



COUNCIL AGENDA & REPORTS

for the meeting

Tuesday 9 March 2021
at 5.30pm

in the Council Chamber,
Adelaide Town Hall



Members - 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.

1. Acknowledgement of Country

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

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

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

2. Acknowledgement of Colonel William Light

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

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

3. Prayer

Upon completion of the Acknowledgment of Colonel William Light by the Lord Mayor, the Chief Executive Officer will ask all present to pray -

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

4. Memorial Silence

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

5. Apologies and Leave of Absence

Nil

6. Confirmation of Minutes – 9/2/2021

That the Minutes of the meeting of the Council held on 9 February 2021, be taken as read and be confirmed as an accurate record of proceedings.

7. Deputations

Granted at time of Agenda Publication – 4/3/2021

7.1 Deputation – Heather Croall – Adelaide Fringe Update

8. Petitions

8.1. Petition - Traffic Conditions on O'Halloran Street Adelaide [2018/04073] [Page 4]

9. Recommendations of the Reconciliation Committee

9.1. Recommendations of the Reconciliation Committee – 24 February 2021 [2018/04062] [Page 8]

Recommendation 1 Stretch Reconciliation Action Plan 2018-2021 Implementation Progress Report – January to February 2021

Recommendation 2 Stretch Reconciliation Action Plan 2021-2024: Community Engagement Summary

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

Strategic Alignment – Thriving Communities

- 10.1. Attracting millennials to live and work in the City [2018/00568-2] Presented to Committee on 2/3/2021 [Page 9]
- 10.2. Disabled Parking in Residential Permit Zones [2017/03545] Presented to Committee on 2/3/2021 [Page 15]

Strategic Alignment – Dynamic City Culture

- 10.3. Strategic Asset Management Plan [2020/01521] Presented to Committee on 2/3/2021 [Page 21]

Strategic Alignment – Enabling Priorities

- 10.4. Barton Terrace West Landscaping [2018/004053] Presented to Committee on 2/3/2021 [Page 36]
- 10.5. Representation Review Options Paper [2018/04004] Presented to Committee on 2/3/2021 [Page 40]
- 10.6. Delegations for the Planning, Development and Infrastructure Act 2016 [2019/00196] Presented to Committee on 2/3/2021 [Page 118]
- 10.7. National General Assembly of Local Government 2021 [2018/04054] [Page 176]

Strategic Alignment – Strong Economies

- 10.8. Appointment of Traders Advisory Group Chair to Adelaide Central Market Authority Board [2015/02959] [Page 179]

11. Exclusion of the Public

- 11.1. Exclusion of the Public [2018/04291] [Page 182]
For the following Advice from Adelaide Park Lands Authority seeking consideration in confidence
 - 12.1.1. Advice of the Adelaide Park Lands Authority in Confidence – 25 February 2021
Advice 1 Expression of Interest Results – Rowing Club Building – Red Gum Park / Karrawirra Park 12 [s 90(3) (b)]
 For the following Council (Chief Executive Officer's Reports) seeking consideration in confidence
 - 12.2.1. Cultural Investigation Report [s 90(3) (a), (g) & (h)]

12. Confidential Reports

- 12.1. Confidential Report of the Adelaide Park Lands Authority
 - 12.1.1. Advice of the Adelaide Park Lands Authority in Confidence – 25 February 2021 [2018/04062] [Page 185]
- 12.2. Confidential Reports for Council (Chief Executive Officer's Reports)
 - 12.2.1. Cultural Investigation Report [2013/01266] [Page 187]

13. Lord Mayor's Reports

14. Councillors' Reports

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- 15.2 Councillor Martin – Question on Notice – Fun Tea Gouger Street [Page 200]
- 15.3 Councillor Martin – Question on Notice – COVID 19 Financial Impact [Page 201]
- 15.4 Councillor Martin – Question on Notice – Purchase of Carbon Credits [Page 202]
- 15.5 Councillor Martin – Question on Notice – Increased Electricity Consumption [Page 203]
- 15.6 Councillor Martin – Question on Notice – Risk [Page 204]
- 15.7 Councillor Hyde – Question on Notice – Staffing Matters [Page 205]
- 15.8 Councillor Hyde – Question on Notice – Adelaide Aquatic Centre [Page 206]
- 15.9 Councillor Hyde – Question on Notice – Staffing Numbers [Page 207]
- 15.10 Councillor Hyde – Question on Notice – Reinstatements within the City of Adelaide [Page 208]
- 15.11 Deputy Lord Mayor (Councillor Couros) - Question on Notice – Cultural Report [Page 209]

