



# COUNCIL MINUTES

for the meeting

Thursday 28 January 2021

in the Council Chamber,  
Adelaide Town Hall



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

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### 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 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 – 15/12/2020, 23/12/2020 & 30/12/2020 [C]

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Simms –

That the Minutes of the meeting of the Council held on 15 December 2020 and the Special meetings of Council held on 23 December 2020 & 30 December 2020, be taken as read and be confirmed as an accurate record of proceedings.

Carried

### Advice from Adelaide Park Lands Authority

#### 2. Item 9.1 - Advice of the Adelaide Park Lands Authority – Special Meeting - 27 January 2021 [2018/04062] [C]

Moved by Councillor Hyde,  
Seconded by Councillor Abrahamzadeh –

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

**1. Advice 1 – Tennis SA Centre Court Development – Stage 2**

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Supports the enhancement of facilities leased by Tennis SA at the Memorial Drive Tennis Centre in Tantanya Wama (Park 26) as per the Tennis Centre Court Concept Plan and Demolition Plan shown in Attachment A and Attachment B to Item 3.1 on the Agenda for the Special meeting of the Board of the Adelaide Park Lands Authority held on 27 January 2021.
2. Requests that opportunities for greening of the internal and external areas be explored further.
3. Supports amendments being undertaken to the existing 42 year lease agreement between the City of Adelaide and Tennis SA Inc, including:
  - 3.1. A market rent review to recognise the improvements which are capable of accommodating expanded uses and/or increased use of the facilities.
  - 3.2. Changes to the Lease Plan to recognise additional built form and the reconfiguration of courts in the care and control of Tennis SA.
4. Notes that a statutory consultation process on the existing 42 year lease agreement occurred in 2017 and there are no requirements to undertake additional community consultation nor place the lease before both Houses of Parliament as a result of these proposed amendments to the existing lease agreement.

Carried

Item 9.1, distributed separately is attached for reference at the end of the Minutes of this meeting.

**Reports for Council (Chief Executive Officer's Reports)**

**3. Item 10.1 - Waive Land Management Agreement [DA/516/2020] [C]**

Councillor Abrahamzadeh disclosed an actual conflict of interest in Item 10.1 [Waive Land Management Agreement], pursuant to Sections 75 & 75A of the Local Government Act 1999 (SA), because he is a member of the Council Assessment Panel, withdrew his Chair and left the Council Chamber at 5.35pm.

It was then -

Moved by Councillor Knoll,  
Seconded by Councillor Hou –

THAT COUNCIL

1. Notes Development Application DA/516/2020 is not substantially in accordance with the original Development Plan Consent (in regard to the proposed height, roof deck, streetscape presentation, roof form, setbacks and fencing) that forms part of the Land Management Agreement (LMA) affecting the subject site (Lot 9 MacKinnon Parade, North Adelaide); and
2. Approves waiving compliance with the LMA for those elements identified in Part (1) above, notwithstanding the merits of the Development Application are to be assessed as part of the development assessment process.
3. Notes the planning merits of Development Application DA/516/2020 will be assessed through Council's Assessment Panel.

Discussion ensued, during which Councillor Khera entered the Council Chamber at 5.36 pm.

The motion was then put and lost

Councillor Martin requested that a division be taken on the motion

**Division**

**For (4):**

Councillors Hou, Hyde, Khera and Knoll

**Against (5):**

Councillors Donovan, Mackie, Martin, Moran and Simms

The division was declared against the motion

Councillor Abrahamzadeh re-entered the Council Chamber at 5.40 pm

#### 4. Item 10.2 - Community Land Revocation – James Place Public Toilets [2020/00594] [C]

Moved by Councillor Khera,  
Seconded by Councillor Abrahamzadeh –

##### THAT COUNCIL

1. Notes the submissions, including written objections, received during the public consultation of the proposed revocation of the Community Land classification of the James Place Public Toilet land as provided at Attachment A to Item 10.2 on the Agenda for the meeting of Council held on 28 January 2021.
2. Notes that individual responses will be provided to respondents addressing the matters set out within their submissions to the proposed Community Land revocation of James Place Public Toilet land.
3. Approves to proceed with the revocation of the Community Land classification of the James Place Public Toilet land having considered the submissions, including written objections, received from the public consultation process.
4. Approves that a report on the proposed revocation be submitted to the Minister for Planning & Local Government (the Minister) in accordance with Section 194 (3) (a) of the *Local Government Act 1999 (SA)* seeking approval to the revocation of the James Place Public Toilet land comprising Allotment 123 in Filed Plan 181775 as contained within Certificate of Title Volume 5883 Folio 435 from the classification as Community Land.
5. Notes that a final report will be presented to Council once the Minister's decision regarding the proposed revocation has been received.

Discussion ensued, during which Deputy Lord Mayor (Councillor Couros) entered the Council Chamber at 5.47 pm

Amendment –

Moved by Councillor Mackie,  
Seconded by Councillor Donovan –

That the motion be amended by the inclusion of an additional part 6 to read as follows:

- '6. Undertakes, in addition to the LMA, to explore additional contractual safeguards, including Council leasehold so that public amenities will be guaranteed into the future.'

Discussion ensued

The amendment was then put and lost

Councillor Simms requested that a division be taken on the amendment

##### **Division**

##### **For (4):**

Councillors Mackie, Martin, Moran and Simms

##### **Against (7):**

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

The division was declared against the amendment

Discussion continued

The motion was then put and carried

Councillor Hyde requested that a division be taken on the motion

##### **Division**

##### **For (7):**

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

##### **Against (4):**

Councillors Mackie, Martin, Moran and Simms

The division was declared in favour of the motion

##### **Exclusion of the Public**

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

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

**12.1.1.** Contract Award Report – Supply of Sweepers [s 90(3) (d)]

**12.1.2** Capital City Committee Annual Report 2019-20 [s 90(3) (j)]

### ORDER TO EXCLUDE FOR ITEM 12.1.1

Moved by Councillor Knoll,  
Seconded by Councillor Abrahamzadeh –

#### THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 28 January 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.1.1 [Contract Award Report – Supply of Sweepers] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

#### Grounds and Basis

The disclosure of information in this report could reasonably prejudice the commercial position and identity of the contractor who supplied 'commercial in confidence' material containing commercial pricing and methodology information. This report contains reference to 'commercial in confidence' tender response documentation, disclosure of which at this point in time may confer a commercial advantage on a third party, prejudice the ability for Council to undertake/participate in future discussion or negotiation and prejudice the Council's commercial position and opportunity to discuss or negotiate an option yet to be determined by the Council at this point in time.

#### Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information will result in the release of tenderer commercial pricing and methodology information. This may confer a commercial advantage on a third party which may impact on future tenders and commercial negotiations. Further, the private sector may determine not to submit tenders for projects if Council will not take into account a tenderers' concerns regarding protection of its confidential information. This may have the impact that the private sector does not participate in future procurement opportunities which may be detrimental to Council achieving good procurement outcomes for the community.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 28 January 2021 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 [Contract Award Report – Supply of Sweepers] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (d) of the Act.

Carried

### ORDER TO EXCLUDE FOR ITEM 12.1.2

Moved by Councillor Knoll,  
Seconded by Councillor Abrahamzadeh –

#### THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (j) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 28 January 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.1.2 [Capital City Committee Annual Report 2019-20] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

#### Grounds and Basis

The disclosure of information in this report would breach 'Cabinet in confidence' information presented to the Capital City Committee established under the *City of Adelaide Act 1998 (SA)* which has provided for a State/Capital City inter-governmental forum (the Capital City Committee) to operate and the associated duty of confidence and duty as a member of the inter-governmental forum.

#### Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information would divulge information provided on a confidential basis and could undermine the Capital City Committee's operations and prejudice the position of the State Government and/or Council in relation to current/future proposals prior to State Government and/or City of Adelaide evaluation and deliberation.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 28 January 2021 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 12.1.2 [Capital City Committee Annual Report 2019-20] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (j) 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 & 12.1.2 left the Council Chamber at 6.18 pm.

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Confidential Item 12.1.1  
Contract Award Report – Supply of Sweepers  
Section 90 (3) (d) of the *Local Government Act (SA) 1999*  
Page 6

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Confidential Item 12.1.2  
Capital City Committee Annual Report 2019-20  
Section 90 (3) (j) of the *Local Government Act (SA) 1999*  
Page 6

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The meeting re-opened to the public at 6.24 pm

### Confidentiality Orders

#### **Minute 6 - Item 12.1.1** - Contract Award Report – Supply of Sweepers [C]

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 12.1.1 Contract Award Report – Supply of Sweepers listed on the Agenda for the meeting of the Council held on 28 January 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (d) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2028.
2. The confidentiality of the matter be reviewed in December 2022.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

#### **Minute 7 - Item 12.1.2** - Capital City Committee Annual Report 2019-20 [C]

##### Resolution & Confidentiality Order

##### THAT COUNCIL

1. Receives the *Capital City Committee Annual Report 2019-20*, Attachment A to Item 12.2.2 on the Agenda for the meeting of the Council held on 28 January 2021.
2. Notes the Capital City Committee intention to table the *Capital City Committee Annual Report 2019-20* in the State Parliament after it has been presented to Council.
3. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.2.2 [Capital City Committee Annual Report 2019-20] listed on the Agenda for the meeting of the Council held on 28 January 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (j) of the *Local Government Act 1999 (SA)*, this meeting of the Council orders that:
  - 3.1. The resolution become public information and included in the Minutes of the meeting.
  - 3.2. 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 2021 or until after the *Capital City Committee Annual Report 2019-20* is tabled in the State Parliament, whichever is the sooner.
  - 3.3. The confidentiality of the matter be reviewed after the report has been tabled in the State Parliament or December 2021, whichever is the sooner.
  - 3.4. 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.

### Lord Mayor's Reports

#### **8. Item 13 – Lord Mayor's Report [2018/04064] [C]**

The Lord Mayor addressed the meeting as follows:

'It has been a busy but exciting start to 2021. Given we are now over two years into the current Council term, I am looking forward to working with you all this year to deliver several important projects and initiatives as outlined in our 2020-24 Strategic Plan.

I am committed to delivering on our promise for Mainstreet masterplans, developing up a long-term vision as well as the delivery of infrastructure improvement plans and activation plans for O'Connell Street, Melbourne Street and Hutt Street as well as delivery of Hindley and Moonta Street. I am also looking forward to progressing the Park Lands Foundation, progressing AEDA, delivering on a number of art & cultural initiatives and continuing discussions with the State Government on a number of possible joint-funding initiatives.

On Thursday, 21 January, I officially 'handed over' the Chair of the Council of Capital City Lord Mayors to Adrian Schrunner, Lord Mayor of Brisbane. I thoroughly enjoyed my experience of Chairing CCCLM during 2020, an eventful year to say the least, and I look forward to continuing to represent the interests of the City of Adelaide at the CCCLM going forward.

Construction of the new City Skate Park in Gladys Elphick Park / Narnungga (Park 25) officially commenced on Friday, 22 January. The occasion was marked with a 'turning of the sod' media call with myself, the Deputy Premier



the Hon Vickie Chapman MP, the Hon Minister Corey Wingard, Minister for Recreation, Sport & Racing and the Hon Minister Rachel Sanderson, Member for Adelaide. The new City Skate Park is due to be completed later this year. It is going to be brilliant to have a dedicated space for skating and other recreational activities, both for the youth of Adelaide and for the whole community to enjoy.

Earlier this week, on Tuesday, 26 January, I attended the Smoking Ceremony with Kurna Elders in Botanic Park. It was an extremely moving start to the day where we were able to connect with the land and hear the stories of the traditional custodians whose ancestral lands we gather on.

Following the Smoking Ceremony, I hosted a special Australia Day Citizenship Ceremony and the 2021 Citizen of the Year Awards at the Adelaide Town Hall. I conferred 16 new Australians as part of the Citizenship Ceremony and presented:

- **The Citizen of the Year Award to Hayden Bromley**, a well-respected Adnyamathanha man for his work in cultural awareness and education.
- **The Young Citizen of the Year Award to Wathnak Vy**, an inspirational young man who has battled his own mental health issues to complete his studies while assisting and creating a youth support group for international students who have been impacted from COVID-19.
- **And The Community Event of the Year Award to SA4SA Bushfire Appeal Gala Dinner** organised by Kelly Noble and Steve Testar, which raised over \$380,000 for South Australian families and businesses affected by last summer's bushfires.

Following the Citizenship Ceremony and Awards, I attended AusDay at the Adelaide Entertainment Centre.

