



COUNCIL MINUTES

for the meeting

Tuesday 13 October 2020

in the Council Chamber,
Adelaide Town Hall



Present - The Right Honourable the Lord Mayor, Sandy Verschoor (Presiding),
Deputy Lord Mayor, Councillor Hyde,
Councillors Abrahamzadeh, Couros, Donovan, Hou, Khera, Knoll, Mackie, 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 – 8/9/2020 & 6/10/2020 [C]

Moved by Councillor Khera,
Seconded by Councillor Simms –

That the Minutes of the meeting of the Council held on 8 September 2020 and the Special meeting of the Council held on 6 October 2020, be taken as read and be confirmed as an accurate record of proceedings.

Carried

Deputations

2. Item 7.1 - Deputation – Susan & Jeffrey Collins - South West City Living Community Centre [C]

Susan & Jeffrey Collins addressed the Council to:

- Speak in support of the South West City Living Community Centre, its location and essential infrastructure.
- The Lord Mayor thanked Susan & Jeffrey Collins for their deputation.

3. Item 7.2 - Deputation – Keiran Snape – South West Community Centre [C]

Keiran Snape addressed the Council to:

- Speak about the future location of the South West Community Centre.

The Lord Mayor thanked Keiran Snape for his deputation.

Petitions

4. Item 8.1 - Petition - Adelaide South West Community Centre [2018/04073] [C]

Moved by Councillor Mackie,

Seconded by Councillor Abrahamzadeh –

THAT COUNCIL

1. Receives the petition containing 566 signatories, distributed as a separate document to Item 8.1 on the Agenda for the meeting of Council held on 13 October 2020, which urges Council to purchase and manage a community centre in the south-west of the City as close as possible to the existing centre at 171 Sturt Street.

Carried

With the consent of the meeting, the Lord Mayor moved Item 10.3 - Community Services South West City, to be considered before Item 9.1 - Advice of the Adelaide Park Lands Authority – 1/10/2020.

Reports for Council (Chief Executive Officer's Reports)

5. Item 10.3 - Community Services South West City [2004/02764-4] Presented to Committee on 6/10/2020 [C]

Councillor Simms identified an actual conflict of interest in Item 10.3 [Community Services South West City] pursuant to Sections 75 & 75A of the *Local Government Act* 1999 (SA), because he is on the co-ordinating group for the Greens who utilise the Minor Works building, withdrew his chair and left the Council Chamber at 5.44 pm.

It was then -

Moved by Councillor Donovan,

Seconded by Deputy Lord Mayor (Councillor Hyde) -

THAT COUNCIL

1. Notes the four options presented to Council for the continued delivery of community services in the South West of the city:
 - 1.1. Option One: Relocate the ASWCC to the Minor Works building (Stamford Court) and establish this as a staffed facility run by Council
 - 1.2. Option Two: Purchase a new property for the ASWCC based on the Gross Floor Area (GFA) of the current premises and establish this as a staffed facility run by Council
 - 1.3. Option Three: Lease a new property for the ASWCC based on the Gross Floor Area (GFA) of the current premises (or slightly increased GFA) and establish this as a staffed facility run by Council
 - 1.4. Option Four: Lease a new property based on the Gross Floor Area (GFA) of the current premises (or slightly increased GFA) and establish this as a facility run by an Incorporated Association operating as the ASWCC.
2. Approves Option Two: Purchase a new property for the ASWCC based on the Gross Floor Area (GFA) of the current premises and establish this as a staffed facility run by Council, prioritising the following additional parameters:
 - 2.1. the building is located within the area of the CBD that is located west of Morphett Street and south of Gouger Street
 - 2.2. the building is the same GFA or larger than the current building
 - 2.3. the operating costs (including mortgage repayments but excluding the initial fit-out) vary by no more than 50% of the current operating costs
 - 2.4. the building is purchased not later than 31 December 2021
3. During the interim period between exiting the current community centre and relocating to the new building, the Minor Works Building could be used as the temporary (staffed) community centre

4. In the event that a suitable building is not found for purchase by 31 December 2021, Option Three is enacted (with the property located being west of Morphett Street and south of Gouger Street) until a suitable building is identified for purchase.

Discussion ensued

The motion was then put and carried unanimously

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

6. Item 9.1 - Advice of the Adelaide Park Lands Authority – 1/10/2020 [2018/04062] [C]

Moved by Councillor Martin,
Seconded by Councillor Knoll –

THAT COUNCIL NOTES THE FOLLOWING ADVICE OF THE ADELAIDE PARK LANDS AUTHORITY:

1. Advice 1 – Adelaide Park Lands Foundation

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Supports the creation of an independent Foundation for the purposes of public fundraising for investment in long-term enhancement and protection of the Adelaide Park Lands.
2. Supports the creation of a Foundation that is legally and operationally autonomous from Council and its subsidiaries in an effort to attain and maintain Deductible Gift Receipt (DGR) status.

2. Advice 2 - Regulated Tree Removal – Wellington Square/Kudnartu

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Supports removal of one *Ceratonia siliqua* (Carob Tree) located in Wellington Square/Kudnartu.
2. Notes that a tree will be planted to replace the existing tree. While the replacement specie may be the same as the current tree, options will be considered within projected climate change parameters and location specific conditions.

Discussion ensued, during which Councillor Simms re-entered the Council Chamber at 5.54 pm

The motion was then put and carried

7. Item 9.2 - Advice/Recommendations of the Audit Committee – 9/10/2020 [2018/04062] [C]

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

1. Report of the Audit Committee – 9 October 2020

THAT COUNCIL

1. Notes the report of the meeting of the Audit Committee held on 9 October 2020.

2. Audited Financial Statements 2019-20

THAT COUNCIL

1. Considers that the Consolidated Financial Statements present fairly the financial position of the City of Adelaide, having reviewed the Consolidated Financial Statements for 2019-20, contained in Attachment A to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020.
2. Receives the City of Adelaide's Consolidated Financial Statements for 2019-20, contained in Attachment A to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, subject to minor administrative changes and subsequent balance date event adjustments, to be certified by the Chief Executive Officer and the Lord Mayor.
3. Considers it is appropriate that the representation letter requested by the external auditor, contained in Attachment B to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, is signed by management.

4. Notes the Certification of Auditor Independence contained in Attachment C to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020 by the Chief Executive Officer and the Presiding Member of the Audit Committee.
5. Notes the audited Adelaide Central Market Authority Financial Statements for 2019-20 as contained in Attachment D to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, have been audited and have been approved by the Adelaide Central Market Authority Board on 24 September 2020. These financial results have been included in the Consolidated Financial Statements of the City of Adelaide.
6. Notes the Rundle Mall Management Authority Financial Statements for 2019-20, contained in Attachment E to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, have been approved by the Rundle Mall Management Authority Board at its meeting on 21 September 2020, and certified by the Chair of the Board. These financial results are included in the Consolidated Financial Statements of the City of Adelaide; and
 - 6.1. Considers the Financial Statements for 2019-20 present fairly the financial position of the Rundle Mall Management Authority.
 - 6.2. Notes the Certification of Auditor Independence in relation to Rundle Mall Management Authority, contained in Attachment E to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020 is signed by the Chief Executive Officer and the Presiding Member of the Audit Committee.
 - 6.3. Notes the representation letter requested by the external auditor of the Rundle Mall Management Authority, contained in Attachment F to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, is signed by management.
7. Notes the Adelaide Park Lands Authority Financial Statements for 2019-20, contained in Attachment G to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, are included in the Consolidated Financial Statements of the City of Adelaide; and
 - 7.1. Considers the Financial Statements for 2019-20 present fairly the financial position of the Adelaide Park Lands Authority and can be certified by the Lord Mayor as Chair of Adelaide Park Lands Authority.
 - 7.2. Considers it is appropriate that the representation letter requested by the external auditor of the Adelaide Park Lands Authority, contained in Attachment H to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, is signed by management;
 - 7.3. Notes the Certification of Auditor Independence in relation to the Adelaide Park Lands Authority, contained in Attachment I to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, and considers it is appropriate to be signed by the Chief Executive Officer and the Presiding Member of the Audit Committee;
8. Notes the Council Solutions Regional Authority Financial Statements for 2019-20 as contained in Attachment J to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020 have been audited and approved by the Council Solutions Regional Authority Board. These financial results have been included in the Consolidated Financial Statements of the City of Adelaide.
 - 8.1. Notes the Financial Statements for 2019-20 are as at 28 February 2020. Pursuant to Clause 33(1)(a) of Schedule 2 to the *Local Government Act 1999 (SA)*, and at the request of the constituent councils, City of Adelaide, City of Charles Sturt, City of Marion, City of Onkaparinga, City of Salisbury and the City of Tea Tree Gully, the Hon Stephan Knoll MP declared Council Solutions wound up, effective 2 April 2020.
9. Notes the Brown Hill and Keswick Creeks Stormwater Board's Financial Statements for 2019-20 as contained in Attachment K to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020. Council's equity interest of eight percent (8%) is included in the Consolidated Financial Statements of the City of Adelaide.
10. Recommends the 2019-20 Consolidated Financial Statements of the City of Adelaide, and the Financial Statements of the Rundle Mall Management Authority, Adelaide Park Lands Authority, Adelaide Central Market Authority, Brown Hill and Keswick Creeks Stormwater Board and Council Solutions Regional Authority be presented to Council for noting on 13 October 2020.
11. Requests a report to Audit Committee from the administration on capital work in progress to include specific examples and timelines.
12. Requests the CEO to implement KPIs within the infrastructure team to deliver within the timeframes specified.

13. Requests a report to Audit Committee on improvements in the process of delivering capital works and financial reporting.

3. Review undertaken of Audited Financial Statements 2019-20

THAT COUNCIL

1. Notes the approach undertaken to prepare the 2019-20 Financial Statements.
2. Notes the focus on financial sustainability and progress made towards improved financial planning and reporting this financial year, which has included Council's adoption of an Asset Accounting Policy and Fixed Asset Guidelines on 8 September 2020.
3. Recommends the following improvement plan for the management of the work in progress (WIP) for the infrastructure program:
 - 3.1. Revise practices and processes so that all asset custodians and employees who have asset management and asset accounting responsibilities are acting in accordance with the Asset Accounting Policy and Fixed Asset Guidelines.
 - 3.2. Formalise the focus on the management of capital Work in Progress in the context of the City of Adelaide's budget setting process, quarterly budget reviews and the preparation of financial statements, including:
 - 3.2.1 Review and refine the budgeting and forecasting capitalisation and write-off expense per project and review and resolve variances quarterly
 - 3.2.2 Review and refine the capital project overhead expenses allocation and adjust quarterly to reflect any changes to the infrastructure program overall
 - 3.2.3 Improve the end of year revaluation process to allow for adjustments to end of year processes.

Carried

Item 9.2, distributed separately is attached for reference at the end of the Minutes of this meeting.

Reports for Council (Chief Executive Officer's Reports)

8. Item 10.1 - Golden Wattle Park Community Land Management Plan & Building Concept [2018/00561] Presented to Committee on 6/10/2020 [C]

Moved by Councillor Knoll,
Seconded by Councillor Khera -

THAT COUNCIL

1. Receives the community engagement findings summarised in Attachment A to Item 10.1 on the Agenda for the meeting of the Council held on 13 October 2020.
2. Adopts the Community Land Management Plan for Golden Wattle Park/Mirnu Wirra (Park 21W) as per Attachment B to Item 10.1 on the Agenda for the meeting of the Council held on 13 October 2020.
3. Notes the design intent of the preliminary building concept for Golden Wattle Park/Mirnu Wirra (Park 21W) as per Attachment C to Item 10.1 on the Agenda for the meeting of the Council held on 13 October 2020, which has been developed for the purpose of the lessee seeking external funding.
4. Notes that once funding is secured by the lessee, a revised building concept based on the design intent will be tabled with the Adelaide Park Lands Authority and Council that includes:
 - 4.1. A reduced building footprint that does not exceed 465sqm as defined by the Adelaide Park Lands Building Design Guideline.
 - 4.2. Undergrounded rainwater tanks or above ground rainwater tanks that are concealed and counted towards the building ground footprint.
 - 4.3. An examination of the visual and cost differences associated with incorporating and not incorporating an undercroft.
5. Approves the Lord Mayor providing a letter of support to assist the lessee in securing funding for a new building in Golden Wattle Park/Mirnu Wirra (Park 21W).

Discussion ensued

Amendment –

Moved by Councillor Moran,

Seconded by Councillor Simms -

That the motion be amended to read as follows:

'That the matter be deferred.'

Carried

The motion, as amended, was then put and carried

9. Item 10.2 - 2021/22 Black Spot Nominations [2020/01541] Presented to Committee on 6/10/2020 [C]

Moved by Councillor Martin,
Seconded by Councillor Moran -

THAT COUNCIL

1. Notes the proposed nominations for the 2021/22 Black Spot Funding Program at the Montefiore Road/Montefiore Hill Road/Jeffcott Street and Pulteney Street/Angas Street intersections as set out in Attachment A to Item 10.2 on the Agenda for the meeting of Council on 13 October 2020.
2. Notes that a budget allocation of \$68,000, including \$17,000 for Montefiore Road/Montefiore Hill Road/Jeffcott Street intersection safety improvements and \$51,000 for Pulteney Street/Angas Street intersection safety improvements, will be included in the 2021/22 budget to honour the 34% contribution required should both projects be successful for State Black Spot Funding.

Discussion ensued

The motion was then put and lost

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

THAT COUNCIL

1. Notes the proposed nominations for the 2021/22 Black Spot Funding Program at the Montefiore Road/Montefiore Hill Road/Jeffcott Street and Pulteney Street/Angas Street intersections as set out in Attachment A to Item 10.2 on the Agenda for the meeting of Council on 13 October 2020.
2. Rescinds part 2 of the resolution from Item 9.1 Recommendation 4 from the meeting of Council held on 30 April 2019, '*Notes that this priority list will be reviewed annually and brought to Council for approval as part of the annual Black Spot application process.*', and authorises the Chief Executive Officer or his delegate to approve the submission of future Black Spot Funding nominations.
3. Notes that a budget allocation of \$68,000, including \$17,000 for Montefiore Road/Montefiore Hill Road/Jeffcott Street intersection safety improvements and \$51,000 for Pulteney Street/Angas Street intersection safety improvements, will be included in the 2021/22 budget to honour the 34% contribution required should both projects be successful for State Black Spot Funding.
4. Notes that future communication to Elected Members on nominations for the Black Spot program will be undertaken via e-news.