16. Questions without Notice

17. Motions on Notice

- 17.1 Councillor Moran – Motion on Notice – External Paid Board Positions [2018/04053] [Page 210]
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- 17.6 Deputy Lord Mayor (Councillor Couros) - Motion on Notice - Funding for New Years Eve and Christmas [2020/01167] [Page 220]
- 17.7 Councillor Abrahamzadeh - Motion on Notice – Support for Business [Page 222]
- 17.8 Councillor Simms – Motion on Notice – Unsolicited Proposals [2017/01176] [Page 223]
- 17.9. Councillor Martin – Motion on Notice – Credit Card Investigation [2021/36506] [Page 225]
- 17.10 Councillor Martin – Motion on Notice - Elected Member Oversight of Businesses [2021/36533] [Page 227]
- 17.11 Councillor Martin – Motion on Notice – Smart Parking Melbourne Street [2018/04053] [Page 229]
- 17.12 Deputy Lord Mayor (Councillor Couros) – Motion on Notice – Parklets [2018/04053] [Page 231]
- 17.13 Councillor Mackie – Motion on Notice – Toxic Culture Allegations [Page 233]
- 17.14 Councillor Abrahamzadeh – Motion on Notice – E-Scooter Trial [2018/04053] [Page 234]
- 17.15 Councillor Hyde – Motion on Notice – Living within our means [2018/04053] [Page 236]
- 17.16 Councillor Hyde – Motion on Notice – Water Infrastructure [2018/04053] [Page 238]
- 17.17 Councillor Knoll – Motion on Notice – Cycling Network Facilities [2018/04053] [Page 240]
- 17.18 Councillor Donovan – Motion on Notice – Carshare [2018/04053] [Page 242]

18. Motions without Notice

19. Closure

Petition – Traffic Conditions on O’Halloran Street Adelaide

ITEM 8.1 09/03/2021
Council

Strategic Alignment - Enabling Priorities

Program Contact:
Kerry Loughhead, Manager
Governance 8203 7014

2018/04073
Public

Approving Officer:
Justin Lynch, Chief Operating
Officer, Corporate Services

EXECUTIVE SUMMARY

This report presents a petition to Council which has been submitted by residents, ratepayers and electors requesting the alteration of traffic conditions on O’Halloran Street Adelaide.

There are 18 signatories to the petition which encourages *‘the Adelaide City Council to make the portion of O’Halloran Street Adelaide between Stafford Lane and Stafford Street two way.’*

RECOMMENDATION

THAT COUNCIL

1. Receives the petition containing 18 signatories, distributed as a separate document to Item 8.1 on the Agenda for the meeting of the Council held on 9 March 2021, which seeks that Council make the portion of O’Halloran Street Adelaide between Stafford Lane and Stafford Street two way.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities Presentation of petitions align with the Strategic Plan objective that community consultation underpins everything we do.
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Petition presented for receipt in accordance with City of Adelaide Standing Orders and the <i>Local Government (Procedures at Meetings) Regulations 2013 (SA)</i> .
Opportunities	Not as a result of this report
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	Not as a result of this report
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

DISCUSSION

1. A petition has been received which states '*We the undersigned, do hereby petition and encourage the Adelaide City Council to:*
Make the portion of O'Halloran Street Adelaide between Stafford Lane and Stafford Street two way.
 - *As a result of the planned development on Stafford Lane, Adelaide, residents of apartments adjacent to the land to be developed will no longer be able to exit via the land subject to the development. As a result, all residents will need to exit the area via South Terrace, even if heading north.*
 - *At present, if heading north, residents exit via Stafford Lane and Owen Street towards Gilbert Street.*
 - *Making the portion of O'Halloran Street two way will enable residents living in the area to avoid the current requirement to leave the area via South Terrace no matter which direction they intend on heading.*
 - *It would enable employees of businesses in the area to avoid the current requirement to leave the area via South Terrace no matter which direction they intend on heading.*
 - *Importantly, it would reduce the risk of accidents on South Terrace, as vehicles turning right onto South Terrace from O'Halloran Street have severely restricted visibility to vehicles travelling east due to a loading zone immediately west of O'Halloran Street on South Terrace.*
 - *It would make it possible for users of the area to head north via Stafford St and Owen St onto Gilbert St and beyond.*
 - *As development takes place in this area and the number of local residents increases these issues will increase over time. (Development has been approved for 137 South Terrace with vehicular access to the property only via Stafford lane from O'Halloran St and a proposed development at 37 Stafford St.)'*
2. If a petition is received the Chief Executive Officer must ensure the petition is placed on the agenda for the next ordinary meeting of Council. The original petition will be distributed to all Council Members separately. Members of the public may seek a copy of the original petition upon written request to the Chief Executive Officer.
3. To determine that a document presented is a petition pursuant to regulation 10 of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)* (the Regulations), the following matters in conjunction with the requirements of the City of Adelaide Standing Orders, are assessed prior to the presentation of a petition to the Council:
 - 3.1. What is a Petition?
A 'petition' is commonly defined as 'a formal document which seeks the taking of specified action by the person or body to whom it is addressed' or 'a written statement setting out facts upon which the petitioner bases a prayer for remedy or relief'.
 - 3.2. Does the Petition contain original signatures or endorsements, accompanied by an address?
A petition being a document of a formal nature must contain original signatures or endorsements (not copies) and those signatures, or endorsements, must be accompanied by an address.
 - 3.3. Does each page of the Petition identify what the signature is for?
Each signature must be on a true page of the petition which sets out the prayer for relief as part of that page - a sheet which contains signatures but not the prayer cannot be accepted as valid as there is no evidence as to what the signatories were attesting to.
 - 3.4. Language in the Petition?
The request must be written in temperate language and not contain material that may, objectively, be regarded as defamatory or offensive in content.
4. Regulation 10 states that a petition to Council must:
 - 4.1. be legibly written or typed or printed
 - 4.2. clearly set out the request or submission of the petitioners
 - 4.3. include the name and address of each person who signed or endorsed the petition
 - 4.4. be addressed to the Council and delivered to the principal office of the Council.
5. This petition listing 18 signatories meets the requirements of the Regulations and is presented for Council to receive.