This morning I attended a media call to announce the State Commission Assessment Panel (SCAP) approval for the Adelaide Central Market Arcade Redevelopment, to be known as Market Square. The \$400 million redevelopment is a significant investment from ICD Property and is projected to create over 1,000 jobs with annual precinct visitor numbers forecast to rise by over 1 million once travel is reinstated, in addition to the 9 million people currently visiting the area.

We've got a big year ahead of us. I look forward to keeping you all updated and continuing to work together to deliver for and on behalf of the community.'

During the presentation, Councillor Moran left the Council Chamber at 6.25 pm and re-entered at 6.28 pm

It was then -

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

That the report be received and noted.

Carried

## Councillors' Reports

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

Councillor Mackie addressed the Council to present the Lord Mayor with a limited edition publication from Alex Frayne, Landscapes of South Australia.

Deputy Lord Mayor (Councillor Couros) addressed the Council to present the Lord Mayor with an award received from the Tamil Association to thank the City of Adelaide for their support.

It was then -

Moved by Councillor Simms,  
Seconded by Councillor Abrahamzadeh -

### 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 the Council held on 28 January 2021).
2. Notes the summary of Council Members meeting attendance (Attachment B to Item 14.1 on the Agenda for the meeting of the Council held on 28 January 2021).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 28 January 2021 be included in the Minutes of the meeting.

Carried

## Questions on Notice

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

- 15.1. Councillor Martin – Question on Notice – City of Adelaide Job Losses [2019/00551]
- 15.2. Councillor Martin – Question on Notice – Team Adelaide [2018/04162]
- 15.3. Councillor Martin – Question on Notice – Central Market [2015/00903]
- 15.4. Councillor Hyde – Question on Notice – Central Market Arcade [2015/00903]
- 15.5. Councillor Abrahamzadeh – Question on Notice – Motions on Notice by Elected Members [2018/04053]
- 15.6. Councillor Mackie – Question on Notice – The Aboriginal Flag
- 15.7. Councillor Knoll – Question on Notice – Central Market Arcade [2015/00903]

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.

### Questions without Notice

Discussion ensued

It was then –

Moved by Councillor Simms,  
Seconded by Councillor Abrahamzadeh -

That the Questions and Answers to Councillor Simms' Questions without Notice be included in the minutes.

Carried

Councillor Simms asked the following Questions without Notice:

#### Question

'Is administration aware of the SA Housing Authority submission to SCAP that the affordable housing component of the Central Market redevelopment does not comply with relevant regulations and if so what is their response?'

#### Answer

'We've had a couple of Council members ask this question in the last couple of days on the back of Housing SA's submission to SCAP. Housing SA was unaware of the contractual arrangement that we have with ICD to deliver on the 15% affordable housing because obviously it's contractual and it's in confidence. We have since spoken with Housing SA and made them aware and they're comfortable that the approach which we have is good. They are also aware that ICD will be liaising to ensure that those 90 days that we have in place through that contract to secure the affordable housing component, is run through the scheme with Housing SA, so that's still to be worked through but they're certainly aware and comfortable of the contract that we have with ICD.'

#### Question

'What steps will be taken by administration to ensure that any affordable housing made available for the stipulated 90 days is be taken up?'

#### Answer

'We'll work with Housing SA and ICD to ensure that the mechanism that Housing SA use which is a waiting list and a list of preregistered people are connected through to the proposal and in conversations with staff this week we have talked about other things which we might be able to do over and above any contractual arrangement with ICD to help share and promote the opportunity to relevant potential participants in the scheme.'

Discussion continued, during which, Councillor Moran left the Council Chamber at 6.35 pm and re-entered at 6.37 pm

#### A/CEO Undertakings – Further queries in response to Reply to Item 15.3 - Question on Notice [C]

In response to queries from Councillors Hyde & Martin, an undertaking was given by the Acting CEO to provide Council Members with the following information relating to Adelaide Central Market Arcade Redevelopment:

- Cost to Council of the returnable works is \$54m, part 2 of the reply says \$27m is that the net figure and not the gross?
- Is there a net increase in car parking?
- How much rent we are expected to receive from the commercial aspects of the arcade we retain per annum?
- How much rates we are expected to collect from the total development per annum?

## Motions on Notice

### 11. Item 17.1 - Councillor Martin – Motion on Notice – E-News [2020/00185] [C]

Moved by Councillor Martin,  
Seconded by Councillor Moran -

That Council;

Asks the Administration to cease using E-News as a means of disseminating final reports and the outcomes or conclusions of formal motions specifically requested by the elected body for the consideration of the elected body and resumes using E-News for the purpose of information about Council and related activities in the manner of the publication prior to this term of Council, unless requested to do otherwise.

Discussion ensued

The motion was then put and lost

### 12. Item 17.2 - Councillor Moran – Motion on Notice – Cleansing Regime – King William Street [2018/03956] [C]

Moved by Councillor Moran,  
Seconded by Councillor Hyde –

That Council:

1. Increases the frequency and improves the cleaning of King William Street to address its dirty condition.
2. Liaises with property owners on King William Street to assist them to improve the cleanliness of their street frontage.

Discussion ensued

Amendment –

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

That the motion be amended to read as follows:

‘That Council:

1. Liaises with property owners on King William Street to assist them to improve the cleanliness of their street frontage and prepare a plan for improvement to the street environment, including extra cleaning, where feasible.’

Discussion continued, during which with the consent of the mover, seconder and the meeting the amendment was varied to include the words ‘to begin immediately’ after the word ‘cleaning’.

The amendment, as varied, was then put and carried

Councillor Martin requested that a division be taken on the amendment as varied

#### Division

#### For (6):

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

#### Against (5):

Councillors Donovan, Mackie, Martin, Moran and Simms

The division was declared in favour of the amendment as varied

Discussion continued

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

Councillor Moran left the Council Chamber at 7.28 pm

**13. Item 17.3 - Councillor Hyde – Motion on Notice - A new home for beach volleyball in the City [2020/01167] [C]**

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

That Council:

1. Works with Volleyball South Australia to secure a new location for Volleyball within the City of Adelaide
2. Provides in principle approval, as landlord, for a relocation by Volleyball South Australia to a site within the Park Lands
3. Seeks to ensure the new location will:
  - a. Be visible from a key road.
  - b. Be within walking distance to corporate businesses/universities/schools.
  - c. Be in an area where music will not disturb neighbours.
  - d. Have access to free carparking.
  - e. Have the ability to access the area with vehicles to replenish sand/delivery of stock.
4. Requests the Lord Mayor write to the Minister for Recreation, Sport and Racing seeking funding to support a relocation.