Carried

10. Item 10.4 - Proposed Event in the Adelaide Park Lands – Adelaide Festival 2021 [2020/00800] Presented to Committee on 6/10/2020 [C]

Lord Mayor, Sandy Verschoor disclosed a material conflict of interest in Item 10.4 [2020/ Proposed Event in the Adelaide Park Lands – Adelaide Festival 2021], pursuant to Sections 73 & 74 of the *Local Government Act 1999* (SA), because she is a Board Member of the Festival Centre Board Corporation, withdrew her Chair and left the meeting at 6.10 pm, whereupon the Deputy Lord Mayor (Councillor Hyde) took the Chair.

It was then -

Moved by Councillor Couros,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL

1. Authorises the Chief Executive Officer to grant an event licence to the Adelaide Festival Corporation for the Adelaide Festival Club 2021 event from Thursday 25 February 2021 to Sunday 14 March 2021 in a portion of Elder Park (Park 26).
2. Approves the Adelaide Festival event to operate beyond 12midnight until 2.00am on Friday and Saturday nights as well as Sunday 7 March 2021 (as the public holiday weekend).

Discussion ensued

The motion was then put and carried

Councillor Moran requested that a division be taken on the motion

Division**For (8):**

Councillors Abrahamzadeh, Couros, Donovan, Hou, Khera, Knoll, Mackie and Simms.

Against (2):

Councillors Martin and Moran.

The division was declared in favour of the motion

The Lord Mayor re-entered the Council Chamber at 6.20 pm whereupon she retook the Chair. Councillor Khera left the Council Chamber at 6.20 pm.

11. Item 10.5 - Regulated Tree Removal – Wellington Square/Kudnartu [2011/01043] Presented to Committee on 6/10/2020 [C]

Moved by Councillor Moran,
Seconded by Councillor Couros -

THAT COUNCIL

1. Approves in its capacity as having care and control of the land, the removal of one Ceratonia siliqua (Carob Tree) located in Wellington Square/Kudnartu.
2. Notes that a tree will be planted to replace the existing tree. While the replacement species may be the same as the current tree, options will be considered within projected climate change parameters and location specific conditions.

Discussion ensued

The motion was then put and carried

12. Item 10.6 - City of Adelaide Annual Report 2019-2020 [2020/00571] Presented to Committee on 6/10/2020 [C]

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

THAT COUNCIL

1. Notes the 'City of Adelaide Strategic Plan 2016-20' Close Out Report, as included in Attachment A to Item 10.6 on the Agenda for the meeting of Council held on 13 October 2020, and contained within the City of Adelaide Annual Report 2019-20, providing a summary of the achievements against the 'Measures of Success' as well as some of the key accomplishments under the outcomes of 'Smart', 'Green', 'Liveable' and 'Creative'.
2. Adopts the City of Adelaide Annual Report 2019-20 as included in Attachment B to Item 10.6 on the Agenda for the meeting of Council held on 13 October 2020.
3. Authorises the Chief Executive Officer to make any necessary amendments of a minor nature to the adopted Annual Report that do not change the substantive tone or message of the adopted report.

Discussion ensued, during which:

- Councillor Khera re-entered the Council Chamber at 6.22 pm
- Councillor Hou left the Council Chamber at 6.22 pm and re-entered at 6.24 pm

The motion was then put and carried

13. Item 10.7 - The Committee - Updated Terms of Reference [2018/04071] Presented to Committee on 6/10/2020 [C]

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

THAT COUNCIL

1. Approves the updated Terms of Reference for The Committee in Attachment A to Item 10.7 on the Agenda for the meeting of Council held on 13 October 2020.

Discussion ensued

Amendment –

Moved by Councillor Simms,
Seconded by Councillor Moran -

That the motion be amended by the inclusion of an additional Part 2 to read as follows:

- '2. Requests the administration develop guidelines for electronic committee meetings.'

Discussion continued

The amendment was then put and lost

Councillor Simms requested that a division be taken on the amendment

Division

For (5):

Councillors Martin, Moran, Donovan, Mackie and Simms.

Against (6):

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

The division was declared against the amendment

The motion was then put and carried

14. Item 10.8 - Adelaide Park Lands Authority Annual Report 2019/20 [2010/03030] [C]

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

THAT COUNCIL

1. Receives the Adelaide Park Lands Authority's Annual Report for 2019/20, as adopted by the Adelaide Park Lands Authority at its meeting on 1 October 2020, included as Attachment A to Item 10.8 on the Agenda for the meeting of Council held on 13 October 2020.
2. Notes that the Annual Report will be formatted with suitable images and graphics for publication and will be included in the City of Adelaide's Annual Report and made available separately on the City of Adelaide's Adelaide Park Lands Authority web page.

Discussion ensued

The motion was then put and carried

15. Item 10.9 - Australia Day Council of South Australia - Election of Board Members [2018/04054] [C]

Councillor Abrahamzadeh disclosed a perceived conflict of interest in Item 10.9 [Australia Day Council of South Australia - Election of Board Members], pursuant to Sections 75 & 75A of the *Local Government Act 1999 (SA)*, as he is an existing Member of the Australia Day Council of South Australia and a nominee for reappointment, withdrew his Chair and left the Council Chamber at 6.47 pm.

The Lord Mayor called for nominations for four positions on the ballot paper.

The Deputy Lord Mayor (Councillor Hyde) nominated Mr Bruce Djite, Mr Arman Abrahamzadeh OAM, Ms Sarah Annicchiarico and Mr Mustafa Kadir.

Councillor Martin nominated Mr Aashish Wagley, Mr Irfan Hashmi and Mr Arthur Mangos.

There being seven nominees for four positions on the ballot paper, a ballot was conducted, resulting in Mr Bruce Djite, Mr Arman Abrahamzadeh OAM, Ms Sarah Annicchiarico and Mr Mustafa Kadir being selected.

It was then -

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

THAT COUNCIL

1. Approves that the ballot paper be marked in accordance with Council's resolution to vote for the following four nominees:
 - 1.1 Mr Bruce Djite – Individual Member
 - 1.2. Mr Arman Abrahamzadeh OAM – Individual Member
 - 1.3. Ms Sarah Annicchiarico – Individual Member
 - 1.4. Mr Mustafa Kadir – Individual Member

Carried

16. Item 10.10 - Dog and Cat Management Board [2018/04054] [C]

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

Councillor Simms nominated Councillor Martin, who declined the nomination.

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

Councillor Mackie nominated Councillor Donovan, who declined the nomination.

It was the -

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

THAT COUNCIL

1. Approves the nomination of a Council Member or staff member to the Dog and Cat Management Board.

Carried

It was then –

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

That Council approves the nomination of Councillor Khera to the Dog and Cat Management Board.

Councillor Khera disclosed a material conflict of interest in Item 10.10 [Dog and Cat Management Board], pursuant to Sections 73 & 74 of the *Local Government Act* 1999 (SA), because of remuneration associated with the position, withdrew his Chair and left the Council Chamber at 6.55 pm.

The motion was then put and carried

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

Division

For (8):

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

Against (2):

Councillors Moran and Simms.

The division was declared in favour of the motion

Councillor Khera re-entered the Council Chamber at 6.56 pm

17. Item 10.11 - Election of LGA President [2018/04054] [C]

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

THAT COUNCIL

1. Approves that the ballot paper be marked in accordance with Council's resolution to vote for one of the following nominees:
 - 1.1. Mayor Karen Redman or
 - 1.2. Mayor Angela Evans or
 - 1.3. Mayor Jan-Claire Wisdom.

Carried

The Lord Mayor called for nominations for the one position on the ballot paper.

Councillor Donovan nominated Mayor Karen Redman.

Discussion ensued

It was then –

Moved by Councillor Donovan,
Seconded by Councillor Knoll -

That Council approves that the ballot paper be marked in accordance with Council's resolution to vote for Mayor Karen Redman to the position of LGA President.

Carried

18. Item 10.12 - 2020 LGA Annual General Meeting papers [2018/04054] [C]

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

THAT COUNCIL

1. Notes the report.

Carried

19. Item 10.13 - Local Government Finance Authority Board Election and Annual General Meeting [2018/04054] [C]

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

THAT COUNCIL

1. Notes the Local Government Finance Authority Annual General Meeting will be held on Thursday 29 October 2020.
2. Approves that the ballot paper be marked in accordance with Council's resolution to vote for up to two of the following nominees for the position of LGFA Board Member:
 - 2.1. Councillor Mary Couros
 - 2.2. Councillor Peter Field
 - 2.3. Councillor Karen Hockley
 - 2.4. Mr Charles Mansueto
 - 2.5. Ms Annette Martin
 - 2.6. Mr Michael Sedgman
 - 2.7. Councillor John Smedley
 - 2.8. Councillor Sotirios Stuppos
 - 2.9. Councillor Michael Rabbitt

Carried

Councillor Couros disclosed an actual conflict of interest in Item 10.13 [Local Government Finance Authority Board Election and Annual General Meeting], pursuant to Sections 75 & 75A of the *Local Government Act 1999* (SA), because of remuneration associated with the position (however the position still being subject to LGFA appointment process), withdrew her Chair and left the Council Chamber at 6.59 pm.

The Lord Mayor called for nominations for the two positions on the ballot paper.

Deputy Lord Mayor (Councillor Hyde) nominated Councillor Mary Couros and Mr Michael Sedgman.

Councillor Martin nominated Councillor Peter Field and Councillor Michael Rabbitt.

Councillor Moran nominated Councillor Karen Hockley and Ms Annette Martin.

There being six nominees for two positions on the ballot paper, a ballot was conducted, resulting in Councillor Mary Couros and Mr Michael Sedgman being selected.

It was then -

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Knoll -

That Council approves that the ballot paper be marked in accordance with Council's resolution to vote for the following nominees for the position of LGFA Board Member:

1. Councillor Mary Couros
2. Mr Michael Sedgman

Carried

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

Division

For (7):

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

Against (3):

Councillors Martin, Moran and Simms.

The division was declared in favour of the motion

Councillor Couros re-entered the Council Chamber at 7.04 pm

20. Item 10.14 - South Australian Heritage Council [2018/04054] [C]

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

THAT COUNCIL

1. Approves the nomination of a Council Member or staff member to the South Australian Heritage Council.

Carried

The Lord Mayor called for nominations to the South Australian Heritage Council.

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

Councillor Mackie nominated Councillor Moran, who accepted the nomination.

Councillor Moran and Councillor Khera disclosed a actual conflict of interest in Item 10.14 [South Australian Heritage Council], pursuant to Sections 75 & 75A of the *Local Government Act 1999* (SA), because of remuneration associated with the position, withdrew their Chairs and left the Council Chamber at 7.06 pm.

It was then –

Moved by Councillor Simms,
Seconded by Councillor Mackie -

That Council approves the nomination of Councillors Moran and Khera to the South Australian Heritage Council.

Carried

Councillors Khera and Moran re-entered the Council Chamber at 7.08 pm

Exclusion of the Public

21. Item 11.1 – Exclusion of the Public [2018/04291] [C]

For the following Report of Committees seeking consideration in confidence

12.1.1. Recommendations/Advice of the Audit Committee in Confidence – 9/10/2020

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

12.2.1. Renewal of Recycled Water Service - Award of Contract [s 90(3) (d)]

12.2.2 Initiating the Representation Review [s 90(3) (k)]

12.2.3. Adelaide Park Lands Authority - membership appointments [s 90(3) (a)]

Order to Exclude for Item 12.1.1

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Knoll -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (i) & (b) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13/10/2020/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.1.1 [Advice/Recommendation of the Audit Committee – 7/8/2020] 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 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.

This Item is confidential because in accordance with Section 7.7.3 of the Audit Committee Terms of Reference, the Audit Committee is required to meet with the external auditors at least once per year, without management present in order to discuss their responsibilities and any issues arising from the external audit.

The disclosure of information in this report may result in the release of information that would breach the Audit Committee's Terms of Reference and may adversely impact the commercial position of the Council.

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 may result in the release of information of a commercial advantage that may adversely impact the Council and would breach the Terms of Reference of the Audit Committee.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13/10/2020 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 12.1.1 [Advice/Recommendation of the Audit Committee – 7/8/2020] 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) (i) & (b) of the Act.

Carried

Order to Exclude for Item 12.2.1

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

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 13/10/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.2.1 [Renewal of Recycled Water Service - Award of Contract] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item is confidential as it contains commercial information of a confidential nature (not being a trade secret). All SA Water Recycled Water Agreements, which are non-dual reticulation (dual reticulation price is gazetted) are commercial in confidence.

The disclosure of information in this report 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

Release of the information is contrary to the public interest as it could jeopardise the relationship between CoA and SA Water and presents a legal risk to Council in context of commercial in confidence information being disclosed. All SA Water non-residential agreements are subject to unique commercial arrangements. SA Water has advised the contract contains specific financial information regarding one of the contractors that is commercial in confidence.

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 could be commercially damaging to SA Water and CoA.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13/10/2020 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 12.2.1 [Renewal of Recycled Water Service - Award of Contract] 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.

Discussion ensued

The motion was then put and carried

Order to Exclude for Item 12.2.2

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

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (k) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13/10/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.2.2 [Initiating the Representation 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 is confidential as it relates to a tender for the provision of the services of a consultant to undertake the Representation Review process in accordance with section 12 of the *Local Government Act 1999 (SA)*.

The disclosure of names in this report could reasonably prejudice the unsuccessful parties of the tender appraisal and evaluation process, and as such compromise the procurement process and associated tenderers.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13/10/2020 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 12.2.2 [Initiating the Representation 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) (k) of the Act.

Discussion ensued

The motion was then put and carried

Order to Exclude for Item 12.2.3

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

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 13/10/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.2.3 [Adelaide Park Lands Authority - membership appointments] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item is confidential as it contains personal information about the nominees for the position of Board Member. Ensuing discussion could result in further disclosure of personal affairs.

The disclosure of information in this report could reasonably result in the personal affairs of individuals being made public.

Public Interest

The disclosure of personal information is contrary to the 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 of the disclosure of personal information.

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 13/10/2020 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 12.2.3 [Adelaide Park Lands Authority - membership appointments] 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.

Discussion ensued

The motion was then put and carried

The public and members of Corporation staff not directly involved with Items 12.1.1, 12.2.1, 12.2.2 and 12.2.3 left the Council Chamber at 7.13 pm.