ATTACHMENTS

Petition distributed separately to Lord Mayor and Councillors

- END OF REPORT -

Recommendations of the Reconciliation Committee – 24 February 2021

ITEM 9.1 09/03/2021
Council

Program Contact:
Kerry Loughhead, Acting
Manager Governance

2018/04062
Public

Approving Officer:
Justin Lynch, Chief Operating
Officer - Corporate Services

EXECUTIVE SUMMARY:

The City of Adelaide Reconciliation Committee is required to recommend to Council a Reconciliation Action Plan, provide input to policy development and strategic advice and monitor the implementation of the guiding principles of Council's Reconciliation Vision Statement across Council.

The Reconciliation Committee met on Wednesday 24 February 2021. See [here](#) for the Reconciliation Committee Agenda.

The deliberations of the Reconciliation Committee have resulted in the presentation of the following recommendations to Council to note in relation to:

- Stretch Reconciliation Action Plan 2018- 2021 Implementation Progress Report.
- Stretch Reconciliation Action Plan 2021-2024: Community Engagement Summary

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

RECOMMENDATION

1. **Recommendation 1** - Stretch Reconciliation Action Plan 2018-2021 Implementation Progress Report – January to February 2021

That Council:

1. Notes the report.

2. **Recommendation 2** - Stretch Reconciliation Action Plan 2021-2024: Community Engagement Summary

That Council

1. Notes the report.
2. Notes that the draft Stretch Reconciliation Action Plan 2021 – 2024 will incorporate the community engagement results for Council's consideration.

ATTACHMENTS

Nil

- END OF REPORT -

Attracting more millennials to live and work in the City

ITEM 10.1 09/03/2021

Council

Strategic Alignment - Thriving Communities

Program Contact:

Michelle English, AD Park Lands,
Policy & Sustainability 8203 7687

2018/00568-2

Public

Approving Officer:

Tom McCready, Acting Director
City Shaping

EXECUTIVE SUMMARY

On 25 June 2019, Council resolved that Administration investigate ways in which millennials (aged between 24-39) can be attracted to live and work in the City, including engagement with the millennials segment to better understand their thoughts and insights. A “Millennial Forum” was undertaken in June 2020, in collaboration with Solstice Media’s 40Under40 Awards initiative, to achieve this.

Council Members subsequently provided positive feedback on a range of options that were presented in a workshop on 17 November 2020, including:

1. Continue promoting the city as a desirable place to live and work through regular marketing campaigns to the three target markets, of which millennials is one (referred to as Fulfillment Seekers / Youth).
2. Initiate an Under 40’s City Living Reference Group, following the success of the Lord Mayor’s Millennial Forum, to brainstorm ideas and to use as a test bed for new concepts and marketing strategy.
3. Scope up a ‘Try Before You Buy’ project whereby a millennial single or couple is selected to live in an apartment free of charge for a limited time as an introduction to city living.
4. Scope up a Graduate Retention Strategy via a High Performing Graduate Internship and Subsidised Housing Package, in partnership with State Government, the universities and the private sector.
5. Progress development of criteria and methodology for a Home Buyer’s Rate Remission Scheme for key workers (a proportion of who will be in the millennial age bracket), as endorsed by Council in October 2020.

The first two proposals can be implemented within existing resources and budget allocation. The third and fourth proposals will require an additional budget allocation and will be presented to Council for further consideration at a later date. The financial implications of the rate remission scheme will be modelled based on projected take-up and presented to Council via a separate report.

RECOMMENDATION

THAT COUNCIL

1. Note that millennials are one of the three market segments (referred to as Fulfillment Seekers/Youth) to be targeted to live and work through regular marketing campaigns.
2. Approves the creation of an Under 40’s City Living Reference Group to brainstorm ideas and to use as a test bed for new concepts and marketing strategy.
3. Approves the scoping of a “Try Before You Buy” project, including the proposed methodology, risk assessment and budget implications, for further consideration by Council in 2021.
4. Approves the scoping of a Graduate Retention Strategy via a High Performing Graduate Internship and Subsidised Housing Package, in partnership with State Government, the universities and the private sector including budget implications, for further consideration by Council in 2021.
5. Notes that the development of criteria and methodology for a Home Buyer’s Rate Remission Scheme is underway and will be reported back to Council for consideration, including projected take-up by the millennial demographic.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Thriving Communities The Strategic Plan aspires for Adelaide to be the most liveable city in the world. To achieve this, Council has identified four community outcomes of which Thriving Communities is one. This seeks a well-planned and inclusive residential population growth.
Policy	Not as a result of this report
Consultation	A Lord Mayor’s 40 Under 40 Forum conducted in June 2020 has informed the recommendations of this report.
Resource	Not as a result of this report
Risk / Legal / Legislative	There are potential risks associated with the “Try Before You Buy” proposal, which will be investigated as part of the scoping exercise and reported to Council for further consideration.
Opportunities	Liaise with State Government agencies and through the Capital City Committee as appropriate, to explore partnership opportunities to attract millennials to live and work in the city.
20/21 Budget Allocation	A budget of \$80,000 has been approved for the City Living Marketing Strategy 2020/21. Fulfillment Seekers/Youth (including millennials) is one of three identified target markets.
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)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Background