Discussion ensued, during which:

- Councillor Moran re-entered the Council Chamber at 7.33 pm and left at 7.42 pm
- Councillor Abrahamzadeh left the Council Chamber at 7.41 pm and re-entered at 7.42 pm

The motion was then put and carried

Councillor Hyde requested that a division be taken on the motion

**Division**

**For (8):**

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

**Against (2):**

Councillors, Martin and Simms

The division was declared in favour of the motion

The meeting **adjourned at 7.46 pm** for a 10-minute break **and reconvened at 7.59 pm** with the following Council Members present:

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

**14. Item 17.4 - Councillor Simms – Motion on Notice - Pride Walk on Light Square [2018/04053] [C]**

Moved by Councillor Simms,  
Seconded by Councillor Mackie -

That:

the Pride Walk on Light Square be updated to include the State Parliament's removal of the 'Gay Panic Defence' and the passage of legislation to clear the records of people convicted of historic homosexual offences.

Discussion ensued, during which:

- Deputy Lord Mayor (Councillor Couros) and Councillors Donovan and Hyde re-entered the Council Chamber at 8.00 pm
- Councillor Moran re-entered the Council Chamber at 8.01 pm

The motion, was then put and carried unanimously

**15. Item 17.5 - Councillor Mackie – Motion on Notice – Crest of the City of Adelaide [C]**

Moved by Councillor Mackie,  
Seconded by Councillor Moran -

That Council:

Review the current policy on the use of the official Coat of Arms / Crest of the City of Adelaide by Council Members and update to limit use to official Council business and not political purposes. Following this review, suggested updating wording for the Standing Orders be considered by Council by the end of March 2021. In the meantime, its use should only be limited to the conduct of official Council business or for Council approved or endorsed activities.

Discussion ensued

The motion was then put and lost

Councillor Simms requested that a division be taken on the motion

**Division**

**For (5):**

Councillors Donovan, Mackie, Martin, Moran and Simms

**Against (6):**

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

The division was declared against the motion

**16. Item 17.6 - Councillor Martin – Motion on Notice – Heritage Listed Property Insurance [2020/00150] [C]**

Moved by Councillor Martin,  
Seconded by Councillor Moran -

That Council:

Noting owners of heritage listed properties in the City of Adelaide are often charged higher rates to insure buildings because such buildings are listed, asks the Administration to provide a brief report to the March meeting, canvassing options to provide assistance to such ratepayers.

Discussion ensued

The motion was then put and carried

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

**Division**

**For (6):**

Deputy Lord Mayor (Councillor Couros) and Councillors Donovan, Mackie, Martin, Moran and Simms

**Against (5):**

Councillors Abrahamzadeh, Hou, Hyde, Khera and Knoll

The division was declared in favour of the motion

**17. Item 17.7 - Councillor Martin – Motion on Notice – Sale of Property Assets [2017/04450] [C]**

Moved by Councillor Martin,  
Seconded by Councillor Simms -

That Council:

Noting media reports claiming the City of Adelaide is planning to sell off 30 assets from a confidential list to improve Council's financial position, asks the CEO to immediately release from confidentiality, in accordance with the authority granted him by Council, any list of assets being considered for sale and the reasons for any proposed sale.

Much discussion ensued, during which:

- Councillor Khera left the Council Chamber at 8.30 pm and re-entered at 8.30 pm
- Councillor Mackie left the Council Chamber at 8.42 pm and re-entered at 8.50 pm

The motion was then put and lost

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

**Division**

**For (3):**

Councillors Martin, Moran and Simms

**Against (8):**

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

The division was declared against the motion

**18. Item 17.8 - Councillor Martin – Motion on Notice – 88 O’Connell Street [2018/02324] [C]**

Councillor Simms left the Council Chamber at 8.52 pm

It was then -

Moved by Councillor Martin,  
Seconded by Councillor Moran -

That Council:

Asks the Administration to immediately publish any reports or documents which provide calculations related to overshadowing associated with the Commercial and General proposal to develop 88 O’Connell Street and, if such calculations have not been made then immediately commission such calculations for publication.

Discussion ensued, during which Councillor Simms re-entered the Council Chamber at 8.54 pm

Moved by Councillor Simms,  
Seconded by Councillor Hou -

That the motion be put.

Carried

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 Couros) and Councillors Abrahamzadeh, Donovan, Hou, Hyde, Khera, Knoll, Mackie and Simms

The division was declared against the motion

**19. Item 17.9 - Councillor Hyde – Motion on Notice – Adelaide Central Market Foundational Documents [C]**

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

That Council:

1. Requests the Council Administration modernize and finalise all of the redrafted foundational documents for the governance of the Adelaide Central Market Authority in a comprehensive manner, in order to prepare for the imminent construction, completion, and integration of the Adelaide Central Market Arcade into the existing Market.
2. Resolves that all of the relevant documents should be modernised and updated simultaneously, and that all documents should be approved at the same time, including:
  - a. The Adelaide Central Market Authority Charter.
  - b. The Operating Agreement and Roles and Responsibilities for the Adelaide Central Market and the Arcade redevelopment respectively.
  - c. The Head Lease for the Adelaide Central Market.