Confidential Item 12.1.1

Advice/Recommendation/s of the Audit Committee in Confidence – 9/10/2020

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

Pages 15 - 18

Confidential Item 12.2.1

Renewal of Recycled Water Service - Award of Contract

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

Page 19

Confidential Item 12.2.2

Initiating the Representation Review

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

Page 19

Confidential Item 12.2.3

Adelaide Park Lands Authority – membership appointments

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

Pages 20 - 21

The meeting re-opened to the public at 7.40 pm

Confidentiality Orders

Minute 22 - Item 12.1.1 - Advice/Recommendation/s of the Audit Committee in Confidence – 9/10/2020 [C]

Resolution & Confidentiality Order

THAT COUNCIL

1. Notes the report of the meeting of the Audit Committee held on 9 October 2020.
2. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.1.1 [Audit Committee Report – 9 October 2020] listed on the Agenda for the meeting of the Council held on 14 July 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (i) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:
 - 2.1. The resolution become public information and included in the Minutes of the meeting.
 - 2.2. 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.
 - 2.3. The confidentiality of the matter be reviewed in December 2021.
 - 2.4. 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 23 - Item 12.2.1 - Renewal of Recycled Water Service - Award of Contract [C]

Resolution & Confidentiality Order

THAT COUNCIL

1. Approves the renewal of the agreement between SA Water and the City of Adelaide (CoA) for the supply of recycled water as per Attachment A to Item 12.2.1 on the Agenda for the meeting of Council held on 13 October 2020 and Authorises the Chief Executive Officer to negotiate final terms and execute the agreement.
2. In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 12.2.1 [Renewal of Recycled Water Service] listed on the Agenda for the meeting of the Council held on 13 October 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 Committee do order that
 - 2.1. The resolution become public information and included in the Minutes of the meeting.
 - 2.2. 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.
 - 2.3. The confidentiality of the matter be reviewed in December 2021.
 - 2.4. 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 24 - Item 12.2.2 - Initiating the Representation Review [C]

Resolution, Confidentiality Order & Report [Excluding Attachment A]

THAT COUNCIL

1. Notes the Procurement Summary Report provided in Attachment A to Item 12.2.2 on the Agenda for the meeting of Council held on 13 October 2020, which was used to identify a preferred supplier to assist the City of Adelaide with completing the legislatively required representation review.
2. Appoints Helen Dyer, of Holmes Dyer Pty Ltd as the suitably qualified person under the *Local Government Act 1999 (SA)* to prepare the Representation Review Options Paper for the City of Adelaide.
3. Authorises the Chief Executive Officer or delegate to finalise the tender process and execute the relevant engagement contract as appropriate.
4. Notes the City of Adelaide Representation Review will officially commence as a result of the appointment of the suitably qualified person.
5. In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 12.2.2 [Initiating the Representation Review] listed on the Agenda for the meeting of Council held on

13 October 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (k) of the *Local Government Act 1999 (SA)*, this meeting of Council do order that:

- 5.1. The resolution and the report [Excluding Attachment A] become public information and included in the Minutes of the meeting.
- 5.2. Attachment A of the report, discussion and the Minutes of this meeting remain confidential and not available for public inspection until 31 December 2027.
- 5.3. The confidentiality of the matter be reviewed in December 2021.
- 5.4. 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.

Initiating the Representation Review

ITEM 12.2.2 13/10/2020
Council

Strategic Alignment - Enabling Priorities

Program Contact:
Rudi Deco, Manager Governance
8203 7442

2018/04004
Confidential - s 90(3) (k) tenders

Approving Officer:
Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY

Section 12 (4) of the *Local Government Act 1999 (SA)* requires each council to undertake a representation review approximately every eight years, with the precise timing of each review determined by the Minister for Local Government. The City of Adelaide last undertook a representation review in 2012-2013 and is scheduled to conduct its next review between June 2020 and October 2021.

The outcome of the representation review will be applied at the November 2022 Local Government Election.

This report provides background information on the purpose and approach of the representation review and seeks to commence the process by engaging a suitably qualified person as per the legislative process.

Consideration in confidence is sought as the report references the tender appraisal and evaluation process that has been undertaken to determine the suggested consultant to undertake the representation review (Procurement Summary Report). Reporting this in public would result in unreasonable disclosure of information concerning the suitability of the consultant for the position.

RECOMMENDATION

THAT COUNCIL

1. Notes the Procurement Summary Report provided in Attachment A to Item 12.2.2 on the Agenda for the meeting of Council held on 13 October 2020, which was used to identify a preferred supplier to assist the City of Adelaide with completing the legislatively required representation review.
2. Appoints Helen Dyer, of Holmes Dyer Pty Ltd as the suitably qualified person under the *Local Government Act 1999 (SA)* to prepare the Representation Review Options Paper for the City of Adelaide.
3. Authorises the Chief Executive Officer or delegate to finalise the tender process and execute the relevant engagement contract as appropriate.
4. Notes the City of Adelaide Representation Review will officially commence as a result of the appointment of the suitably qualified person.
5. In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 12.2.2 [Initiating the Representation Review] listed on the Agenda for the meeting of Council held on 13 October 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (k) of the *Local Government Act 1999 (SA)*, this meeting of Council do order that:
 - 5.1. The resolution and the report [Excluding Attachment A] become public information and included in the Minutes of the meeting.
 - 5.2. Attachment A of the report, discussion and the Minutes of this meeting remain confidential and not available for public inspection until 31 December 2027.
 - 5.3. The confidentiality of the matter be reviewed in December 2021.

- 5.4. 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 24 - Item 12.2.2 [Excluding Attachment A]
Published in Confidence & Released to the Public

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities
Policy	Not as a result of this report
Consultation	There will be two rounds of public consultation as required by legislation
Resource	The Governance Project Officer will assist the suitably qualified person during the multi-staged process.
Risk / Legal / Legislative	This review is required to be conducted in accordance with Section 12 of the <i>Local Government Act 1999 (SA)</i> . By applying the procurement process to identify the suitably qualified person, the Council keeps sufficient segregation.
Opportunities	Changes to the City of Adelaide Council composition and or wards may provide for updated representation.
20/21 Budget Allocation	\$40,000 (excluding G.S.T) for the consultancy listed in the report and a further \$60,000 reserved for statutory public consultation, legal services and contingency relating to the representation review process.
Proposed 21/22 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.
20/21 Budget Reconsideration (if applicable)	Once the procured consultant is on board the Administration will be able to build on the current project plan.
Ongoing Costs (eg maintenance cost)	Not as a result of this report.
Other Funding Sources	Not as a result of this report.

GROUNDS AND BASIS FOR CONSIDERATION IN CONFIDENCE

Grounds

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

(k) tenders for the supply of goods, the provision of services or the carrying out of works

Basis

This Item is confidential as it relates to a tender for the provision of the services of a consultant to undertake the Representation Review process in accordance with section 12 of the *Local Government Act 1999 (SA)*.

The disclosure of names in this report could reasonably prejudice the unsuccessful parties of the tender appraisal and evaluation process, and as such compromise the procurement process and associated tenderers.

Minute 24 - Item 12.2.2 [Excluding Attachment A] -
Published in Confidence & Released to the Public

DISCUSSION

1. Section 12(4) of the *Local Government Act 1999* (SA) (the Act) requires councils to conduct representation reviews at least once in each relevant period prescribed by the *Local Government (General) Regulations 2013* (the Regulations).
2. Regulation 4 of the Regulations states that for the purposes of section 12(4) of the Act, the 'relevant period', is the period determined by the Minister from time to time by notice published in the Government Gazette.
3. On 1 August 2019, the Minister for Transport, Infrastructure and Local Government (the Minister) published a schedule for the next round of representation review relevant periods. The timeframe for the review was further amended due to the potential impeding Local Government Amendment Bill and the status of the public health emergency.
4. The period that the City of Adelaide is required to undertake the representation review is scheduled between June 2020 - October 2021.
5. In accordance with Section 12(5) of the Act, Council must initiate preparation of a representation options paper by a person who, in the opinion of the Council, is qualified to address the representation and governance issues that may arise with respect to the matters under the review.
6. Due to the complexities of undertaking a structural representation of a capital city council, the Administration engaged a procurement process to help Council identify a preferred supplier (consultant) to help prepare the Representation Review Options Paper.
7. Details on the procurement process and evaluation outcome can be found in **Attachment A**.
8. The 'qualified person' will be responsible for:
 - 8.1 Preparing the Options Paper (including meetings with staff and workshops with Elected Members).
 - 8.2 Options paper consultation (including a webcast and 2-hour open house).
 - 8.3 Preparing the Representation Paper (including consultation review and Elected Member workshop).
 - 8.4 Finalising the Representation Report and referring the report to the Electoral Commissioner of South Australia for certification.
 - 8.5 Boundary documentation (if required).
9. The review will be multi-staged and will require Council to note the progress of the various stages.
10. The table below provides a draft timeline of the process:

Timeframe	Milestone
15 September 2020	Committee Presentation introducing the Representation Review
21 September 2020	E-news to members with general information
October 2020	Review officially begins
October 2020	Individual meetings with Elected Members with Governance Project Officer and the Consultant
17 November 2020	Strategic Committee Workshop to discuss ward modelling and potential options
November 2020 - February 2021	Consultant to Prepare a Representation Options Paper
February 2021 (Public Consultation Minimum 6 weeks)	Public Consultation- Notice #1
March 2021 – April 2021	Representation Review Overview Report
May – June 2021 (Minimum of 3 weeks)	Public Consultation- Notice #2
June 2021	Public Hearing of Submissions
July 2021 – August 2021	Finalise Representation Review Report

August 2021	ECSA Certification
September 2021 - ongoing	Technical description & changes of boundaries + modification of Electoral Roll

ATTACHMENTS

Attachment A – Procurement Summary Report

- END OF REPORT -

Minute 24 - Item 12.2.2 [Excluding Attachment A] -
Published in Confidence & Released to the Public

Minute 25 - Item 12.2.3 - Adelaide Park Lands Authority – membership appointments [C]Resolution, Confidentiality Order & ReportTHAT COUNCIL

1. Appoints the following persons to the Adelaide Park Lands Authority for the period 1 January 2021 to 31 December 2022, subject to the required consultation with the Minister responsible for the *Adelaide Park Lands Act 2005*:
 - 1.1. Deputy Lord Mayor (Councillor Hyde) as Council Member, and Councillor Abrahamzadeh as deputy Council Member, on the basis of providing expertise in the field of 'local government' as required by s (6) (3) (h) of the *Adelaide Park Lands Act 2005 (SA)*
 - 1.2. Allison Bretones on the basis of providing expertise in the field of 'recreation or open space planning' as required by s (6) (3) (b) of the *Adelaide Park Lands Act 2005 (SA)*
 - 1.3. Jessica Davies-Huynh on the basis of providing expertise in the field of 'indigenous culture or reconciliation' as required by s (6) (3) (f) of the *Adelaide Park Lands Act 2005 (SA)*
 - 1.4. Rob Brookman AM on the basis of providing expertise in the field of 'event management' as required by s (6) (3) (e) of the *Adelaide Park Lands Act 2005 (SA)*
2. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.2.3 [Adelaide Park Lands Authority - membership appointments] listed on the Agenda for the meeting of Council held on 13 October 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (a) of the *Local Government Act 1999 (SA)*, this meeting of the Council does order that
 - 2.1. The resolution and report become public information and included in the Minutes of the meeting.
 - 2.2. The discussion and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2027.
 - 2.3. The confidentiality of the matter be reviewed in December 2021.
 - 2.4. 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.

Adelaide Park Lands Authority membership appointments

ITEM 12.2.3 13/10/2020
Council

Strategic Alignment - Enabling Priorities

Program Contact:

Rick Hutchins, Manager City
Policy, Heritage & Park Lands
8203 7241

2010/03029

Confidential - s 90(3) (a) unreasonable disclosure of personal affairs

Approving Officer:

Klinton Devenish, Director Place

EXECUTIVE SUMMARY

Council's current appointments to the Board of the Adelaide Park Lands Authority (APLA) conclude on 31 December 2020. Apart from the Lord Mayor's ongoing position as Presiding Member of APLA, the concluding appointees are the Deputy Lord Mayor, Councillor Alexander Hyde, Allison Bretones, Jessica Davies-Huynh and Rob Brookman AM. This report seeks to facilitate appointments for the period 1 January 2021 to 31 December 2022, to align with Council's current term.

Consultation on the four appointments is required with the Minister responsible for the *Adelaide Park Lands Act 2005 (SA)*, the Hon Vickie Chapman MP, Deputy Premier and Minister for Planning and Local Government.

Consideration in confidence is sought because the report contains personal information regarding nominees and any ensuing discussion could result in further disclosure of personal affairs.

RECOMMENDATION

THAT COUNCIL

1. Appoints the following persons to the Adelaide Park Lands Authority for the period 1 January 2021 to 31 December 2022, subject to the required consultation with the Minister responsible for the *Adelaide Park Lands Act 2005*:
 - 1.1. A City of Adelaide Councillor, and deputy, on the basis of providing expertise in the field of 'local government' as required by s (6) (3) (h) of the *Adelaide Park Lands Act 2005 (SA)*
 - 1.2. Allison Bretones OR Sarah Sutter on the basis of providing expertise in the field of 'recreation or open space planning' as required by s (6) (3) (b) of the *Adelaide Park Lands Act 2005 (SA)*
 - 1.3. Jessica Davies-Huynh on the basis of providing expertise in the field of 'indigenous culture or reconciliation' as required by s (6) (3) (f) of the *Adelaide Park Lands Act 2005 (SA)*
 - 1.4. Rob Brookman AM on the basis of providing expertise in the field of 'event management' as required by s (6) (3) (e) of the *Adelaide Park Lands Act 2005 (SA)*
2. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.2.3 [Adelaide Park Lands Authority - membership appointments] listed on the Agenda for the meeting of Council held on 13 October 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (a) of the *Local Government Act 1999 (SA)*, this meeting of the Council does order that
 - 2.1. The resolution and report become public information and included in the Minutes of the meeting.
 - 2.2. The discussion and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2027.
 - 2.3. The confidentiality of the matter be reviewed in December 2021.
 - 2.4. 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.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities To ensure the delivery of our vision and outcomes, it is essential to plan so that long-term aspirations are embedded into the everyday business of Council.
Policy	Not as a result of this report
Consultation	The Minister and the City of Adelaide must consult with each other in making appointments in order to endeavour to achieve a range of knowledge, skills and experience across the following areas: (a) biodiversity or environmental planning or management (b) recreation or open space planning or management (c) cultural heritage conservation or management (d) landscape design or park management (e) tourism or event management (f) indigenous culture or reconciliation (g) financial management (h) local government. Public consultation is not required.
Resource	Not as a result of this report
Risk / Legal / Legislative	APLA's Charter provides for a " <i>term of office not exceeding three years with such period determined by the Council and the Minister for their respective nominees</i> ". Current City of Adelaide appointments expire 31 December 2020. Current ministerial appointments expire 31 March 2022.
Opportunities	To provide for a full complement of Board members for the Adelaide Park Lands Authority, with the skill set to provide valuable advice to the City of Adelaide and State Government on matters pertaining to the Park Lands.
20/21 Budget Allocation	Not as a result of this report
Proposed 21/22 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	It is recommended that the terms of Council's appointments to APLA align with that of the term of Council itself.
20/21 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

GROUNDS AND BASIS FOR CONSIDERATION IN CONFIDENCE

Grounds

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

Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Basis

This Item is confidential as it contains personal information about the nominees for the position of Board Member. Ensuing discussion could result in further disclosure of personal affairs.