1. On 25 June 2019, Council resolved:

'That, as part of our ongoing residential and economic growth strategies, the City of Adelaide targets millennials to live and work in the City by:

 - a) *Consolidating the work undertaken to date in developing the Adelaide City Living Market Research – Volume 1 - Adelaide Metropolitan Market and the Residential Action Plan to better understand the demand for city living from millennials.*
 - b) *Engage with millennials to better understand their thoughts and insights on living and working in the City.*
 - c) *Report back to Council in late 2019 with recommendations to progress this work based on the existing research and new findings.'*
2. A "Millennial Forum" was undertaken in June 2020, in collaboration with Solstice Media's 40Under40 Awards initiative, to achieve this.
3. Council Members subsequently provided positive feedback on a range of options that were presented in a workshop on 17 November 2020.

City Growth Trends

4. The current permanent resident population of the City of Adelaide is estimated at 25,456. The city's population has been growing steadily for the past 40 years and has more recently been averaging an increase of around 550 new residents per year. This represents an annual growth rate of 2.4%, exceeding the Greater Adelaide growth rate of 1%.
5. The city continues to have a diverse demographic profile, with a third of all residents being young adult workers, 24-39 years, commonly known as millennials, followed by tertiary students and young independent workers, 18-24 years, representing just under a further third.
6. Older workers, pre-retirees/retirees and empty-nesters (50-69 years) represent a fifth of the city residents.
7. There are many factors that influence where people choose to live, however one of the most important factors is attitude.

Marketing Strategy and Campaigns

8. The *Adelaide City Living Market Research* (2016) revealed that nearly a quarter (24%) of the Adelaide metropolitan population would consider living in the City, irrespective of their age.
9. The research found that people who are attracted to city living will have similar attitudinal characteristics. They are confident and outgoing, adventurous and risk taking, enjoy diversity and have an open mindset.
10. Based on these factors, other factors such as income and equity, and additional psychographic research undertaken by Administration, three target markets were identified as being likely prospects for city living, millennials being one of these groups, identified as Fulfillment Seekers / Youth:
 - 10.1. Fulfillment Seekers / Youth – Young extroverted, optimistic creatives who are community minded and take risks. Millennials who are community and environmentally conscious. Focus on: lifestyle benefits, convenience factors, social and lifelong learning opportunities, community connectivity, quality of life and wellbeing.
 - 10.2. Note - This target market is distinct from students who are attracted to the city for proximity to their place of education.
 - 10.3. Downsizers / Empty-Nesters – Downsizing in space but upsizing in lifestyle. Primarily from metropolitan Adelaide but could be from Melbourne and Sydney. May still be working, semi-retired or retired and looking for a life change – either to downsize in space and upsize in lifestyle or to escape the business and congestion of the eastern seaboard cities. High incomes, high levels of equity in their homes and an interest in apartment living. May be expatriates.
 - 10.4. Business Migrants – High net worth individuals, entrepreneurs, employer sponsored migrants and general skilled migrants. Not determined by age or demographic, rather their attitude – considered to be leaders, confident, outgoing, adventurous, risk takers who are cultured and attracted to cultural diversity, diverse architecture, sustainability and enjoy staying active and fit. Also, those that are tele-commuters who would work anywhere in the world.

11. The City Living Marketing Strategy (Stage 2) (Link 1 view [here](#)) has taken these factors into account in terms of the messaging, marketing mix and channels to market. It has also adopted a long term vision with objectives focussed on building brand awareness of the city as a desirable place to live by illustrating the benefits of a city lifestyle. The overarching benefits of city living have been identified as convenience, quality of life (saving time and sense of community), world class events, cultural diversity, lock up and leave lifestyle and more affordable and less congestion than eastern seaboard cities.
12. The strategy acknowledges that buying a house is a high involvement, high cost decision that can take time.
13. Three marketing campaigns have been undertaken over the past 18 months and the millennial age group, together with first home buyers, has proven to be highly engaged in all three campaigns.
14. The marketing approach has been weighted towards digital advertising for its ability to accurately target the identified market segments, its wide reach, value for money and agility, allowing for changes to be made according to performance.
15. In summary, the marketing activities have included: social media (paid and organic), Google search and display ads, a dedicated webpage, outdoor advertisements, radio advertising, a City Living magazine (digital and hard copy), photography and case studies (digital and print) and a series of videos used for YouTube advertising and Council owned screens.
16. The use of case studies featuring stories about the lives of existing residents have performed extremely well, particularly with the millennial market. <https://www.cityofadelaide.com.au/blog/alex-tin-sonny-and-a-bunch-of-delicious-spots/>
17. Advertising on www.realestate.com.au has been undertaken in previous campaigns, specifically during the Free Rates for Five Years promotion in 2018/19. This platform is a primary information source for people who are house hunting. Due to high costs however (\$5,000 per month), it is not recommended as an ongoing option.