- d. The Community Land Management Plan covering the Adelaide Central Market and the Adelaide Central Market Arcade.
3. Requests that the following principles will underpin the redrafting of the new foundational documents:
    - a. 'One Market'
      - i. The Arcade will be integrated into, and complementary to, the Adelaide Central Market, in order to create one Market.
      - ii. The Authority will be responsible for the Arcade's management in the same way that it will manage the Market
    - b. 'Asset Management Plan'.
      - i. Council will be solely responsible for the funding of capital works on the infrastructure which is otherwise under the management of the Authority.
      - ii. The process for the creation of the Asset Management Plan for the infrastructure under the management of the Authority will be specifically outlined in the Charter, and will broadly be determined by the Authority, before then coming through the relevant Council staff and being approved by the Council.
      - iii. The infrastructure within the Market will be condition compliant to occupational health and safety standards at a minimum, noting that compliance may change from time to time.
    - c. 'Accessibility'
      - i. The Authority may devolve itself from management of the Adelaide Central Market U-Park, but that this devolvement would only be accompanied by a guarantee, enshrined in the foundational documents, that the carpark will continue to primarily support the retail activity in the Market through regular collaborative and uniquely branded promotional activities and that approval of these promotional activities will be made by the Council
      - ii. Any proposed permanent changes to traffic management that affects access to the Market will be brought to the Authority's Board before presentation to Council.
    - d. 'Trader Engagement and Representation'
      - i. The nature and extent of role of the traders in the management of the Authority will be determined through consultation with the Authority and the traders.
      - ii. The charter will allow for the traders to be engaged in a rigorous way which allows for the dissemination of information between the Authority and whichever governance structure is determine do be appropriate.
      - iii. The charter will address the need to allow the traders to contribute to the Authority's management while mitigating any potential for conflicts of interest in the ordinary course of the Board's work.
    - e. 'Executive Accountability'
      - i. That the staff working within the Authority will be primarily guided by the directions of the Authority's Board.
    - f. 'Risks and Matters of Concern'
      - i. A delegate of the Authority or its delegate may be included in the Council Administration's Strategic Risk and Internal Audit Committee.
      - ii. The Authority may choose to escalate identified risks or Matters of Concern directly to the Council's Chief Executive Officer and these risks of matters will be brought directly to the attention of the Council's Elected Members.
    - g. 'Transparency and Information'
      - i. That all documents and information relating to the above principles will be provided to the Authority for their consideration and to be read alongside the redrafted foundational documents.
    - h. 'Transitional arrangements'
      - i. The Council Administration will present, alongside the foundational documents, proposed transitional arrangements in order for the Authority to continue functioning sustainably until the Arcade is completed and management of it is assumed by the Authority.
  4. Requests the above is completed in time to be approved by Council at its March 2021 meeting.

5. Requests that in undertaking the above, the Administration will consult and collaborate extensively with the Authority as well as the trader community.

Councillor Knoll identified an actual conflict of interest in Item 17.9 [Councillor Hyde – Motion on Notice – Adelaide Central Market Foundational Documents], pursuant to Sections 75 & 75A of the Local Government Act 1999 (SA), because he is the owner of a stall in the Central Market and advised that because of that he has valuable contribution to make in context of his experience, therefore he would remain in the Council Chamber but would not participate in the vote.

Discussion ensued

Amendment –

Moved by Councillor Simms,  
Seconded by Councillor Mackie -

That the matter be deferred pending a workshop, including a presentation from the Chair of the Adelaide Central Market Authority.

Discussion ensued, during which Councillor Moran left the meeting at 9.14 pm

The amendment was then put and lost

Councillor Martin requested that a division be taken on the amendment

#### **Division**

#### **For (4):**

Councillors Donovan, Mackie, Martin and Simms

#### **Against (5):**

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

Councillor Knoll didn't vote

The division was declared against the amendment

Discussion continued during which, Councillor Mackie left the meeting at 9.31 pm

The motion was then put and carried

Councillor Martin requested that a division be taken on the motion

#### **Division**

#### **For (5):**

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

#### **Against (4):**

Councillors Donovan, Mackie, Martin and Simms

Councillor Knoll didn't vote

The division was declared in favour of the motion

#### **Closure**

The meeting closed at 9.38 pm

Mark Goldstone,  
Chief Executive Officer

Sandy Verschoor,  
Lord Mayor



**Documents Attached for Reference**

Minute 2 - Item 9.1 - Advice of the Adelaide Park Lands Authority – Special Meeting - 27 January 2021, distributed separately

Minute 10 – Item 15.1 – 15.7 – Question on Notice, Replies, distributed separately

Minute 15 - Item 17.5 - Motion on Notice, Administration Comment, distributed separately

Minute 19 - Item 17.9 - Motion on Notice, Administration Comment, distributed separately

# Advice of the Adelaide Park Lands Authority – Special Meeting - 27/1/2021

ITEM 9.1 28/01/2021  
Council

**Program Contact:**  
Rudi Deco, Manager Governance  
8203 7442

**Approving Officer:**  
Clare Mockler, Acting Chief  
Executive Officer

2018/04062  
Public

## EXECUTIVE SUMMARY

The Adelaide Park Lands Authority (APLA) is the principal advisor to both the Council and the State Government on the protection, management, enhancement, and promotion of the Adelaide Park Lands.

Future reports to Council on matters considered by APLA will include APLA's advice.

The Board of the Adelaide Park Lands Authority met (see Agenda document [here](#)) on Wednesday 27 January 2021.

A deliberation of the Board in relation to Tennis SA Centre Court Development – Stage 2 resulted in advice from the Board presented below for Council to note.

This Tennis SA Centre Court Development – Stage 2 will be presented in a separate report to The Committee 2 February 2021 & Council 9 February 2020.

## APLA ADVICE TO NOTE

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

**1. Advice 1 – Tennis SA Centre Court Development – Stage 2**

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Supports the enhancement of facilities leased by Tennis SA at the Memorial Drive Tennis Centre in Tantanya Wama (Park 26) as per the Tennis Centre Court Concept Plan and Demolition Plan shown in Attachment A and Attachment B to Item 3.1 on the Agenda for the Special meeting of the Board of the Adelaide Park Lands Authority held on 27 January 2021.
2. Requests that opportunities for greening of the internal and external areas be explored further.
3. Supports amendments being undertaken to the existing 42 year lease agreement between the City of Adelaide and Tennis SA Inc, including:
  - 3.1. A market rent review to recognise the improvements which are capable of accommodating expanded uses and/or increased use of the facilities.
  - 3.2. Changes to the Lease Plan to recognise additional built form and the reconfiguration of courts in the care and control of Tennis SA.
4. Notes that a statutory consultation process on the existing 42 year lease agreement occurred in 2017 and there are no requirements to undertake additional community consultation nor place the lease before both Houses of Parliament as a result of these proposed amendments to the existing lease agreement.

