant financial hardship of most of the City's commercial ratepayer base and the City's reliance on those ratepayers and commercial operations for operating revenue.
2. Requests all elected members take a 20% reduction in their allowances for the next 3 months.
3. Encourages the executive and administration to consider similar reductions.'

ADMINISTRATION COMMENT

1. The Remuneration Tribunal has jurisdiction under section 24 of the *City of Adelaide Act 1998*, to determine the allowance payable to elected members of the Adelaide City Council.
2. Section 76 of the *Local Government Act 1999* gives Members of Council an entitlement to the allowance determined by the Remuneration Tribunal.
3. A Council Member can voluntarily elect to offer a reduction back to Council and if this motion is carried, the CEO will investigate similar actions.

- END OF REPORT -

Culture

ITEM 15.13 14/04/2020
Council

Council Member
Councillor Couros

2019/02539
Public

Contact Officer:
Mark Goldstone, Chief
Executive Officer

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. Recognises the valuable role the City of Adelaide administration plays in supporting Council Members
2. Expresses concern about the impact the conduct and behaviours of some Council Members may have on the health and wellbeing of the Administration.
3. Requests an urgent independent investigation to determine the extent of any impact and provide recommendations where appropriate.'

ADMINISTRATION COMMENT

1. If endorsed by Council, the administration will provide Council with a process and scope, for review and endorsement before proceeding.

- END OF REPORT -

ANZAC Day Acknowledgement

ITEM 15.14 14/04/2020
Council

Council Member
 Councillor Couros

2019/01425
 Public

Contact Officer:
 Clare Mockler, Deputy CEO &
 Director Culture

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 that the Spirit of the Anzacs and 25th April is one of Australia's most important national occasions and that we are unable to conduct a dawn service due to COVID-19 and the current restrictions.
2. Requests administration work with RSL and defence forces and/or other musicians to have pipers and/or buglers stationed at strategic points throughout the city of Adelaide and North Adelaide, including at the Adelaide Town Hall to play the RSL nominated tune in support of the nation-wide 11am piper activity and 2 minute silence.'

ADMINISTRATION COMMENT

1. We have been in discussions with and have sought support from the RSL to have a Piper play from the balcony of the Adelaide Town Hall at 11.00am on Saturday 25 March 2020.
2. In response to this Motion on Notice, we will explore the opportunity to have additional Pipers located in various locations throughout the City of Adelaide, including North Adelaide. The Pipers will play the RSL nominated tune at 11am.
3. As part of the City of Adelaide's support for Anzac Day we will be encouraging the community to join the national driveway movement by standing at the end of their driveway at 5.55am. The community are asked to shine a torch or light a candle in a sign of remembrance.
4. At 6.00am the community will be encouraged to return inside to watch or listen to the live broadcast of the Anzac Service. This will be broadcast by the ABC from the State War Memorial.
5. An update on the City of Adelaide's support for this year's Anzac Day will be provided to the Elected Members via an E-News prior to Anzac Day.

- END OF REPORT -