Under 40's City Living Reference Group

18. A "Millennial Forum" was hosted by the Lord Mayor in partnership with Solstice Media in June 2020 to seek ideas from some of Adelaide's brightest and most successful young people on how the city could best position itself as a creative and liveable hub into the future. Participants were alumni from Solstice Media's 40 Under 40 Awards initiative. The event was featured in InDaily <https://indaily.com.au/events/40-under-40/2020/07/06/city-looks-to-young-leaders-for-post-covid-reboot/>
19. Three key questions were asked of the participants and a high level summary of the feedback to each is outlined below. A full summary can be viewed at Link 2 view [here](#).
20. Question 1 -What are the essential priorities to ensure the City and State can remain a creative and liveable hub into the future?
 - 20.1. Re-purpose commercial space, activate city spaces and the Park Lands and create unique visitor experiences, improve transport options eg bike lanes, have events throughout the year, promote a youthful and adventurous vision to attract young people from other major Australian cities, involve employers, universities and future leaders in Strategy development, create job and career pathways, act fast (don't polish so much), market globally and promote strengths to differentiate ourselves, leverage Gig City and the entrepreneurial spirit, affordable housing initiatives, essential services for residents and extended opening hours, food/alcohol innovation hub, creative industries eg commercialising marijuana products.
21. Question 2 - Given Covid-19, what are your biggest industry challenges & opportunities?
 - 21.1. Opportunities – Business can be done anywhere, embracing local opportunities and technology, local supply chains, spaces need to be mixed use and adaptable, permission to pivot, less bureaucracy, utilise technology for attracting global audiences, online education has boomed.
 - 21.2. Challenges – Uncertainty, redefining consumer behaviour, difficulty with social distancing on public transport, fear, mental health concerns, hard to plan when the future is uncertain.
22. Question 3 - How can you support the City of Adelaide to achieve its vision of becoming the world's most creative and liveable city?
 - 22.1. Lead by example, build a positive culture and become role models, be bold and not following rules that we followed before, Alumni to work collaboratively with government, industry and academia, employ locals, advocacy, bridge the gap between high schools and universities, funding for 40U40 alumni and/or free access to venues for activities, become mentors/get mentored, speak up, help drive an innovation culture, be involved in partnerships and collaborations.

23. It would be beneficial to tap into this audience (and other millennials) on a regular basis as part of the city living campaign planning and to test concepts for new initiatives. The ideas outlined in this report, together with the concept of a city living ambassadors/influencers program, could be workshopped through this avenue in the first instance.
24. It is therefore recommended that a **Under 40's City Living Reference Group** be established as the vehicle to achieve this.

Proposed "Try Before You Buy" Project

25. The concept of a "Try Before You Buy" initiative has been mooted by Elected Members in the past as a fun and novel way of introducing the benefits of city living by offering a single or couple the chance to live in an apartment free of charge for a limited time.
26. The following factors will need to be considered as part of the process, including:
 - 26.1. Objectives – promotion by an independent third party and/or decision to buy and live in the city after the experience
 - 26.2. Demographics of the participant/s – age, income
 - 26.3. Location, price and size/type of the apartment
 - 26.4. Apartment selection process - ensuring equity and transparency
 - 26.5. Timeframe e.g. 1 month/6 months
 - 26.6. Costs involved – rent, relocation costs of the participants, promotion
 - 26.7. Risks - particularly if the experience is not positive
27. Given these factors, it is recommended that the initiative be fully scoped and costed in the first instance, for further consideration by Council. If supported, a Business Case will be developed as part of the Business Plan and Budget preparation process, if necessary.

Graduate Retention Strategy via a Graduate Internship and Subsidised Housing Package

28. The State Government and Council have shared objectives of growing the city's residential population, supporting job growth and fostering and growing innovation and entrepreneurialism.
29. The Graduate Retention Strategy could be a joint project designed to achieve these combined objectives. It would therefore require the support of the State Government, the university sector, private business and Council.
30. The primary objective would be to curate exciting and desirable city-based career pathways for young talented university graduates, enabling them to stay in Adelaide to fulfill their early career ambitions.
31. Another key objective would be to introduce the graduates to the benefits of city living, in the hope they enjoy the experience and become long term residents.
32. It is recommended that graduates from degrees aligning with key city-based growth industries be targeted for the project, such as artificial intelligence, cyber security, space, defence and the creative industries.
33. It is also recommended that creative city-based housing be offered as a key plank of the project, providing a unique and exciting experience for the participants. Some ideas for consideration include:
 - 33.1. A co-housing arrangement, housing all the participants in the one place to foster a sense of community, informal collaboration and providing a support base.
 - 33.2. Adaptive re-use of a vacant commercial building, including state of the art environmental features and communal spaces.
34. It is recommended that the project be further scoped for concept testing with the identified key stakeholders to gauge interest and likely budget requirements.
35. The proposal would involve an upfront and ongoing financial commitment from the State Government, for both the internships and housing component. It would therefore require in principle support before progressing further.
36. As part of these investigations, financial opportunities through the State Government's Affordable Housing Fund could be explored for the housing component of the project (adaptive re-use project and ongoing subsidy).