- END OF REPORT -

# City of Adelaide Job Losses

ITEM 15.1 28/01/2021

Council

Council Member  
Councillor Martin2019/00551  
Public**Contact Officer:**  
Clare Mockler, Deputy CEO &  
Director City Shaping

## QUESTION ON NOTICE

**Councillor Martin will ask the following Question on Notice:**

'Could the Administration advise;

1. What was the total of people, including trainees, casuals, fixed term staff, contractors, redeployed and any others not captured by those definitions in the employ of the City of Adelaide on 3 February 2020;
2. What was the total of people, including trainees, casuals, fixed term staff, contractors, redeployed and any others not captured by those definitions in the employ of the City of Adelaide at COB on 21 January 2021;
3. What has been the cost of separations so far as a result of the current restructure, excluding leave entitlements, and what costs remain;
4. How many people were advised between 1 July and 31 December 2020 that their positions were being reclassified and that they would be required to reapply for that or another position;
5. How many people were advised in the four weeks leading up to the December Christmas Holidays that their applications (at 4) had been unsuccessful and their employment would not continue;
6. What is the number of people at the City of Adelaide currently serving out periods of notice with their engagements terminating after 21 January 2021;
7. How many people employed by the City of Adelaide will work for the City's Adelaide Economic Development Agency and will that number of people continue to be counted in any of the categories at 1;
8. Have further reductions in jobs not reflected in the foregoing been discussed by the Administration Executive and, if so, how many;
9. Where, according to service area, have positions been cut and what impact does the Administration say such cuts have had on service delivery?'

## REPLY

1. The total number of people in permanent or fixed term contract employment at the City of Adelaide on 3 February 2020 was 831. In addition, there were 32 trainees, 217 casuals and 55 temporary employees.
2. The total number of people in permanent or fixed term contract employment at the City of Adelaide on 21 January 2021 was 691. In addition, there were 173 casuals and 18 temporary employees. As at 19 January 2021 there were also 51 vacant roles. Vacant roles are made up of those not filled through the Expression of Interest process and roles available because of resignations.
3. The cost of separations to date as a result of Reshaping our Organisation has been \$6,970,036.
4. A total of 370 roles were impacted by Reshaping our Organisation. Impacts ranged from a change in title or reporting line through to a role no longer being required.

5. In consultation with our people, our Unions and Council, our commitment was always to share a confirmed structure before the end of year and to provide people with clarity regarding the outcome for them.  
At the conclusion of the Expression of Interest process for the 118 changed and new roles, there were 59 people for whom there was no longer a role in the organisation.
6. The new organisational structure was effective from 18 January 2021. There are 3 people who are working while the transition to the new reshaped structure is fully implemented providing handovers and sharing information and support. They are yet to have a redundancy finalised.
7. A total of 32 people (including the Managing Director) will work for the Adelaide Economic Development Agency, a City of Adelaide subsidiary, once all vacant roles are filled. Our subsidiary employees are City of Adelaide employees and, therefore, included in the total number of people employed at the City of Adelaide.
8. With the new organisational structure only coming into effect on Monday 18 January 2021 as a result of the Reshaping Our Organisation project, any further changes to the organisational structure is a consideration that becomes part of our normal ongoing processes, where we continue to review the organisational structure ensuring it is appropriate to deliver the most efficient and cost effective services to our community. In addition, as part of our usual Recruitment and Selection process after the receipt of a resignation, we consider if the role needs to be replaced and if so, does it need to be the same or not.
9. As part of the Reshaping our Organisation project, roles were reduced in the following service areas: People Experience, IT Business Engagement, Financial Services, Procurement and Contract Management, Marketing Strategy, Brand and Consumer Insights, Program Marketing and Communications, Content and Social Media, Graphic Design, Customer Experience, Innovation, On Street Parking, Design Strategy, Asset Information Services, Infrastructure and Asset Management Solutions, Project Management, Creative and Cultural Experiences, Community Capacity Building, Aquatic Centre and Transport Planning.

The new organisational structure is designed to be more efficient and integrated, allowing us to continue to provide quality services to our community while providing value for money for our ratepayers. We anticipate minimal impact on service delivery.

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 -

**Council Member**  
Councillor Martin

2018/04162  
Public

**Contact Officer:**  
Naomi Marsh, Executive  
Manager, Lord Mayor's Office

## QUESTION ON NOTICE

**Councillor Martin will ask the following Question on Notice:**

'Could the Lord Mayor explain the basis for her claiming during the City of Adelaide Council meeting on December 15<sup>th</sup>, 2020 that the term Team Adelaide was "derogatory"?'

## REPLY

1. At the Council meeting on 15 December 2020, it was the view of the Lord Mayor, as presiding member, that the use of the term 'Team Adelaide' is being used in a derogatory way as it was said in a disrespectful manner implying that decisions are based on factional lines only rather than on the information being presented for decision and assessed by each individual member on merit.
2. The Code of Conduct for Council Members states that Council Members must act in a reasonable, respectful and non-discriminatory way and endeavour to establish and maintain respectful relationships with all Council Members. During a meeting, it is appropriate for the presiding member to seek to manage behaviour.
3. In accordance with the Local Government (Procedures at Meetings) Regulations 2013, if the presiding member considers a Council Member(s) behaviour improper regulation 29 may be invoked. It is common practice to warn Council Members first prior to invoking regulation 29.

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 -

## Central Market

ITEM 15.3 28/01/2021

Council

**Council Member**  
Councillor Martin

2015/00903  
Public

**Contact Officer:**  
Clare Mockler, Deputy CEO &  
Director City Shaping

## QUESTION ON NOTICE

**Councillor Martin will ask the following Question on Notice:**

'Could the Administration advise the nature and value of capital works completed, under construction or proposed for the Central Market which are required to facilitate construction of the Central Market Arcade Redevelopment?'

## REPLY

1. Central Market has as part of its capital renewal plan allocated works to support the existing asset and ongoing operations of the Central Market site, these works are entirely relating to the Central Market building asset and total \$4.45M for the period 2020/21 and a carry forward of works totalling \$836k for the 2019/20 financial period.
2. The Central Market Arcade Redevelopment has a cost to Council of \$27.74m with a contingency of \$1.39M. The costs associated for this redevelopment are totally associated with the 8,500m<sup>2</sup> (site area) of Central Market Arcade only.
3. These costs are allocated to Council's contracted returnable works of 6,000m<sup>2</sup> of net lettable area, 260 car parks and underground loading and services (including vertical transportation to various level and associated construction site works) and the assets delivered will continue to support the ongoing operations of the Central Market in terms of people movement, retail, storage and loading.