The disclosure of information in this report could reasonably result in the personal affairs of individuals being made public.

Public Interest

The disclosure of personal information is contrary to the 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 of the disclosure of personal information.

DISCUSSION

Background

1. The *Adelaide Park Lands Act 2005 (SA)* (the Act) was developed in consultation with the City of Adelaide as a means of protecting and fostering the interests of the Adelaide Park Lands. The current Minister responsible for the Act is the Deputy Premier, Hon Vickie Chapman (the Minister).
2. The Adelaide Park Lands Authority (APLA) is established under the provisions of the Act (as a subsidiary of the City of Adelaide under the *Local Government Act 1999 (SA)*). APLA's role is to provide advice to both Council and the State Government on the management of the Adelaide Park Lands.
3. The role, functions and powers of APLA are defined in the Act and APLA's Charter.
4. Under the provisions of the Act, APLA's Board of Management is constituted by:
 - 4.1. The Lord Mayor (as Presiding Member) or, if the Lord Mayor chooses not to be a member, a person appointed by the City of Adelaide (as the Presiding Member)
 - 4.2. Four other members appointed by the City of Adelaide
 - 4.3. Five members appointed by the Minister (one of whom will be the Deputy Presiding Member).
5. Both the City of Adelaide and the Minister must ensure that they each appoint at least one woman and one man to APLA. Both the City of Adelaide and the Minister may appoint Deputies.

Current Appointments

6. Apart from the Lord Mayor, whose position as Presiding Member continues, the remaining City of Adelaide appointees, whose terms expire 31 December 2020 are:
 - 6.1. Deputy Lord Mayor, Councillor Alex Hyde (with Councillor Anne Moran as Deputy), with expertise in Local Government
 - 6.2. Jessica Davies-Huynh, (now former) Director on the Kaurua Yerta Aboriginal Corporation Board (appointed in consultation with that Board)
 - 6.3. Allison Bretones, Open Space Planner
 - 6.4. Rob Brookman AM, appointed May 2020 for his background and expertise in event management
7. Current Ministerial appointees to APLA (expiring 31 December 2021) are:
 - 7.1. Kirsteen Mackay, Government Architect and Deputy Presiding Member
 - 7.2. Stephen Forbes, Botanist
 - 7.3. Craig Wilkins, Chief Executive of the Conservation Council of South Australia
 - 7.4. Stephanie Johnston, Heritage and Urban Planner (with Damien Mugavin as Deputy)
 - 7.5. Ben Willsmore, Landscape Architect.

Expertise-based Membership

8. Section 6 of the Act describes the process for appointing Board Members to APLA and has a clear emphasis on the need to provide for a range of park management-related areas of expertise.
9. Both Council and the Minister must consult with each other and endeavour to achieve a membership that has gender balance and a range of knowledge, skills and experience across the following areas:
 - 9.1. *biodiversity or environmental planning or management*
 - 9.2. *recreation or open space planning or management*
 - 9.3. *cultural heritage conservation or management*
 - 9.4. *landscape design or park management*
 - 9.5. *tourism or event management*
 - 9.6. *indigenous culture or reconciliation*
 - 9.7. *financial management*
 - 9.8. *local government.*

10. In addition, section 6 of the Act also provides for the appointment (by the Minister) of one person “*nominated by an incorporated body that, in the opinion of the Minister, has demonstrated an interest in the preservation and management of the Adelaide Park Lands for the benefit of the community and that has been invited by the Minister to make a nomination*”. Currently that person is Stephanie Johnston, who was nominated by the Adelaide Park Lands Preservation Association.
11. In relation to the financial management skill requirement (9.7 above), such skills are held by various Members who have undergone specific training, or through their own professional experience.

Alignment of current appointees with required skills base

Required knowledge, skills and experience	Appointee
Biodiversity or environmental planning or management	Craig Wilkins Stephen Forbes
Recreation or open space planning or management	Allison Bretones
Cultural heritage conservation or management	Stephanie Johnston
Landscape design or park management	Ben Willsmore Kirsteen Mackay
Tourism or event management	Rob Brookman AM
Indigenous culture or reconciliation	Jessica Davies-Huynh
Financial management	
Local government.	Deputy Lord Mayor, Councillor Alexander Hyde

Recommended appointees

12. Council’s current appointees (and Deputy) have indicated their willingness to continue as Board Members if required, and possess skills which align with the required areas of expertise. Their re-appointment will allow for continuity and assist with the review of the current Adelaide Park Lands Management Strategy.
13. A City of Adelaide Councillor is recommended for appointment on the basis that he or she provides expertise in the area of Local Government, pursuant to s (6) (3) (h) of the *Adelaide Park Lands Act 2005 (SA)*.
14. Jessica Davies-Huynh is a former Director on the Kurna Yerta Aboriginal Corporation Board (KYAC) and provides valuable input into Park Lands matters from a Kurna perspective. Kurna appointments are made in consultation with KYAC and Jessica has the support of the KYAC Board.
15. Rob Brookman AM was appointed by Council in May 2020 and provides valuable input through his background and expertise in event management.
16. Sarah Sutter, CEO of Nature Play SA, (Link 1 view [here](#)) is suggested as an alternative to Allison Bretones (Link 2 view [here](#)) both of whom have expertise in “*Recreation or open space planning or management*” pursuant to s (6) (3) (b) of the *Adelaide Park Lands Act 2005 (SA)*.

Nomination and appointment of Council members

17. Pursuant to Standing Orders (22.4 & 22.6):
 - 17.1. In the event of more nominations than positions an election shall be effected by voting by ballot unless otherwise decided by the majority of the Council.
 - 17.2. All elections for positions will be subject to confirmation by way of a resolution of Council before being final and binding.

Period of appointment

18. Consistent with the Act, APLA’s Charter provides for a “*term of office not exceeding three years with such period determined by the Council and the Minister for their respective nominees*”.
19. In this instance, it is recommended that the nominee be appointed until 31 December 2022, to align with the current term of Council.

Next Steps

20. Consultation regarding Council's nominees with the Minister responsible for the administration of the *Adelaide Park Lands Act 2005* (SA), Deputy Premier and Minister for Planning and Local Government, the Hon Vickie Chapman MP.
21. Subject to that consultation, appointments to the Authority are confirmed through publication in the State Government Gazette.

DATA & SUPPORTING INFORMATION

Link 1 – bio for Sarah Sutter

Link 2 – bio for Allison Bretones

ATTACHMENTS

Nil

- END OF REPORT -

The meeting **adjourned at 7.40pm** for a 30-minute break **and reconvened at 8.09 pm** with the following Council Members present:

The Right Honourable the Lord Mayor, Sandy Verschoor (Presiding), Deputy Lord Mayor (Councillor Hyde) and Councillors Abrahamzadeh, Couros, Donovan, Hou, Khera, Knoll, Mackie, Martin and Simms.

Lord Mayor's Reports

26. Item 13 – Lord Mayor's Report [2018/04064] [C]

The Lord Mayor addressed the meeting on the following:

- Unveiling of portrait of former Lord Mayor Wendy Chapman AM
- Mainstreet Association AGM, the North Adelaide Precinct AGM and hosted a Melbourne St Roundtable
- Adelaide Botanic High School tour and meeting with Principal Alistair Brown, staff and students
- Christian Brothers College student leaders visited Town Hall
- Launches of the Adelaide Film Festival and the Feast Festival
- Lord Mayor's open door meetings
- Address as chair of the CCCLM on homelessness for a Western Australian Lord Mayoral candidates forum
- Several events focused on City wellbeing
- Launch of the Adelaide100

During the discussion:

- Councillor Moran entered the Council Chamber at 8.09 pm
- Councillor Khera left the Council Chamber at 8.10 pm and re-entered at 8.11 pm

It was then -

Moved by Councillor Khera,
Seconded by Councillor Abrahamzadeh -

That the report be received and noted.

Carried

Councillors' Reports

27. Item 14.1 – Reports from Council Members [2018/04064] [C]

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

THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 14.1 on the Agenda for the meeting of Council held on 13 October 2020).
2. Notes the summary of Council Members meeting attendance (Attachment B to Item 14.1 on the Agenda for the meeting of Council held on 13 October 2020).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 13 October 2020 be included in the Minutes of the meeting.

Carried

Questions on Notice

28. Item 15.1 to Item 15.7 – Questions on Notice [C]

- 15.1.** Councillor Martin – Question on Notice – Disability Car Parking
- 15.2.** Councillor Martin – Question on Notice – Stadium Management Authority Contact
- 15.3.** Councillor Knoll – Question on Notice – City Business Support
- 15.4.** Councillor Abrahamzadeh – Question on Notice – Christmas Activation Grant
- 15.5.** Councillor Martin – Question on Notice – Travel Budget
- 15.6.** Councillor Martin – Question on Notice – Overseas Travel
- 15.7.** Councillor Martin – Question on Notice – Yoursay Licence Costs

The Questions and Replies having been distributed and published prior to the meeting were taken as read.

The tabled Reply's for Items 15.1 – 15.7 are attached for reference at the end of the Minutes of this meeting.

Question without Notice

Discussion ensued

Motions on Notice

29. Item 17.1 – Councillor Martin – Motion on Notice – Disabled Parking in Residential Permit Zones [2019/00551] [C]

Moved by Councillor Martin,
Seconded by Councillor Simms –

That Council:

Noting that Disabled Car Parking is provided at a small number of on street locations in the City of Adelaide, requests the Administration provide a report for January meeting of the elected body on;

1. Any steps the City could take to assist the drivers of vehicles with a disabled parking permit to park in residential permit zones where disabled parking spaces, timed or other suitable parking is not available for short stays associated with driver or passenger movements or loading and unloading of the vehicle without incurring an expiation
2. The possibility of providing residents of the City of Adelaide with both residential parking permits and disability parking permits a zone which would allow the use of both permits, how such a zone might operate and any recommendation on steps that would need to be taken to adopt this reform.

Discussion ensued

The motion was then put and carried

30. Item 17.2 – Councillor Moran – Motion on Notice – Multiple Pyrotechnic Displays [2020/01167] [C]

Moved by Councillor Moran,
Seconded by Councillor Martin –

That Council:

Cancels its multiple pyrotechnic displays as part of the hybrid visual entertainment at midnight on New Year's Eve, in line with most, if not all, capital cities and regional centres.

Discussion ensued, during which Councillor Khera left the Council Chamber at 8.31 pm and re-entered at 8.33 pm.

The motion was then put and lost

Councillor Moran requested that a division be taken on the motion

Division

For (2):

Councillors Martin and Moran.

Against (9):

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

The division was declared against the motion

31. Item 17.3 – Councillor Moran – Motion on Notice – Revoke the Decision of 11 August 2020 - Driver Support Package [2019/00551] [C]

Moved by Councillor Moran,
Seconded by Councillor Simms –

That the decision of Council on 11/08/2020 in relation to a Driver Support Package, namely:

”That Council:

Request the administration deliver by November 2020 a suite of initiatives under the title ‘Driver’s Month’, including but not limited to:

1. Lottery prizes in the form of a \$100 gift voucher given weekly to a random user of the Park Adelaide App, to be spent only at Adelaide city based businesses;
2. Promotional street-side material as deemed appropriate by the marketing and media team.
3. Incentives to park and drive in the CBD in Adelaide;
4. Requesting the State Government implement a uniform 60kmp/h speed limit on all Park Lands roads entering the city.
5. Any other measures which will directly improve ease of access for drivers within the city
6. Marketing and publicity measures appropriate to the above.”

be revoked.

Much discussion ensued

CEO Undertaking - Councillor Moran – Motion on Notice – Revoke the Decision of 11 August 2020 - Driver Support Package [C]

In response to queries from Councillor Simms, an undertaking was given to provide Council Members with information on the progress of requesting the State Government implement a uniform 60kmp/h speed limit on all Park Lands roads entering the city.

The motion was then put and lost

Councillor Moran requested that a division be taken on the motion

Division

For (5):

Councillors Donovan, Martin, Moran, Mackie and Simms.

Against (6):

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

The division was declared against the motion

32. Item 17.4 – Councillor Abrahamzadeh - Motion on Notice – Outdoor Activation Grant [C]

Councillor Couros identified an actual conflict of interest in Item 17.4 [Councillor Abrahamzadeh - Motion on Notice – Outdoor Activation Grant] pursuant to Sections 75 & 75A of the *Local Government Act 1999 (SA)*, because she is a business owner involved with the grant process, withdrew her chair and left the Council Chamber at 9.01 pm.

It was then -

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Hou –

That Council:

1. Notes the success and demand for the outdoor activation grant which has provided funds to businesses across the City and North Adelaide and has provided much needed assistance to small businesses impacted by COVID-19;
2. Notes that the second grant was increased after the first grant was over-subscribed where council agreed to additional funding of \$375,000;
3. Requests the CEO provide a monetary estimate of the required amount needed to cover any submissions that were not granted due to being over-subscribed in second round; and
4. Increases the outdoor activation grant by an additional \$400,000 to allow for further applications and to give all businesses the opportunity to submit if they have not done so.

Discussion ensued, during which:

- Councillor Simms left the Colonel Light Room at 9.01 pm and re-entered at 9.04 pm.
- Councillor Moran left the Colonel Light Room at 9.04 pm and re-entered at 9.13 pm.

Amendment –

Moved by Councillor Knoll,
Seconded by Councillor Mackie –

That Part 4 of the motion be amended to read as follows:

- '4. In the event the State Government is unable to contribute additional funds by 30 October 2020, Council increase its contribution to the outdoor activation grant by an additional \$475,000 to allow for the funds of applications which met the criteria received in round 2 (as at 8 October 2020).'