Rate Rebates (underway)

37. In October 2020, Council Members approved the introduction of a Home Buyer's Rate Remission Scheme to attract key city workers to live in the city. Key workers typically include health, education and emergency service workers.
38. Providing rate rebates is one of the few financial levers Council can access to assist with alleviating the post purchase costs of home ownership. This is particularly relevant for people on low to moderate incomes who are renting but would like to transition to home ownership.
39. While further investigation is underway regarding the criteria and methodology for the rate rebate, it is likely that there will be an overlap with the millennial age group.
40. It should be noted the City of Adelaide, State Government agencies and Key Stakeholders are reviewing ways to improve housing options in particular the delivery of affordable / key worker housing to the City.
41. A separate report will be prepared for further consideration by Council Members in April 2021.

Complementary Council initiatives

42. The importance of delivering high quality services and activities, together with an ongoing program of innovative projects and programs, should not be underestimated in their ability to attract people to the City.
43. Creating a cool, green and leafy, attractive, safe and inviting public realm will also contribute enormously to positively position the City as a desirable place to live while assisting to reduce the impacts of extreme heat.

DATA AND SUPPORTING INFORMATION

Link 1 – Stage 2 City Living Marketing Strategy 2019/20

Link 2 – Feedback Summary – Lord Mayor's 40 Under 40 Millennials Forum June 2020

ATTACHMENTS

Nil

- END OF REPORT -

Disabled Parking in Residential Permit Zones

ITEM 10.2 09/03/2021
Council

Strategic Alignment - Thriving Communities

2017/03545
Public

Program Contact:
Stephen Zaluski, Associate
Director, Regulatory Services
8203 7641

Approving Officer:
Klinton Devenish, Director
Services, Infrastructure &
Operations

EXECUTIVE SUMMARY

At the 13 October 2020 meeting, Council requested Administration investigate options to allow the use of Disability Parking Permits in Residential Permit zones, and the feasibility of a dual Disability and Residential Permit zones on-street.

This report provides feedback from current Residential Parking Permit holders and the City of Adelaide's Access & Inclusion representatives regarding on-street parking desired outcomes, pressures and potential impacts. It outlines options and alternative solutions to balance and accommodate the specific parking needs of Disability Parking Permit and Residential Parking Permit holders.

RECOMMENDATION

THAT COUNCIL

1. Notes the findings of the report and feedback from Residential Parking Permit holders
2. Notes the continued focus on user needs assessments to guide the funding of additional accessible (disabled) spaces in desired locations.
3. Approves the retainment of existing Residential Parking Permit and Disability Parking Permit schemes
4. Approves a six-month trial to broaden the conditions and allowances of the Visitor Permit Scheme to assist residents and their visitors who hold a Disability Permit. During the trial:
 - 4.1. Residents would be able to purchase existing Visitor Permit Booklets and issue the one-off permits to any Disability Parking Permit holder visiting them.
 - 4.2. Residents who are not eligible for a Residential Parking Permit, however hold a valid Disability Permit, would be able to purchase existing Visitor Permit Booklets and use the one-off permits for their own vehicle when displaying a Disability Permit.
 - 4.3. Vehicles displaying both a valid Disability Parking Permit and Visitor Permit would be permitted to park in Residential Permit zones, for a period of up to 2-hours.
 - 4.4. At the conclusion of the trial, results will be reviewed with a view to a longer-term decision being made.
5. Notes the available options and potential impacts presented regarding implementing on-street parking zones which cater specifically for vehicles displaying both a Residential Parking Permit and a Disability Parking Permit.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Thriving Communities
Policy	A safe, affordable, accessible, well-connected city for people of all ages and abilities, and all transport modes.
Consultation	Relaxation of the Visitor Permit Operating Guidelines criteria through the On-Street Parking Policy to include residents and/or their visitors who hold a Disability Parking Permit.
Resource	Engagement with current Residential Parking Permit holders was undertaken in November 2020 to determine the desire and potential impacts of allowing Disability Permit holders the ability to use Residential Permit zones.
Risk / Legal / Legislative	It is expected that any additional resources required to process and issue Visitor Permit Booklets would be found within existing capacity.
Opportunities	The additional revenue generated from an increased number of Visitor Permit Booklets sold is unknown, but not expected to be major.
20/21 Budget Allocation	Not as a result of this report
Proposed 21/22 Budget Allocation	To increase the number of on-street parking spaces in residential locations available to Disability Permit holders.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
20/21 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Six-months, should Council endorse the trial proposed
Other Funding Sources	Not as a result of this report

DISCUSSION

Background

1. At the Council meeting of 13 October 2020, it was resolved:

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;

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

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.'