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 -

# Central Market Arcade

ITEM 15.4 28/01/2021

Council

Council Member  
Councillor Hyde2015/00903  
PublicContact Officer:  
Clare Mockler, Deputy CEO &  
Director City Shaping

## QUESTION ON NOTICE

Councillor Hyde will ask the following Question on Notice:

1. Could the Administration please verify the veracity of Cllr Martin's public statements that the Central Market Arcade redevelopment will "...cost the Council bottom-line \$54 million dollars. That is approximately \$28 million dollars in cash and the \$28 million dollars the Council receives from the sale of air rights...?"
2. Could the Administration please advise where circa \$28 million dollars the Council gets from the sale of the air rights is presented as an asset that the council owns?
3. Has this \$28 million 'asset' ever been quantified on Council's balance sheet or presented in quarterly reports?
4. Has this a \$28 million 'asset' ever been considered a "saleable asset" for the purposes of the City's prudential limit?
5. Could the Administration advise what is the projected net "bottom line" result of development of the Central Market Arcade at the end of the development?'

## REPLY

1. Council will receive a minimum payment of \$27 million from ICD Property as a contribution for the Air Rights enabling the developer to build its components of the redevelopment including retail, office, hotel and residential with car parking.
2. The Air Rights contribution will offset the cost of Council's Returnable Works comprising 6,000m2 of retail, 260 public car parks and basement loading/ servicing.
3. On this basis, capital expenditure costs for the Returnable Works of \$54.74 million will be offset by the \$27 million Air Rights payment resulting in a net cost to Council of \$27.74 million, noting that Council has approved a further contingency amount of \$1.39 million for the construction of the Returnable Works as required.
4. The \$27 million Air Rights payment represents a contribution by ICD Property to offset Council's cost and is not presented as an asset quantified on Council's balance sheet or quarterly reports.

For the purposes of determining the Central Market Arcade component of the saleable assets in calculating Council's prudential borrowing limits is as follows:

- The 2020-21 calculation of the prudential limit; being 50% of saleable assets includes the current Arcade building with a value of \$7.12 million.
- While the Central Market Arcade is being redeveloped from 2021-22, the market value of the property is not incorporated within the saleable assets.

- Once developed, the Central Market Arcade’s market value of \$72 million will increase the base for which the prudential limit is calculated. Noting that the prudential limit is determined using the 3 ratios, of which the Saleable assets is one.
5. As outlined within the Project Prudential Report the Central Market Arcade Redevelopment is anticipated to deliver to Council a saleable property asset of \$72 million for its Returnable Works which is \$64.88 million greater than the current \$7.12 million value of the Arcade building.

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 10 - Item 15.1 - 15.7 - Question on Notice Replies - Distributed Separately



## Motions on Notice by Elected Members

**ITEM 15.5** 28/01/2021  
**Council**

**Council Member**  
Councillor Abrahamzadeh

2018/04053  
Public

**Contact Officer:**  
Rudi Deco, Manager  
Governance

## QUESTION ON NOTICE

**Councillor Abrahamzadeh will ask the following Question on Notice:**

- '1. Can the CEO report on the MoN by elected members from January to June 2020 that were published in the Council meeting agendas but then subsequently withdrawn either before or during the meeting, in the same table format of the current Register of Motions and Questions which contains that data for July-December 2020 (note - those MoN that were adjusted and subsequently brought back to the chamber for a later meeting can be excluded)?
2. Can the CEO advise if the Register of Motions and Questions could be added to the Registers page of the City of Adelaide website?'

## REPLY

1. With respect to part 1 of the question, the requested information can be provided in a similar format to the current Register of Motions and Questions provided to Council Members. That Register contains motions and questions since the July 2020 Council meeting.
2. To consolidate this information will require a review of the agenda and minutes from each ordinary Council meeting from January 2020 to June 2020. This will take some time and Administration will endeavour to provide this information to all Council Members via E-News prior to the next ordinary meeting of Council in February.
3. With respect to part 2 of the question, the Register could be added to the website (with any motions and questions considered/asked in confidence removed). However, a decision of Council is required given the resource implications to implement this as a new practice. In addition, making the register publicly available is not a legislative requirement and not provided for in the City of Adelaide Standing Orders.
4. If there is an intent to pursue the addition of the Register to the website, it is recommended a motion be brought on notice to the next meeting of Council to seek this outcome.

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 -

## The Aboriginal Flag

**ITEM 15.6** 28/01/2021  
**Council**

**Council Member**  
Councillor Mackie

2021/00083  
Public

**Contact Officer:**  
Clare Mockler, Acting Chief  
Executive Officer

## QUESTION ON NOTICE

### Councillor Mackie will ask the following Question on Notice:

'Recognising the significant historical connection between the City of Adelaide and the first public use of the Aboriginal Flag, can Council Administration engage with the Reconciliation Committee and advise what plans are either already in place, or might be developed with Council support to commemorate 50 Years of the Aboriginal Flag in July 2021.'

## REPLY

1. The Reconciliation Committee, at its upcoming meeting on Wednesday 24 February will discuss 50 years of the Aboriginal Flag in July 2021. Administration will seek their cultural advice on any activity planned or opportunities for Council support for the commemoration of this milestone.

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 -

# Central Market Arcade

ITEM 15.7 28/01/2021

Council

**Council Member**

Councillor Knoll

2015/00903

Public

**Contact Officer:**

Clare Mockler, Acting Chief  
Executive Officer

## QUESTION ON NOTICE

**Councillor Knoll will ask the following Question on Notice:**

'Noting the Central Market Arcade redevelopment is intended to commence this year with an expected loss of 250 car parks during construction and during Christmas week, overflow car parking was trialled near the bus station between Grote and Franklin Street, is it intended to use this site to house an interim car park for use during the Central Arcade redevelopment in order to cover the decreased car parking spots? If so, when is it envisioned that the site will be ready for use and will this be prior to the commencement of construction considering that promoting and encouraging the use of the car park may take some time?'

## REPLY

1. The existing Central Market UPark contains 964 public car parks. It is anticipated that 260 public car parks will be removed during 2021 as a result of the Central Market Arcade Redevelopment, to then be reinstated as part of the redevelopment.
2. Planning is underway for the provision of temporary replacement car parking within the Adelaide Central Bus Station/ Grote Street car park building and the adjoining former bus station site to support market trading.
3. The replacement car parking will be available prior to the demolition of the Central Market Arcade and will be promoted prior to its opening and operation.