Much discussion ensued

The amendment was then put and carried

Councillor Abrahamzadeh requested that a division be taken on the amendment

Division

For (7):

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

Against (3):

Councillors Donovan, Moran and Simms.

The division was declared in favour of the amendment

The motion, as amended, was then put and carried

Councillor Abrahamzadeh requested that a division be taken on the motion, as amended

Division

For (7):

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

Against (3):

Councillors Donovan, Moran and Simms.

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

Administration comment for Item 17.4, distributed separately is attached for reference at the end of the Minutes of this meeting.

33. Item 17.5 – Councillor Martin – Motion on Notice - Adelaide Review [C]

Moved by Councillor Martin,
Seconded by Councillor Mackie –

That Council:

Regrets the closure of the Adelaide Review and formally records its appreciation of the work of its owners, staff and contributors who, over the past 36 years, have helped to enrich the political and cultural discourse of the City.

Discussion ensued, during which:

- Councillor Couros re-entered the Council Chamber at 9.43 pm
- Councillor Hou left the Council Chamber at 9.43 pm and re-entered at 9.45 pm

The motion was then put and carried

Administration comment for Item 17.5, distributed separately is attached for reference at the end of the Minutes of this meeting.

34. Item 17.6 – Councillor Martin – Motion on Notice - Councillor Participation at Roundtables [C]

Moved by Councillor Martin,
Seconded by Councillor Moran –

That Council:

Noting that on Tuesday September 29th in the Queen Adelaide Room at Town Hall the Lord Mayor conducted a Melbourne Street Roundtable attended by representatives of one communication organisation, one business organisation and five individuals to:

1. Encourage greater communication and collaboration between stakeholders
2. Discuss opportunities and explore new ideas to improve the amenity of Melbourne Street for local businesses, residents and City users
3. Provide advice on emerging issues, asking recommendations on effective solutions
4. Brainstorming ideas on future development, vision and plans to create new and exciting experiences and opportunities for businesses, residents and City users
5. Update members on Council initiatives, including Mainstreet Action Plan, Community Activations and Events, and Quick Wins

And further noting the Lord Mayor decided to exclude elected members from participation in this event, requests the Lord Mayor now include Councillors for such discussions as stakeholders as the elected representatives of all businesses and residents and to aid effective communication and collaboration in the City of Adelaide.

Discussion ensued

The motion was then put and lost

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

Division

For (4):

Councillors Donovan, Mackie, Martin and Moran.

Against (7):

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

The division was declared against the motion

Administration comment for Item 17.6, distributed separately is attached for reference at the end of the Minutes of this meeting.

Councillor Mackie left the Council Chamber at 10.03 pm

35. Item 17.7 – Councillor Martin – Motion on Notice - Independent Review of Yoursay [C]

Moved by Councillor Martin,
Seconded by Councillor Simms –

That Council:

Acknowledges that despite a 2018 review there have been continuing and various complaints about the US licensed Yoursay online consultation process and asks the Administration to initiate an external and independent investigation into the efficiency of the manner in which the City of Adelaide conducts its consultation processes, including but not limited to;

1. Whether the Yoursay registration process is too onerous.
2. Any perceptions that lengthy and complex surveys deter participation.
3. Possible impacts associated with the common Yoursay practice of posing binary questions.
4. The role and relative value placed on general commentary provided by participants.
5. Ways in which ratepayers preferring to respond to consultations on paper can be better accommodated.
6. Options for alternative consultation processes available in the marketplace.

Discussion ensued, during which:

- Councillor Mackie re-entered the Council Chamber at 10.07 pm

- With the consent of the mover, seconder and the meeting the motion was varied to remove the words 'external and independent'

The motion, as varied, was then put and carried unanimously

Administration comment for Item 17.7, distributed separately is attached for reference at the end of the Minutes of this meeting.

The meeting **adjourned at 10.18 pm** for a 10-minute break **and reconvened at 10.28 pm** with the following Council Members present:

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

36. Item 17.8 – Councillor Hou – Motion on Notice - Use of Personal E-Scooters [C]

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

That Council:

1. Notes the success and demand for the use of E-Scooters which has become popular within the City;
2. Notes that the use of personal e-scooters within the City of Adelaide is not allowed under the current legislation;
3. Asks the Lord Mayor to write to the State Government requesting a change to this legislation to allow the use of personal e-scooters.

Discussion ensued

The motion was then put and carried

Administration comment for Item 17.8, distributed separately is attached for reference at the end of the Minutes of this meeting.

37. Item 17.9 – Councillor Hou – Motion on Notice - Bikes and E-Scooters on Public Transport [C]

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

That Council:

1. Notes that E-Scooters are currently banned from public trams, trains and buses whilst bikes are allowed only on trains;
2. Asks the Lord Mayor to write to the Minister seeking consideration to allow both bikes and e-scooters on public transport.

Discussion ensued

The motion was then put and carried unanimously

Administration comment for Item 17.9, distributed separately is attached for reference at the end of the Minutes of this meeting.

38. Item 17.10 – Lord Mayor - Motion on Notice - Sands & McDougall State Heritage Listing Advocacy [C]

Moved by the Lord Mayor,
Seconded by Councillor Khera –

That Council:

1. Notes the unique heritage value of the Art Deco facade on 64 King William Street, Adelaide (former Sands & McDougall Pty Ltd building).
2. Notes that the building façade (Frontage of Shop) is currently provisionally nominated as a State Heritage Place, as per the *Heritage Places Act 1993*.
3. Notes that The State Heritage Council is currently receiving submissions in support of the Frontage of Shop (former Sands & McDougall Pty Ltd building) being entered on the SA Heritage Register.

- Requests that the Administration provide a submission to The South Australian Heritage Council that speaks in support of the Frontage of Shop (former Sands & McDougall Pty Ltd building) being of State Heritage significance prior to the 24 November 2020.

Discussion ensued

The Lord Mayor withdrew the motion.

Administration comment for Item 17.10, distributed separately is attached for reference at the end of the Minutes of this meeting.

39. Item 17.11 – Lord Mayor - Motion on Notice – Adelaide Park Lands Foundation [C]

Discussion ensued

It was then -

Moved by the Lord Mayor,
Seconded by Councillor Simms –

That Council:

- Notes community interest in philanthropic fundraising for Park Lands enhancement and conservation;
- Notes that the *Adelaide Park Lands Act 2005* and its associated Adelaide Park Lands Fund, does not hold the required independence nor legal autonomy to be able to attain and maintain deductible gift recipient (DGR) endorsement;
- Request administration provide Council with an options framework to establish a legally independent Adelaide Park Lands Foundation by the City of Adelaide in consultation with Adelaide Park Lands Authority, ensuring that such an entity would be a public fund and have (DGR) status.
- Requests that the proposed expenditure of the fundraised money would be allocated only to Council endorsed projects, which are in keeping with the Adelaide Park Lands Management Strategy and have been recommended by APLA.
- Requests that efforts into operational options should consider the Foundation supporting the unique relationship and knowledge base that exists between the Kaurna People and the Park Lands.
- Notes the stringent rules surrounding DGR status;
- Requested that the administration investigate what type of governance model would be appropriate to meet the objectives outlined above, including but not limited to a prudential analysis of the Foundations operation and maintenance.

Discussion ensued, during which Councillor Martin left the Council Chamber at 11.06 pm and re-entered at 11.08 pm.

The motion was then put and carried

Councillor Couros requested that a division be taken on the motion

Division

For (9):

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

Against (2):

Councillors Martin and Moran.

The division was declared in favour of the motion

Administration comment for Item 17.11, distributed separately is attached for reference at the end of the Minutes of this meeting.

40. Item 17.12 – Lord Mayor - Motion on Notice - Home Buyer's Remission Scheme [C]

Moved by the Lord Mayor,
Seconded by Councillor Abrahamzadeh –

That Council:

- Notes the need for more affordable housing in the city;

2. Notes the contribution made by key workers to the city;
3. Notes that Council holds a strategic priority to increase residential growth in the city;
4. Requests that the Administration develop a framework aimed at achieving a 5-year rate free period for owner-occupiers who purchase new and off the plan dwellings;
5. Requests that the Administration develop an eligibility mechanism for admissibility into the remission scheme with an aim at attracting key workers;
6. Implements the scheme subject to complimentary measures funded by the State Government;
7. Requests that the State Government waive the 7% foreign acquirer duty (stamp duty surcharge) for all eligible key workers for the duration of the scheme;
8. Requests that the Lord Mayor write to State Government to seek support for the scheme (and waiver) to increase residential growth and encourage further owner-occupiers to the city.

Discussion ensued

It was then –

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

That the motion be put.

Carried

The motion was then put and carried

Councillor Couros requested that a division be taken on the motion

Division

For (9):

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

Against (2):

Councillors Martin and Moran.

The division was declared in favour of the motion

Administration comment for Item 17.12, distributed separately is attached for reference at the end of the Minutes of this meeting.

Motions without Notice

Nil

Closure

The meeting closed at 11.22 pm

Mark Goldstone,
Chief Executive Officer

Sandy Verschoor,
Lord Mayor.

Documents Attached for Reference

Minute 7 – Item 9.2 – Advice/Recommendations of the Audit Committee – 9/10/2020, distributed separately

Minute 28 – Items 15.1 – 15.7 – Questions on Notice, Replies distributed separately

Minute 32 - Item 17.4 - Councillor Abrahamzadeh - Motion on Notice – Outdoor Activation Grant, Administration Comment, distributed separately

Minute 33 - Item 17.5 - Councillor Martin – Motion on Notice - Adelaide Review, Administration Comment, distributed separately

Minute 34 - Item 17.6 - Councillor Martin – Motion on Notice - Councillor Participation at Roundtables, Administration Comment, distributed separately

Minute 35 - Item 17.7 - Councillor Martin – Motion on Notice - Independent Review of Yoursay, Administration Comment, distributed separately

Minute 36 - Item 17.8 - Councillor Hou – Motion on Notice - Use of Personal E-Scooters, Administration Comment, distributed separately

Minute 37 - Item 17.9 - Councillor Hou – Motion on Notice - Bikes and E-Scooters on Public Transport, Administration Comment, distributed separately

Minute 38 - Item 17.10 - Lord Mayor - Motion on Notice - Sands & McDougall State Heritage Listing Advocacy, Administration Comment, distributed separately

Minute 39 - Item 17.11 - Lord Mayor - Motion on Notice – Adelaide Park Lands Foundation, Administration Comment, distributed separately

Minute 40 - Item 17.12 - Lord Mayor - Motion on Notice - Lord Mayor's Home Buyer Remission Scheme, Administration Comment, distributed separately

Audit Committee Report – 9 October 2020

ITEM 9.2 13/10/2020
Council

Strategic Alignment - Enabling Priorities

Program Contact:

Rudi Deco, Manager Governance
8203 7442

2018/04062

Public

Approving Officer:

Mark Goldstone, Chief Executive
Officer

EXECUTIVE SUMMARY

The Audit Committee plays a critical role supporting the Council and Chief Executive Officer in the financial reporting framework of Council, by overseeing and monitoring the participation of management and external auditors in the financial reporting process. It also addresses issues such as the approach being adopted by Council and management to address business risks, corporate and financial governance responsibilities and legal compliance.

The Audit Committee held a meeting on Friday, 9 October 2020 and is required to report to Council after every meeting to identify and present advice and recommendations.

A precis of the matters considered by the Audit Committee is presented within this report.

The Recommendation below is in response to the deliberation of the Audit Committee on the Audited Financial Statements 2019-20 and the Review undertaken of Audited Financial Statements 2019-20.

RECOMMENDATION

1. Report of the Audit Committee – 9 October 2020

THAT COUNCIL

1. Notes the report of the meeting of the Audit Committee held on 9 October 2020.

2. Audited Financial Statements 2019-20

THAT COUNCIL

1. Considers that the Consolidated Financial Statements present fairly the financial position of the City of Adelaide, having reviewed the Consolidated Financial Statements for 2019-20, contained in Attachment A to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020.
2. Receives the City of Adelaide's Consolidated Financial Statements for 2019-20, contained in Attachment A to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, subject to minor administrative changes and subsequent balance date event adjustments, to be certified by the Chief Executive Officer and the Lord Mayor.
3. Considers it is appropriate that the representation letter requested by the external auditor, contained in Attachment B to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, is signed by management.
4. Notes the Certification of Auditor Independence contained in Attachment C to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020 by the Chief Executive Officer and the Presiding Member of the Audit Committee.

5. Notes the audited Adelaide Central Market Authority Financial Statements for 2019-20 as contained in Attachment D to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, have been audited and have been approved by the Adelaide Central Market Authority Board on 24 September 2020. These financial results have been included in the Consolidated Financial Statements of the City of Adelaide.
6. Notes the Rundle Mall Management Authority Financial Statements for 2019-20, contained in Attachment E to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, have been approved by the Rundle Mall Management Authority Board at its meeting on 21 September 2020, and certified by the Chair of the Board. These financial results are included in the Consolidated Financial Statements of the City of Adelaide; and
 - 6.1. Considers the Financial Statements for 2019-20 present fairly the financial position of the Rundle Mall Management Authority.
 - 6.2. Notes the Certification of Auditor Independence in relation to Rundle Mall Management Authority, contained in Attachment E to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020 is signed by the Chief Executive Officer and the Presiding Member of the Audit Committee.
 - 6.3. Notes the representation letter requested by the external auditor of the Rundle Mall Management Authority, contained in Attachment F to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, is signed by management.
7. Notes the Adelaide Park Lands Authority Financial Statements for 2019-20, contained in Attachment G to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, are included in the Consolidated Financial Statements of the City of Adelaide; and
 - 7.1. Considers the Financial Statements for 2019-20 present fairly the financial position of the Adelaide Park Lands Authority and can be certified by the Lord Mayor as Chair of Adelaide Park Lands Authority.
 - 7.2. Considers it is appropriate that the representation letter requested by the external auditor of the Adelaide Park Lands Authority, contained in Attachment H to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, is signed by management;
 - 7.3. Notes the Certification of Auditor Independence in relation to the Adelaide Park Lands Authority, contained in Attachment I to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, and considers it is appropriate to be signed by the Chief Executive Officer and the Presiding Member of the Audit Committee;
8. Notes the Council Solutions Regional Authority Financial Statements for 2019-20 as contained in Attachment J to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020 have been audited and approved by the Council Solutions Regional Authority Board. These financial results have been included in the Consolidated Financial Statements of the City of Adelaide.
 - 8.1. Notes the Financial Statements for 2019-20 are as at 28 February 2020. Pursuant to Clause 33(1)(a) of Schedule 2 to the *Local Government Act 1999 (SA)*, and at the request of the constituent councils, City of Adelaide, City of Charles Sturt, City of Marion, City of Onkaparinga, City of Salisbury and the City of Tea Tree Gully, the Hon Stephan Knoll MP declared Council Solutions wound up, effective 2 April 2020.
9. Notes the Brown Hill and Keswick Creeks Stormwater Board's Financial Statements for 2019-20 as contained in Attachment K to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020. Council's equity interest of eight percent (8%) is included in the Consolidated Financial Statements of the City of Adelaide.
10. Recommends the 2019-20 Consolidated Financial Statements of the City of Adelaide, and the Financial Statements of the Rundle Mall Management Authority, Adelaide Park Lands Authority, Adelaide Central Market Authority, Brown Hill and Keswick Creeks Stormwater Board and Council Solutions Regional Authority be presented to Council for noting on 13 October 2020.
11. Requests a report to Audit Committee from the administration on capital work in progress to include specific examples and timelines
12. Requests the CEO to implement KPIs within the infrastructure team to deliver within the timeframes specified.
13. Requests a report to Audit Committee on improvements in the process of delivering capital works and financial reporting.