2. On-street parking is a shared community asset for which demand regularly exceeds supply. It is a complex task to carefully manage & balance parking controls to ensure a wide range of competing users have fair and reasonable access.
3. There are 22,230 current Disability Parking Permits in South Australia, under the scheme managed by the State Government.
4. Within the City of Adelaide there are currently:
 - 4.1. 1,064 on-street Residential Parking Permit spaces (193 full time and 871 part time)
 - 4.2. 781 Residential Parking Permits in operation
 - 4.3. 163 on-street disability parking spaces
 - 4.4. 9,300 unpaid time limit spaces and 3,000 paid time limit on-street parking spaces in the City and North Adelaide
 - 4.5. 6,000 off-street parking spaces within our nine UParks.
5. Creating accessible (disabled) parking bays requires additional space compared to a standard parking bay, as well as the installation of specific infrastructure (e.g. ramps). At times they cannot be achieved due to the local environment i.e. road surface, camber (slope) of road, and width of the road.
6. Funds required to install a compliant disability parking bays can differ significantly depending on site specific circumstances. This can range from \$5K to re-line and install a ramp, to \$20K for a complex installation that requires protuberances.

Current City of Adelaide Parking Provisions

7. Several provisions already exist for Disabled Permit holders, Residential Parking Permit holders and residential visitors within the City and North Adelaide for both on and off-street parking.
8. Complete details of these provisions are available via the links below:
 - 8.1. [Accessible parking | City of Adelaide](#)
 - 8.1.1. A Disability Permit holder has the option of parking in a time-limited parking space and will be entitled to additional time to the marked sign as follows:
 - 8.1.2. If the signed time limit is less than 30 minutes, the time limit for a Disability Permit holder will be 30 minutes.
 - 8.1.3. If the signed time limit is between 30 minutes and one hour, the time limit for a Disability Parking Permit holder will be two hours.
 - 8.1.4. If the signed time limit is more than one hour, the time limit for a Disability Permit holder is twice the period indicated on the sign.
 - 8.1.5. If in a paid parking space, the above concessions still apply and the Disability Permit holder is not required to pay for the parking session (via ticket or mobile app).
 - 8.2. [Disabled Parking in Adelaide | UPark](#)
 - 8.2.1. Disability Permit holders can apply for an Accessibility Pass which entitles the Permit holder to two hours free parking, up to 52 times per year.

8.3. [Residential Parking Permit | City of Adelaide](#)

8.3.1. Within our Residential Parking Permit criteria, eligible residents requiring daily medical treatment can apply for a Carer's Permit.

8.3.2. This Permit may be issued for the sole use of an approved person providing daily care to a resident (e.g. Medical Practitioners, Physiotherapists, Registered and Enrolled Nurses and Accredited Carers).

8.4. [Visitor Parking Permits | City of Adelaide](#)

8.4.1. Through the purchase of temporary Permit Booklets, Visitor Permits allow residents of the City of Adelaide additional parking allowances for themselves or their guests when parking on-street, including:

8.4.1.1. An additional two hours parking to the signed time limit.

8.4.1.2. When used in paid parking zones, no payment is required

8.4.1.3. Can also be used in two-hour event parking zones, allowing up to a maximum of four hours.

Engagement with Residential Parking Permit Holders

9. Engagement to support this report was undertaken via a survey sent to all Residential Parking Permit holders in November 2020.

10. Survey results are presented in Link1 view [here](#).

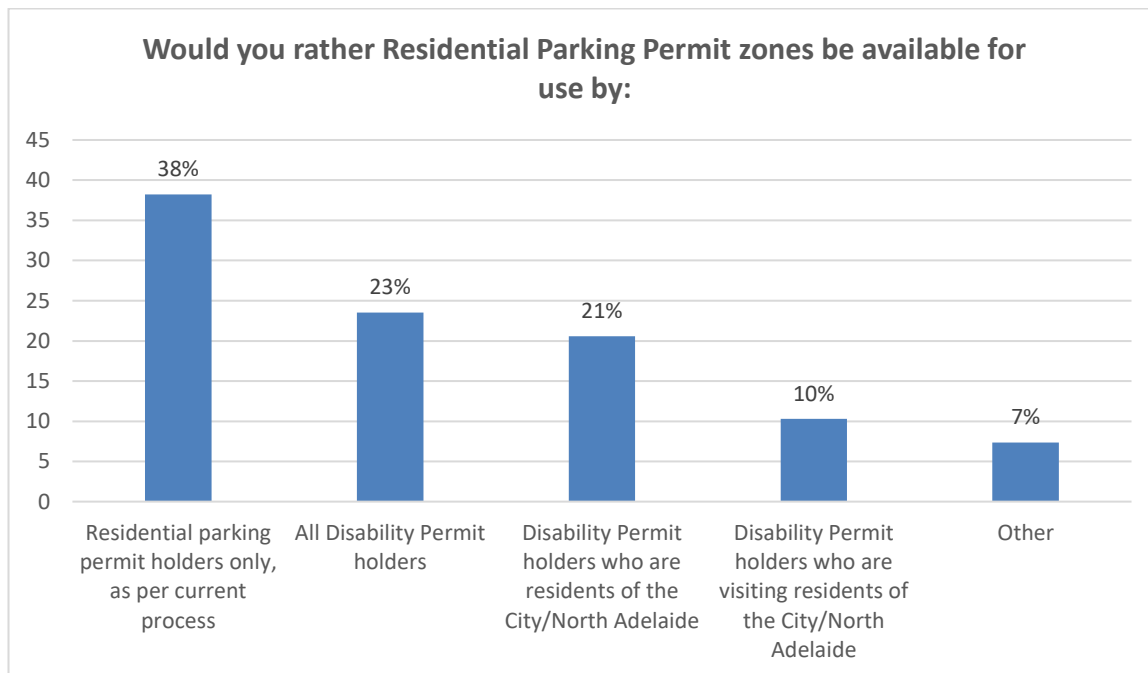
11. While feedback was mixed and some Permit holders did support such a scheme, the majority of responses indicated a desire to retain the status quo, and not offer Disability Permit holders the option to park in Residential Permit zones (response summary shown in Figure 1 below).