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 -

Council Member  
Councillor Mackie2018/04066  
Public**Contact Officer:**  
Clare Mockler, Acting Chief  
Executive Officer

## MOTION ON NOTICE

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

'That Council:

Review the current policy on the use of the official Coat of Arms / Crest of the City of Adelaide by Council Members and update to limit use to official Council business and not political purposes. Following this review, suggested updating wording for the Standing Orders be considered by Council by the end of March 2021. In the meantime, its use should only be limited to the conduct of official Council business or for Council approved or endorsed activities.'

## ADMINISTRATION COMMENT

1. The City of Adelaide Standing Orders address various policy positions relevant to the role of Council Members.
2. Standing Order 25 states that the City of Adelaide Crest can only be used by Council and current Council Members, or for Council approved or endorsed activities with no further direction provided.
3. Section 59 of the *Local Government Act 1999 (SA)* specifies the role of a Member of Council, which includes facilitating communication between the community and the Council.
4. Should the motion be carried, Administration will review the current provisions and consider what, if any, updates to the Standing Orders could be put to Council for further consideration.

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	Review likely to take some time, including investigating what other capital cities have in place - allocate at least 5 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.

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- END OF REPORT -

Council Member  
Councillor Hyde2015/00903  
Public**Contact Officer:**  
Clare Mockler, Deputy CEO &  
Director City Shaping

## MOTION ON NOTICE

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

'That Council:

1. Requests the Council Administration modernize and finalise all of the redrafted foundational documents for the governance of the Adelaide Central Market Authority in a comprehensive manner, in order to prepare for the imminent construction, completion, and integration of the Adelaide Central Market Arcade into the existing Market.
2. Resolves that all of the relevant documents should be modernised and updated simultaneously, and that all documents should be approved at the same time, including:
  - a. The Adelaide Central Market Authority Charter
  - b. The Operating Agreement and Roles and Responsibilities for the Adelaide Central Market and the Arcade redevelopment respectively
  - c. The Head Lease for the Adelaide Central Market
  - d. The Community Land Management Plan covering the Adelaide Central Market and the Adelaide Central Market Arcade
3. Requests that the following principles will underpin the redrafting of the new foundational documents:
  - a. 'One Market'
    - i. The Arcade will be integrated into, and complementary to, the Adelaide Central Market, in order to create one Market.
    - ii. The Authority will be responsible for the Arcade's management in the same way that it will manage the Market.
  - b. 'Asset Management Plan'
    - i. Council will be solely responsible for the funding of capital works on the infrastructure which is otherwise under the management of the Authority.
    - ii. The process for the creation of the Asset Management Plan for the infrastructure under the management of the Authority will be specifically outlined in the Charter, and will broadly be determined by the Authority, before then coming through the relevant Council staff and being approved by the Council
    - iii. The infrastructure within the Market will be condition compliant to occupational health and safety standards at a minimum, noting that compliance may change from time to time.
  - c. 'Accessibility'
    - i. The Authority may devolve itself from management of the Adelaide Central Market U-Park, but that this devolvement would only be accompanied by a guarantee, enshrined in the foundational documents, that the carpark will continue to primarily support the retail activity in the Market

- through regular collaborative and uniquely branded promotional activities and that approval of these promotional activities will be made by the Council.
- ii. Any proposed permanent changes to traffic management that affects access to the Market will be brought to the Authority's Board before presentation to Council.
- d. 'Trader Engagement and Representation'
    - i. The nature and extent of role of the traders in the management of the Authority will be determined through consultation with the Authority and the traders.
    - ii. The charter will allow for the traders to be engaged in a rigorous way which allows for the dissemination of information between the Authority and whichever governance structure is determine do be appropriate.
    - iii. The charter will address the need to allow the traders to contribute to the Authority's management while mitigating any potential for conflicts of interest in the ordinary course of the Board's work.
  - e. 'Executive Accountability'
    - i. That the staff working within the Authority will be primarily guided by the directions of the Authority's Board
  - f. 'Risks and Matters of Concern'
    - i. A delegate of the Authority or its delegate may be included in the Council Administration's Strategic Risk and Internal Audit Committee
    - ii. The Authority may choose to escalate identified risks or Matters of Concern directly to the Council's Chief Executive Officer and these risks of matters will be brought directly to the attention of the Council's Elected Members
  - g. 'Transparency and Information'
    - i. That all documents and information relating to the above principles will be provided to the Authority for their consideration and to be read alongside the redrafted foundational documents
  - h. 'Transitional arrangements'
    - i. The Council Administration will present, alongside the foundational documents, proposed transitional arrangements in order for the Authority to continue functioning sustainably until the Arcade is completed and management of it is assumed by the Authority.
4. Requests the above is completed in time to be approved by Council at its March 2021 meeting.
  5. Requests that in undertaking the above, the Administration will consult and collaborate extensively with the Authority as well as the trader community.'

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## ADMINISTRATION COMMENT

1. The Adelaide Central Market Authority (ACMA) is established as a Council subsidiary, pursuant to Section 42 of the *Local Government Act 1999* (SA) (the Act) and any amendments or revision will require the consideration of Council.
2. Pursuant to Schedule 2, Part 3(4) of the Act and clause 1.6.5 of the Charter, Council can review the ACMA Charter at any time whenever relevant to do so because of a review of the Council's Strategic Management Plans.
3. A review of the current ACMA Charter (established in 2014) and functions of this Council subsidiary is currently being undertaken by the Administration in conjunction with the Authority.
4. A review of the Charter has taken into account the changing requirements of the Adelaide Central Market and the associated governance roles and responsibilities. In addition, the relationship to the current redevelopment of the Central Market Arcade has been a factor in the review, including, but not limited to, leasing and budgetary structures.

5. A workshop is proposed to be held with Council Members on 16 February 2021 which will outline the process and next steps relating to any required amendments to the Charter, Head Lease and Community Land Management Plan. A subsequent report will be prepared and presented to Council for its consideration in March 2021.
6. If this motion is carried the review process will ensure that the principles outlined in the motion are addressed as part of the workshop on 16 February 2021 and subsequent report to Council.

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	This review will require the engagement of a external consultant to assess the format and legality of any proposed changes or amendments Costs as yet unknown.
Legal advice / litigation (eg contract breach)	As the review proceeds, Administration may need to seek legal advice either internally or externally depending on the specifics. Costs as yet unknown.
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	Preparation time required to prepare a workshop and report is estimated at 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 hours

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- END OF REPORT -