3. Review undertaken of Audited Financial Statements 2019-20

THAT COUNCIL

1. Notes the approach undertaken to prepare the 2019-20 Financial Statements.
 2. Notes the focus on financial sustainability and progress made towards improved financial planning and reporting this financial year, which has included Council's adoption of an Asset Accounting Policy and Fixed Asset Guidelines on 8 September 2020.
 3. Recommends the following improvement plan for the management of the work in progress (WIP) for the infrastructure program:
 - 3.1. Revise practices and processes so that all asset custodians and employees who have asset management and asset accounting responsibilities are acting in accordance with the Asset Accounting Policy and Fixed Asset Guidelines.
 - 3.2. Formalise the focus on the management of capital Work in Progress in the context of the City of Adelaide's budget setting process, quarterly budget reviews and the preparation of financial statements, including:
 - 3.2.1 Review and refine the budgeting and forecasting capitalisation and write-off expense per project and review and resolve variances quarterly
 - 3.2.2 Review and refine the capital project overhead expenses allocation and adjust quarterly to reflect any changes to the infrastructure program overall
 - 3.2.3 Improve the end of year revaluation process to allow for adjustments to end of year processes.
-

DISCUSSION

1. The Audit Committee met on Friday, 9 October 2020. The Agenda with Reports for the public component of the meeting can be viewed [here](#).
2. The following matters were subject of deliberations:

2.1. Internal Audit Progress Update

THAT THE AUDIT COMMITTEE

1. Notes the Internal Audit Progress Update report.

2.2. Audited Financial Statements 2019-20

THAT THE AUDIT COMMITTEE RECOMMENDS TO COUNCIL

That Council:

1. Considers that the Consolidated Financial Statements present fairly the financial position of the City of Adelaide, having reviewed the Consolidated Financial Statements for 2019-20, contained in Attachment A to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020.
2. Receives the City of Adelaide's Consolidated Financial Statements for 2019-20, contained in Attachment A to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, subject to minor administrative changes and subsequent balance date event adjustments, to be certified by the Chief Executive Officer and the Lord Mayor.
3. Considers it is appropriate that the representation letter requested by the external auditor, contained in Attachment B to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, is signed by management.
4. Notes the Certification of Auditor Independence contained in Attachment C to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020 by the Chief Executive Officer and the Presiding Member of the Audit Committee.
5. Notes the audited Adelaide Central Market Authority Financial Statements for 2019-20 as contained in Attachment D to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, have been audited and have been approved by the Adelaide Central Market Authority Board on 24 September 2020. These financial results have been included in the Consolidated Financial Statements of the City of Adelaide.
6. Notes the Rundle Mall Management Authority Financial Statements for 2019-20, contained in Attachment E to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, have been approved by the Rundle Mall Management Authority Board at its meeting on 21 September 2020, and certified by the Chair of the Board. These financial results are included in the Consolidated Financial Statements of the City of Adelaide; and
 - 6.1. Considers the Financial Statements for 2019-20 present fairly the financial position of the Rundle Mall Management Authority.
 - 6.2. Notes the Certification of Auditor Independence in relation to Rundle Mall Management Authority, contained in Attachment E to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020 is signed by the Chief Executive Officer and the Presiding Member of the Audit Committee.
 - 6.3. Notes the representation letter requested by the external auditor of the Rundle Mall Management Authority, contained in Attachment F to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, is signed by management.
7. Notes the Adelaide Park Lands Authority Financial Statements for 2019-20, contained in Attachment G to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, are included in the Consolidated Financial Statements of the City of Adelaide; and
 - 7.1. Considers the Financial Statements for 2019-20 present fairly the financial position of the Adelaide Park Lands Authority and can be certified by the Lord Mayor as Chair of Adelaide Park Lands Authority.

- 7.2. Considers it is appropriate that the representation letter requested by the external auditor of the Adelaide Park Lands Authority, contained in Attachment H to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, is signed by management;
- 7.3. Notes the Certification of Auditor Independence in relation to the Adelaide Park Lands Authority, contained in Attachment I to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020, and considers it is appropriate to be signed by the Chief Executive Officer and the Presiding Member of the Audit Committee;
8. Notes the Council Solutions Regional Authority Financial Statements for 2019-20 as contained in Attachment J to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020 have been audited and approved by the Council Solutions Regional Authority Board. These financial results have been included in the Consolidated Financial Statements of the City of Adelaide.
 - 8.1. Notes the Financial Statements for 2019-20 are as at 28 February 2020. Pursuant to Clause 33(1)(a) of Schedule 2 to the *Local Government Act 1999 (SA)*, and at the request of the constituent councils, City of Adelaide, City of Charles Sturt, City of Marion, City of Onkaparinga, City of Salisbury and the City of Tea Tree Gully, the Hon Stephan Knoll MP declared Council Solutions wound up, effective 2 April 2020.
9. Notes the Brown Hill and Keswick Creeks Stormwater Board's Financial Statements for 2019-20 as contained in Attachment K to Item 5.2 on the Agenda for the meeting of the Audit Committee held on 9 October 2020. Council's equity interest of eight percent (8%) is included in the Consolidated Financial Statements of the City of Adelaide.
10. Recommends the 2019-20 Consolidated Financial Statements of the City of Adelaide, and the Financial Statements of the Rundle Mall Management Authority, Adelaide Park Lands Authority, Adelaide Central Market Authority, Brown Hill and Keswick Creeks Stormwater Board and Council Solutions Regional Authority be presented to Council for noting on 13 October 2020.
11. Requests a report to Audit Committee from the administration on capital work in progress to include specific examples and timelines
12. Requests the CEO to implement KPIs within the infrastructure team to deliver within the timeframes specified.

Requests a report to Audit Committee on improvements in the process of delivering capital works and financial reporting.

2.3. Matters arising from the 2019-20 External Audit

THAT THE AUDIT COMMITTEE

1. Notes the "Annual Completion Report for the year ended 30 June 2020" from Council's external auditors, BDO, contained in Attachment A to Item 5.3 on the Agenda for the meeting of the Audit Committee held on 9 October 2020.

2.4. Report on Financial Results 2019-20

THAT THE AUDIT COMMITTEE

1. Notes the 2019-20 Report on the financial results for the City of Adelaide and its subsidiaries, contained in Attachments A, B, C and D to Item 5.4 on the Agenda for the meeting of the City of Adelaide Audit Committee held on 9 October 2020.

2.5. Review undertaken of Audited Financial Statements 2019-20

THAT THE AUDIT COMMITTEE RECOMMENDS TO COUNCIL

That Council:

1. Notes the approach undertaken to prepare the 2019-20 Financial Statements.
2. Notes the focus on financial sustainability and progress made towards improved financial planning and reporting this financial year, which has included Council's adoption of an Asset Accounting Policy and Fixed Asset Guidelines on 8 September 2020.
3. Recommends the following improvement plan for the management of the work in progress (WIP) for the infrastructure program:
 - 3.1. Revise practices and processes so that all asset custodians and employees who have asset management and asset accounting responsibilities are acting in accordance with the Asset Accounting Policy and Fixed Asset Guidelines.

- 3.2. Formalise the focus on the management of capital Work in Progress in the context of the City of Adelaide's budget setting process, quarterly budget reviews and the preparation of financial statements, including:
 - 3.2.1 Review and refine the budgeting and forecasting capitalisation and write-off expense per project and review and resolve variances quarterly.
 - 3.2.2 Review and refine the capital project overhead expenses allocation and adjust quarterly to reflect any changes to the infrastructure program overall.
 - 3.2.3 Improve the end of year revaluation process to allow for adjustments to end of year processes.

2.6. Confidential Report - Update on Activities of the Strategic Risk and Internal Audit Group Meetings

Considered in confidence pursuant to Section 90(3)(i) of the *Local Government Act 1999 (SA)*

THAT THE AUDIT COMMITTEE

1. Notes the report is provided to the next meeting of the Council as part of the confidential report of Audit Committee meeting.
2. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 10.1 [Update on Activities of the Strategic Risk and Internal Audit Group Meetings] listed on the Agenda for the meeting of the Audit Committee held on 9 October 2020 was received, discussed and considered in confidence pursuant to Section 90(3)(i) of the *Local Government Act 1999 (SA)*, this meeting of the Audit Committee, do order that:
 - 2.1. The resolution and Strategic Risk and Opportunity Register (link 1) become public information and included in the Minutes of the meeting.
 - 2.2. 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.
 - 2.3. The confidentiality of this matter be reviewed in December 2021.
 - 2.4. The Chief Executive Officer be delegated 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.

2.7. Confidential Report - Confidential Discussion with External Auditors 2019-20

Considered in confidence pursuant to Section 90(3)(b) of the *Local Government Act 1999 (SA)*

THAT THE AUDIT COMMITTEE

1. Receives a verbal report in confidence from Council's external auditors, BDO.
2. In accordance with Section 91 (7) & (9) of the *Local Government Act 1999 (SA)* and because Item 10.2 [Confidential Discussion with External Auditors 2019-20] listed on the Agenda for the meeting of the Audit Committee held on 9 October 2020 was received, discussed and considered in confidence pursuant to Section 90(3)(b) of the *Local Government Act 1999 (SA)*, this meeting of the Audit Committee do order that:
 - 2.1. The resolution and report become public information and included in the Minutes of the meeting.
 - 2.2. 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.
 - 2.3. The confidentiality of the matter be reviewed in December 2021.
 - 2.4. 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.

- END OF REPORT -

Disability Car Parking

ITEM 15.1 13/10/2020
Council

Council Member
Councillor Martin

2019/00551
Public

Contact Officer:
Clare Mockler, Deputy CEO &
Director Culture

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'On ABC Radio on September 3rd, 2020 the Lord Mayor is reported to have admitted " ...that disability parkings are reduced...." and that the City of Adelaide "... made changes legally...."

Could the Administration advise;

1. How many car disability parking spaces were there in the City of Adelaide on January 1st 2019?
2. How many car disability parking spaces there are in the City of Adelaide today?
3. If the number of disability car parks have been reduced, what precipitated the decision and why was it not brought to the attention of the elected body?

REPLY

1. The Lord Mayor participated in an interview on ABC Radio on 3 September 2020 in relation to disability parking in the City. The relevant part of the transcript of this interview is below:
 - 1.1. Question to the Lord Mayor: *'Are we reducing the numbers of disability parks?'*
 - 1.2. Lord Mayor's response: *'Look I don't believe so ... one that I am aware of was in Gawler Place where there were two ... parking bays reduced to one ... there's a couple of thing that happened ... sometimes, particularly these ones in Gawler Place, weren't meeting the Australian standards and so we have legal requirements [unclear] size. So previously they were I think between five and five and a half meters long which is below the standard. The standard is now 7.8m because we have to accommodate vehicles that have a dropdown ramp at the rear of that ... some of the changes have been around the ... standards and what we legally have to do. There are 165 accessible on-street parking bays in the City of Adelaide'*
2. On 1 January 2019 there were 155 disability parking spaces on-street in the City of Adelaide.
3. As at 23 September 2020, there were 163 disability parking spaces on-street in the City of Adelaide.
4. This is two spaces less than the figure provided to the Lord Mayor for the radio interview due to duplicated data identified in the reporting.
5. Disability parking bays are rarely removed. Relocation of bays is the preferred approach if required and possible.

6. Generally, disability parking bays are only removed when a review finds an existing bay does not meet legislative and safety standards or where works in the public realm impact a bay to the point of it becoming non-compliant with the standards. In these situations, existing accessible spaces either need to be upgraded, relocated, or removed if they cannot meet the required standards.
7. Although some bays have needed to be removed over time, we aim to increase accessible parking where possible which is shown in the rise in spaces since 2019.
8. Parking control alterations are made under CEO Delegation.
9. Proposed permanent changes to on-street parking controls are sent to Council Members via E-News for information. The changes to the parking spaces in Gawler Place were presented to Council Members in the Council Report regarding the upgrade project in September 2018.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4.5 hours.
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- END OF REPORT -

Stadium Management Contact

ITEM 15.2 13/10/2020

Council

Council Member
Councillor Martin

2019/00951
Public

Contact Officer:
Mark Goldstone, Chief
Executive Officer

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'At Council Committee on September 1st 2020, the Administration noted a request but has not responded subsequently to a question about contact it has had with the Stadium Management Authority in the lead up to the preparation of the draft Community Land Management Plan (CLMP) for those parts of Park 26 surrounding the Core Lease Area.

Could the Administration advise;

1. how many occasions has there been contact, either telephone, email, face to face or electronic meetings between Council staff or representatives and the staff or representatives of the Stadium Management Authority to discuss what are proposed as changes to the CLMP for Park 26 and over what period;
2. if the State Government or any staff member of the State Government other than the Stadium Management Authority discuss the proposed changes to the Park 26 CLMP with Council staff or representatives;
3. what was the size and nature of the permanent seating structure proposed by the SMA in those discussions compared with the 100 seat pavilion now proposed for Adelaide Oval 2?'

REPLY

1. A search of our records shows that over the last 3 years there have been 4 meetings with representatives of the Stadium Management Authority (SMA) where the CLMP for Park 26 was an item for discussion. There were 3 follow up emails.
2. A search of our records show there has not been any contact with any other members of the State Government where the CLMP for Park 26 was discussed.
3. Through the revision of the CLMP it was determined by administration that it's not unreasonable, and is in line with the use of the land, to have some seating adjacent to the sporting oval. The potential to have a 100 seat arrangement included within the draft CLMP was not as a result of a direct request of the SMA.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4.5 hours.
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- END OF REPORT -

City Business Support Package

ITEM 15.3 13/10/2020

Council

Council Member
Councillor Knoll

2020/00883
Public

Contact Officer:
Ian Hill, Director Growth

QUESTION ON NOTICE

Councillor Knoll will ask the following Question on Notice:

'Due to the crisis of the COVID 19 pandemic the City of Adelaide entered into a 2 year partnership with Business SA to deliver support for the business community in our council area.

Can administration please give an update as to the uptake by local businesses for the advice and assistance that has been provided by the 'City Business Support Package' delivered by Business SA so far?'

REPLY

1. The partnership with Business SA commenced in June 2020. It is delivering a City Business Support Package that is assisting city businesses through provision of specialised services to respond to the impacts of COVID-19, promote business capability and position businesses to thrive in an increasingly globalised and digitally connected marketplace.
2. Since 1 July 2020, 164 businesses located within the City of Adelaide have received support.
3. The support provided has included access to Business SA's:
 - 3.1 Weekly e-newsletter (164 businesses).
 - 3.2 Business Advice Hotline providing general advice relating to Industrial Relations, Work Health and Safety and human resources (96 businesses).
 - 3.3 Resource Library which includes a comprehensive range of publications on topics including workplace relations, human resource management, taxation, health and safety and employment law (90 businesses).
 - 3.4 Tenant's Landlord Advisory Service including phone advisory and support services on general commercial property advice, lease negotiations, tenant representation and buyers' advocacy (9 businesses).
4. City businesses have also accessed learning webinars on a variety of COVID topics and networking events that have provided opportunities to build their professional networks, access potential customers and hear from guest speakers.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4 hours.
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- END OF REPORT -

Minute 28 - Items 15.1 - 15.7 - Replies Distributed Separately

Christmas Activation Grant

ITEM 15.4 13/10/2020

Council

Council Member

Councillor Abrahamzadeh

2020/01167

Public

Contact Officer:

Clare Mockler, Deputy CEO &
Director Culture

QUESTION ON NOTICE

Councillor Abrahamzadeh will ask the following Question on Notice:

'The City of Adelaide Christmas Activation Grant of \$225,000 has successfully been awarded in its entirety. Could the CEO please advise:

Total number of applications submitted to Council;

Total number of successful applications;

Total number of unsuccessful applications and the dollar figures linked to these applications.

Council administration's plans above and beyond the Activation Grant as part of its Christmas Strategy?'

REPLY

1. Adelaide's inaugural Christmas Festival will run from Friday 13 November through to Christmas Eve 2020.
2. The Christmas Incentive Scheme is one element of Adelaide's Christmas Festival 2020. A pilot initiative for Council, the scheme is designed to deliver funding directly to businesses, creatives, community groups and makers to activate the City, with a focus on driving visitation to the main streets.
3. A budget of \$200,000 was allocated and the scheme was promoted to local businesses. The application process received 169 applications for funding, amounting to \$787,204.93 in funding requests.
4. A fair and robust assessment process for the Christmas Incentive Scheme was developed in close consultation with Governance and Risk, to deliver high quality outcomes representing value for money for ratepayers.
5. Each application was reviewed and evaluated by representatives from the Creative City, City Wellbeing, City Experiences and Marketing Operations teams against the following assessment criteria:
Support to local economies, local communities in building resilience and local creative sector (40%); Alignment with the Christmas Festival 2020 (40%); Fully developed proposal which included evidence of marketing and promotion, satisfactory Risk Assessment and satisfactory budget (20%).
6. While case management advice and support was available to all prospective applicants, not all applications were complete, relevant, or well aligned to the assessment criteria.
7. After the initial assessment process was undertaken, and the \$200,000 budget allocated, the assessment panel made a case to the Associate Director: Community and Culture for additional funding of \$25,000 to enable the remaining applications that satisfied the assessment criteria to receive funding to deliver their projects.
8. A total of 66 out of 169 applications met the assessment criteria and were funded (39% of all applications) amounting to \$224,599 in funding requests. This leaves 103 applications to the value of \$562,605.93 that did not satisfy the assessment criteria and were not funded.

9. All of the successful applications aim to support businesses and precincts by driving visitation to the city and 74% of these support city businesses directly.
10. The breakdown of successful applications for the Christmas Incentive Scheme follows:
 - 10.1 Window Wonderland: 33 applications to the value of \$74,634
 - 10.2 Live Music & Performance: 22 applications to the value of \$48,615
 - 10.3 Outdoor Community Events & Small Festivals: 6 applications to the value of \$43,500
 - 10.4 Makers Markets: 5 applications to the value of \$57,850.
11. As shared at the Committee workshop with Council on 21 July, the success of Adelaide's Christmas Festival 2020 will be evaluated. These findings, together with the 2021-2024 Christmas Festival Action Plan, will be shared with Council in April 2021 for consideration and input.
12. An overview of the additional key deliverables in Adelaide's Christmas Festival 2020, designed following the Committee workshop with Council on 21 July, are detailed below:
 - 12.1 Free community events, family-friendly entertainment and makers markets in Victoria Square/Tarntanyangga supported via the Christmas Incentive Scheme.
 - 12.2 The installation of the Christmas Tree in Victoria Square/Tarntanyangga, with a small (non-public) tree lighting ceremony to be COVID safe, to mark the commencement of the Christmas Festival period. A pre-recorded countdown will activate Victoria Square/Tarntanyangga prior to the lighting of the Christmas tree.
 - 12.3 A program of pre-recorded and live music at the Christmas Tree in the nine weeks leading up to Christmas. The pre-recorded music, twelve Christmas tracks recorded in Adelaide as part of the Voices of Christmas, will be broadcast Sunday to Thursday nights. The live music program is scheduled between 7-9pm on the Friday and Saturday nights leading up to Christmas, and on Christmas Eve.
 - 12.4 *Treasures of Pageants Past* exhibition in partnership with SATC across Adelaide Town Hall and the City Library, including a Treasure Hunt walking tour between the sites
 - 12.5 The Adelaide Town Hall will also be host to a Christmas organ concert, the Lord Mayor's Christmas Gala Concert, a charity gift giving tree and the ringing of the Albert Tower bells on key nights throughout the Christmas Festival.
 - 12.6 The City will also come to life with lighting and decorations, including decorations on the façade of Adelaide Town Hall, 20 new large-scale lit balcony bows, new ground-level lighting installations for key main streets, buildings and infrastructure across the City lit up in the Christmas colour (e.g. Council owned buildings, Convention Centre and Footbridge), Christmas banners across the City, Christmas decorations and Christmas coloured plantings.
 - 12.7 Christmas themed photo opportunities
 - 12.8 Additional, complementary, Christmas 2020 activations, initiatives and promotions will be delivered by the Rundle Mall and the Adelaide Central Market subsidiaries. The popular LEGO sleigh will be installed at shop 32, Adelaide Central Market Arcade.
13. A cohesive and integrated marketing campaign will work to promote Adelaide's Christmas Festival as a brand, as well as individual events, activities, performances and experiences for the community to enjoy this festival season.
14. As with all of our planning for activities and events in the City, some details are subject to change, as we continue to ensure all activities are COVID-safe and supported by SA Health.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 5.5 hours.
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- END OF REPORT -

Travel Budget

ITEM 15.5 13/10/2020

Council

Council Member
Councillor Martin

2019/00551

Public

Contact Officer:
Clare Mockler, Deputy CEO &
Director Culture

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could the Administration advise the amount budgeted for intrastate, interstate and overseas travel for staff and contractors in 2017/18, 2018/19, 2019/20 and 2020/21, together with the expenditure incurred in 2017/18, 2018/19 and 2019/20.'

REPLY

1. The amount budgeted for travel for City of Adelaide employees for the financial years requested, as well as the expenditure, is detailed in the table below:

	2017-18	2018-19	2019-20	2020-21
Budget	\$ 205,001	\$ 189,500	\$ 223,000	\$ 196,500
Actual costs incurred	\$ 183,652	\$ 151,270	\$ 138,401	Not available

2. Travel may form part of approved learning and development plans and may also be used as part of contractual professional development provisions provided to our senior employees. Training and development is budgeted for separately.
3. The travel register contained in the 2018-19 and 2019-20 Annual Reports provides the total of all travel-related expenditure (i.e. it also includes any cost associated with the reason for travel such as the conference registration fee or training program cost). The total travel-related figures in the Annual reports are higher than those in the table above for this reason.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4 hours.
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- END OF REPORT -

Overseas Travel

ITEM 15.6 13/10/2020

Council

Council Member
Councillor Martin

2019/01833
Public

Contact Officer:
Ian Hill, Director Growth

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could the Administration advise how many people, including the Lord Mayor, travelled to New Zealand in October 2019, together with all costs associated with the visit and the breakdown of those costs as recorded by the acquittal it undertook?'

REPLY

1. The number of people including the Lord Mayor that travelled to New Zealand in November 2019 is reported in 2 parts.
 - 1.1. Lord Mayor and 2 staff visited Christchurch from 20-22 November 2019.
 - 1.2. Lord Mayor and 2 staff visited Wellington and Auckland from 24-26 November 2019.
2. This travel was undertaken with the approval of Council and the outcomes have been reported back to Council.
3. Costs associated with the visit to New Zealand are outlined in the table below.

Elected Member	Purpose/leg of trip	Travel Dates	Flights (incl booking fees)	Accommodation	Incidental expenses (meals, taxis etc)	Total (excl GST)
Lord Mayor	Christchurch Sister City Activities as well as Wellington and Auckland for meetings to discuss economic and environmental leadership activities	20/11/2019 - 26/11/2019	\$3,011.92	\$1,924.84	\$941.65	\$5,878.41

Administration	Purpose/leg of trip	Travel Dates	Flights (incl booking fees)	Accommodation	Incidental expenses (meals, taxis etc)	Total (excl GST)
Chief of Staff to the Lord Mayor and Civic Events Coordinator	Christchurch Sister City Activities	20/11/2019 - 22/11/2019	\$2,082.26	\$1,232.28	\$246.71	\$3,561.25
Director of Growth and Manager Visitor Growth	Wellington and Auckland for meetings to discuss economic and environmental leadership activities.	24/11/2019 - 26/11/2019	\$3,243.78	\$1,092.62	\$829.50	\$5,165.92

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 5.5 hours.
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- END OF REPORT -

Yoursay Licence Costs

ITEM 15.7 13/10/2020

Council

Council Member
Councillor Martin

2018/00448
Public

Contact Officer:
Ian Hill, Director Growth

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could the Administration advise;

1. If it has paid a one off or an annual licence fee or both for the use of the Yoursay online consultation rights since its use began in 2011 and, if so, the amounts in respect of 18/19 and 19/20 financial years and the budget for the 20/21 year?
2. If any fee is paid to the owner of the Yoursay rights for the collation of consultation results and, if so, the amounts in respect of 18/19 and 19/20 financial years?

REPLY

1. The City of Adelaide has a contractual agreement with Bang the Table. The commercial terms of the annual licence fee are confidential and have been provided directly in confidence to Council Members.
2. There is no additional cost to collate consultation results as this is undertaken as part of the software.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 4 hours.
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- END OF REPORT -

Outdoor Activation Grant

ITEM 17.4 13/10/2020
Council

Council Member
Councillor Abrahamzadeh

2020/01700
Public

Contact Officer:
Ian Hill, Director Growth

MOTION ON NOTICE

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

'That Council:

1. Notes the success and demand for the outdoor activation grant which has provided funds to businesses across the City and North Adelaide and has provided much needed assistance to small businesses impacted by COVID-19;
2. Notes that the second grant was increased after the first grant was over-subscribed where council agreed to additional funding of \$375,000;
3. Requests the CEO provide a monetary estimate of the required amount needed to cover any submissions that were not granted due to being over-subscribed in second round; and
4. Increases the outdoor activation grant by an additional \$400,000 to allow for further applications and to give all businesses the opportunity to submit if they have not done so.'

ADMINISTRATION COMMENT

1. Council at its meeting on 8 September approved funding of \$375,000 to support the City of Adelaide Outdoor Activation Grant. Applications for Round 2 of the Grant opened on Thursday 24 September 2020 and closed on Thursday 1 October with applications received from 123 businesses.
2. Since Round 2 of the Grant closed a further 2 applications as at 8 October 2020 have been received directly from city businesses.
3. All 125 applications meet the grant criteria.
4. The total value of Council's contribution if all 125 applications are funded is approximately \$849,200. A further \$474,200 budget allocation from Council would be required to fund applications received as at 8 October 2020. This represents a total spend of approximately \$1,325,000, with city businesses contributing approximately \$475,800.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	Not applicable
Impacts on existing projects	Not applicable
Budget reallocation	Any further funding for the Outdoor Activation Grant is not included in the current 2020-21 Business Plan and Budget and will need to be paid from borrowings or savings from activities that Council agrees will not proceed.
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	Not applicable
Other	When Council approved the funding of \$375,000 a request was made to the State Government seeking further matching funding of \$375,000. To date no response has been received to this request.
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 5 hours.

- END OF REPORT -

Council Member
Councillor Martin

Public

Contact Officer:
Mark Goldstone, Chief
Executive Officer

MOTION ON NOTICE

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

'That Council:

Regrets the closure of the Adelaide Review and formally records its appreciation of the work of its owners, staff and contributors who, over the past 36 years, have helped to enrich the political and cultural discourse of the City.'

ADMINISTRATION COMMENT

- Should this Motion be endorsed, the Lord Mayor will send a letter on behalf of Council to express regret and appreciation.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not Applicable
External consultant advice	Not Applicable
Legal advice / litigation (eg contract breach)	Not Applicable
Impacts on existing projects	Not Applicable
Budget reallocation	Not Applicable
Capital investment	Not Applicable

Staff time in preparing the workshop / report requested in the motion	Not Applicable
Other	Not Applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4 hours.

- END OF REPORT -

Councillor Participation at Roundtables

ITEM 17.6 13/10/2020

Council

Council Member
Councillor Martin

Public

Contact Officer:
Mark Goldstone, Chief
Executive Officer

MOTION ON NOTICE

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

'That Council:

Noting that on Tuesday September 29th in the Queen Adelaide Room at Town Hall the Lord Mayor conducted a Melbourne Street Roundtable attended by representatives of one communication organisation, one business organisation and five individuals to:

1. Encourage greater communication and collaboration between stakeholders
2. Discuss opportunities and explore new ideas to improve the amenity of Melbourne Street for local businesses, residents and City users
3. Provide advice on emerging issues, asking recommendations on effective solutions
4. Brainstorming ideas on future development, vision and plans to create new and exciting experiences and opportunities for businesses, residents and City users
5. Update members on Council initiatives, including Mainstreet Action Plan, Community Activations and Events, and Quick Wins

And further noting the Lord Mayor decided to exclude elected members from participation in this event, requests the Lord Mayor now include Councillors for such discussions as stakeholders as the elected representatives of all businesses and residents and to aid effective communication and collaboration in the City of Adelaide.'

ADMINISTRATION COMMENT

1. The Lord Mayor regularly undertakes stakeholder engagement activities as part of her civic leadership responsibilities.
2. This includes regular 'Open Door' sessions and forums such as the '40 Under 40 (Millennial) Forum' held in partnership with Solstice Media in June 2020.
3. This has also included roundtable meetings with key stakeholders associated with Hindley Street and Hutt Street, and more recently Melbourne Street, such as resident/precinct groups and business owners.
4. Outcomes of the recent Melbourne Street Roundtable meeting will be shared with Council Members in the coming days.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not Applicable
External consultant advice	Not Applicable
Legal advice / litigation (eg contract breach)	Not Applicable
Impacts on existing projects	Not Applicable
Budget reallocation	Not Applicable
Capital investment	Not Applicable
Staff time in preparing the workshop / report requested in the motion	Not Applicable
Other	Not Applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4 hours.

- END OF REPORT -

Independent Review of Yoursay

ITEM 17.7 13/10/2020
Council

Council Member
Councillor Martin

2018/00448
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:

Acknowledges that despite a 2018 review there have been continuing and various complaints about the US licensed Yoursay online consultation process and asks the Administration to initiate an external and independent investigation into the efficiency of the manner in which the City of Adelaide conducts its consultation processes, including but not limited to;

1. Whether the Yoursay registration process is too onerous.
2. Any perceptions that lengthy and complex surveys deter participation.
3. Possible impacts associated with the common Yoursay practice of posing binary questions.
4. The role and relative value placed on general commentary provided by participants.
5. Ways in which ratepayers preferring to respond to consultations on paper can be better accommodated.
6. Options for alternative consultation processes available in the marketplace.'

ADMINISTRATION COMMENT

1. Your Say Adelaide (the Engagement HQ platform developed by Bang the Table) has been used by the City of Adelaide as its online engagement platform since 2011. Bang the Table is an Australian owned, Melbourne based company with an international footprint in the UK, USA and Canada.
2. The Engagement HQ platform is used by 14 metropolitan councils in Adelaide and several capital city councils including Brisbane, Perth, Darwin, Hobart, Canberra and Auckland. It is widely used by all tiers of Government and the not-for profit sector.
3. A review was undertaken in 2019 of the City of Adelaide's current community engagement service delivery. The review included interviews with staff, Council Members and external stakeholder organisations and a community survey as well as online research. An outcome of the review was that city residents were concerned about how engagement activities were promoted rather than the use of tools used to assist with the engagements.

4. Your Say Adelaide is one of many tools used for public engagement for each project. Depending on the target audience sought to be reached, other public engagement tools include door to door visits, Park Lands activities, intercept surveys, community workshops, public meetings (currently online), and bespoke forums.
5. During the 19/20 financial year, 77 engagement projects were facilitated through Your Say Adelaide and the participant database increased by 58% to 11,247. Participants are only required to register once and then have ongoing access to respond to engagements as they wish. Registration provides demographic data about who is engaging and who is not, to ensure impacted stakeholders are having a say.
6. In addition to the online Your Say Adelaide platform, members of the public are also able to provide feedback via email, phone call, letter or hard copy surveys that are accessible in community centres, libraries and the Customer Centre.
7. To conduct an investigation as proposed, Council will need to engage an external consultant. The anticipated cost for this is approximately \$40,000. Funding for this engagement is not included in the current business plan and budget.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable
External consultant advice	Engagement of an external consultant would be required to undertake a review. It is anticipated the cost of this would be approximately \$40,000.
Legal advice / litigation (eg contract breach)	Not applicable
Impacts on existing projects	Not applicable
Budget reallocation	If the Motion is adopted, funding to undertake the review is not included in the 2020-21 Business Plan and Budget. A decision will need to be made on what other activity is foregone to fund this consultancy.
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	Not applicable
Other	Not applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 5.5 hours.

- END OF REPORT -

Use of Personal E-Scooters

ITEM 17.8 13/10/2020
Council

Council Member
Councillor Hou

2018/04053
Public

Contact Officer:
Kliinton Devenish, Director
Place

MOTION ON NOTICE

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

'That Council:

1. Notes the success and demand for the use of E-Scooters which has become popular within the City;
2. Notes that the use of personal e-scooters within the City of Adelaide is not allowed under the current legislation;
3. Asks the Lord Mayor to write to the State Government requesting a change to this legislation to allow the use of personal e-scooters.'

ADMINISTRATION COMMENT

1. Two e-scooter companies are currently permitted to operate within the City of Adelaide, being Neuron and Beam, with both companies recording increasing numbers of trips.
2. There are a number of barriers that currently prevent the State Government from allowing private e-scooter usage on public land. These barriers include, but are not limited to:
 - 2.1. The ability to limit e-scooter vehicle speeds. Private e-scooters with top speeds of over 100 km/h are currently available for purchase to the general public in Australia and would require resourcing and enforcement by SAPOL to manage. Neuron and Beam e-scooters have speed limits programmed in.
 - 2.2. No insurer in Australia currently offers personal or property insurance for private e-scooters.
 - 2.3. Being able to control the area of travel for e-scooters to ensure they do not operate in environments that pose significant safety risks to road users, such as freight routes. Neuron and Beam are geo-locked to our Council boundary and are not permitted to travel outside of this boundary.
3. In late 2019 the National Transport Commission (NTC) consulted on Motorised Mobility Devices, which includes e-scooters, with a vision to developing a set of design standards for these vehicles in Australia. Recommendations from this engagement is anticipated to shortly be presented to Federal Ministers with the expectation that this will inform the future of e-scooter devices and similar, in Australia.
4. Previous discussions with the Department for Infrastructure and Transport (DIT) identified that the State Governments position is to wait for the outcomes of the NTC's Motorised Mobility Devices project before reviewing private e-scooter use in South Australia.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable.
External consultant advice	Not applicable.
Legal advice / litigation (eg contract breach)	Not applicable.
Impacts on existing projects	If private e-scooters are allowed in South Australia, this may impact on the viability of shared e-scooter operations in Adelaide and may result in a reduction in operation and subsequently income to the City resulting from the e-scooter permits.
Budget reallocation	Not applicable.
Capital investment	Not applicable.
Staff time in preparing the workshop / report requested in the motion	If Administration are required to prepare a letter to the State Government regarding allowing private e-scooter devices, this is anticipated to take approximately 2 hours.
Other	Not applicable.
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4.5 hours.

- END OF REPORT -

Bikes and E-Scooters on Public Transport

ITEM 17.9 13/10/2020
Council

Council Member
Councillor Hou

2018/04053
Public

Contact Officer:
Klinton Devenish, Director
Place

MOTION ON NOTICE

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

'That Council:

1. Notes that E-Scooters are currently banned from public trams, trains and buses whilst bikes are allowed only on trains;
2. Asks the Lord Mayor to write to the Minister seeking consideration to allow both bikes and e-scooters on public transport.'

ADMINISTRATION COMMENT

1. Adelaide Metro currently allows bicycles on trains without charge outside of peak travel hours, however during peak travel hours the user must hold a valid concession ticket for the bike. The Administration understands that this position is due to demand for limited space by users during the peak periods.
2. It is understood by the Administration that bicycles are currently not allowed on other services, including buses and trams, due to limited internal space within the vehicles and potential risk to other users of unrestrained bicycles.
3. Private e-scooters are not allowed on public land in South Australia. Shared e-scooter devices in the City of Adelaide are geo-locked to our Council boundary and are not permitted to travel outside of this boundary.
4. In lieu of allowing bicycles and similar on public transport services, the Department of Infrastructure and Transport (DIT) have focused on providing suitable bicycle storage and end of trip facilities at public transport hubs.
5. The Administration understands that the DIT has previously investigated various options for transporting bikes on public transport, including external storage racks on buses to allow buses to transport bicycles, however no viable options were identified as part of that review.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable.
External consultant advice	Not applicable.
Legal advice / litigation (eg contract breach)	Not applicable.
Impacts on existing projects	Not applicable.
Budget reallocation	Not applicable.
Capital investment	Not applicable.
Staff time in preparing the workshop / report requested in the motion	To prepare a letter to the DIT in response to the motion on notice, it is estimated this will take the Administration 4 hour.
Other	Not applicable.
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4.5 hours.

- END OF REPORT -

Sands & McDougall State Heritage Listing Advocacy

ITEM 17.10 13/10/2020
Council

Council Member
The Lord Mayor (Sandy Verschoor)

2018/04053
Public

Contact Officer:
Klinton Devenish, Director Place

MOTION ON NOTICE

The Lord Mayor (Sandy Verschoor) will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

That Council:

1. Notes the unique heritage value of the Art Deco facade on 64 King William Street, Adelaide (former Sands & McDougall Pty Ltd building).
2. Notes that the building façade (Frontage of Shop) is currently provisionally entered as a State Heritage Place, as per the *Heritage Places Act 1993*.
3. Notes that The South Australian Heritage Council is currently receiving submissions in support of the Frontage of Shop (former Sands & McDougall Pty Ltd building) being entered on the SA Heritage Register.
4. Requests that the Administration provide a submission to The South Australian Heritage Council that speaks in support of the Frontage of Shop (former Sands & McDougall Pty Ltd building) being of State Heritage significance prior to the 24 November 2020.

ADMINISTRATION COMMENT

1. The former Sands & McDougall building is already included as a Local Heritage Place within the Adelaide (City) Development Plan.
 - 1.1. The description of the Local Heritage Place listing is "Shop (Sands & McDougall); External form, in particular the art deco detailing of King William Street façade. Excludes incongruous later shopfront".
2. The Minister for Environment and Water has written to the Lord Mayor advising of his intention to consult with relevant stakeholders, including the City of Adelaide, regarding whether the decision to enter the Former Sands & McDougall Building into the Register is in the public interest.
3. Administration will be providing a submission as part of this consultation in support of the listing.
4. If this Motion is successful, administration will also prepare a letter to the South Australian Heritage Council advising of support of the listing and the associated submission to the Minister.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	Not applicable
Impacts on existing projects	Not applicable
Budget reallocation	Not applicable
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	Not applicable
Other	4 – 5 hours to prepare submission and related correspondence
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4 hours.

- END OF REPORT -

Adelaide Park Lands Foundation

ITEM 17.11 13/10/2020
Council

Council Member
The Lord Mayor (Sandy
Verschoor)

2012/01346
Public

Contact Officer:
Mark Goldstone, Chief
Executive Officer

MOTION ON NOTICE

The Lord Mayor (Sandy Verschoor) will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

1. Notes community interest in philanthropic fundraising for Park Lands enhancement and conservation;
2. Notes that the *Adelaide Park Lands Act 2005* and its associated Adelaide Park Lands Fund, does not hold the required independence nor legal autonomy to be able to attain and maintain deductible gift recipient (DGR) endorsement;
3. Request administration provide Council with an options framework to establish a legally independent Adelaide Park Lands Foundation by the City of Adelaide in consultation with Adelaide Park Lands Authority, ensuring that such an entity would be a public fund and have (DGR) status.
4. Requests that the proposed expenditure of the fundraised money would be allocated only to Council endorsed projects, which are in keeping with the Adelaide Park Lands Management Strategy and have been recommended by APLA.
5. Requests that efforts into operational options should consider the Foundation supporting the unique relationship and knowledge base that exists between the Kaurna People and the Park Lands.
6. Notes the stringent rules surrounding DGR status;
7. Requested that the administration investigate what type of governance model would be appropriate to meet the objectives outlined above, including but not limited to a prudential analysis of the Foundations operation and maintenance.'

ADMINISTRATION COMMENT

1. If the Motion is successful, Administration will develop an options framework that addresses possible legal structures to achieve DGR status, governance models and resource analysis.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	\$1,000 - \$2,000
Impacts on existing projects	Not applicable
Budget reallocation	Not applicable
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	10-15 hours
Other	Not applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4 hours.

- END OF REPORT -

Lord Mayor's Home Buyer Remission Scheme

ITEM 17.12 13/10/2020
Council

Council Member
The Lord Mayor (Sandy Verschoor)

2007/02537
Public

Contact Officer:
Ian Hill, Director Growth

MOTION ON NOTICE

The Lord Mayor (Sandy Verschoor) will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

1. Notes the need for more affordable housing in the city;
2. Notes the contribution made by key workers to the city;
3. Notes that Council holds a strategic priority to increase residential growth in the city;
4. Requests that the Administration develop a framework aimed at achieving a 5-year rate free period for owner-occupiers who purchase new and off the plan dwellings;
5. Requests that the Administration develop an eligibility mechanism for admissibility into the remission scheme with an aim at attracting key workers;
6. Implements the scheme subject to complimentary measures funded by the State Government;
7. Requests that the State Government waive the 7% foreign acquirer duty (stamp duty surcharge) for all eligible key workers for the duration of the scheme;
8. Requests that the Lord Mayor write to State Government to seek support for the scheme (and waiver) to increase residential growth and encourage further owner-occupiers to the city.'

ADMINISTRATION COMMENT

1. If the Motion is adopted, a framework and eligibility criteria for a 5-year rate free period for owner-occupiers who purchase new or off the plan dwellings will be prepared. The framework will take into account income levels for the various key worker occupations and other relevant considerations including low to moderate household income ranges and affordable dwelling prices will be prepared for consideration by Council.
2. A letter will also be prepared for the Lord Mayor to send to the State Government seeking support for the remission scheme and introduce complementary measures including:
 - 2.1. Waiving the 7% foreign acquirer duty (stamp duty surcharge) for all eligible key workers for the duration of the scheme;
 - 2.2. Any other financial measures that would assist in attracting key workers to live and work in the city.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	Not applicable
Impacts on existing projects	Relates to the Social and Affordable Housing Policy and considerations regarding attracting millennials to live and work in the city
Budget reallocation	If a rent free period is endorsed by Council there will a future loss of rate revenue for the eligible dwellings.
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	The research and investigations will involve input from staff from City Growth, Rates and City Insights teams. It is estimated that it will take approximately 1-2 weeks.
Other	Not applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4.5 hours.

- END OF REPORT -