12. The common themes leading to this view were:

12.1. The desire for creating additional accessible (disabled) parking spaces in relevant areas, rather than using residential zones.

12.2. The potential for increased parking pressures.

Figure 1: Survey Results



Council's Access & Inclusion Plan

13. The City of Adelaide Disability Access and Inclusion Plan 2019-2022 (DAIP) includes the following actions in relation to parking:

- 13.1. Provide and promote the UPark Accessibility Pass.
- 13.2. Review all accessible car parking – with quarterly reporting on numbers of car parks available.
- 13.3. Review of Category 3 – Residential Parking Permit (Daily Care Parking Permit).
- 13.4. Park Adelaide/Blue Bays app promoted.
14. The actions within the DAIP aim to ensure that people with a disability can participate in the life of the city, including easy access and use of CoA facilities such as the Aquatic Centre, Golf Links, Libraries, Community Centres, event spaces, playgrounds.
15. The funding and installation of additional accessible (disabled) parking bays is generally focused on areas which provide access to public services and facilities.

Enabling Disability Permit holders to park in Residential Permit zones

16. There are a number of ways to achieve the intent of the Council decision.
17. Noting the feedback from Residential Parking Permit holders and potential impacts, it is not recommended to alter the Residential Parking Permit Scheme or allow all Disability Permit holders to park in Residential Zones as a blanket exemption.
18. However, support exists for allowing greater parking availability for some Disability Permit holders, and it is noted that the intent of the Council decision focused on '*short stays*' when other parking is not available.
19. It is recommended that a six month trial be conducted to broaden the conditions and allowances of the existing Visitor Permit Scheme, to assist Disability Parking Permit holders visiting City of Adelaide residents, and assist residents of the City who are not currently entitled to a Residential Parking Permit, but do have a Disability Permit.
20. During such a trial:
 - 20.1. Residents eligible for the current Visitor Permit scheme would be able to purchase Visitor Permit Booklets and issue the one-off permits to Disability Permit holders visiting them.
 - 20.2. The trial would also extend the ability for residents not currently entitled to a Residential Parking Permit, but who do hold a valid Disability Permit, to purchase a Visitor Permit Booklet (which is not currently supported).
 - 20.3. Vehicles displaying both a valid Disability Permit and Visitor Permit would be permitted to park in Residential zones (which is not currently allowed), for a 2-hour period.
 - 20.4. The trial would support Disability Permit holders parking for short stays in residential zones, and mitigate (however not eliminate) the potential impact on Residential Parking zone availability through limiting the option to purchase Booklets to existing eligible residents.
 - 20.5. It is envisaged the requirement to pay for Visitor Permits will assist to ensure they are used only when needed, on occasions '*where disabled parking spaces, timed or other suitable parking is not available*' as per the Council decision.
 - 20.6. It is proposed the trial runs for six months to allow the benefits and impacts to be assessed.
21. Noting the feedback and desire to create additional accessible parking spaces in relevant locations, Administration will continue to work with the Access & Inclusion Advisory Panel to conduct user-needs assessments and use allocated funds to install additional accessible parking spaces in priority areas.

Creating a 'dual zone' for holders of both Residential and Disability Parking Permits

22. Council has the ability to allow Disability Permit holders to park in existing Residential Parking zones, using a range of exemption powers. However, it is understood that the intent of this component of the Council decision is to create a new and specific zone for dual permit holders.
23. External legal advice has confirmed it is not possible to legally install a parking zone with signage stating it is a dual parking zone for holders of Residential Parking and Disability Permits.
24. However, the desired intent can be achieved through an alternative approach.
25. Such a zone would need to be signed as a standard 'Permit Zone', using signage which meets the Australian Road Rules.
26. Council can then designate the eligibility requirements it desires for that Permit Zone. This can be achieved as a blanket exemption for any vehicle displaying both permits, or could be managed through developing a permit application scheme, eligibility criteria and potential fee.

27. Council would then have the ability to review parking controls on-street to identify and select where to implement such a Permit Zone, and promote accordingly.
28. In assessing the practical impacts of this option, it is considered that such a zone may create unintended consequences within the community, such as:
 - 28.1. It is assumed that in creating such zones, it would be the intent that they are installed to an accessible parking standard.
 - 28.2. As the creation of accessible parking bays requires additional funds, public value may be lessened if the amount of people able to access the park is limited to only Residential Parking Permit holders.
 - 28.3. The requirement to use standard 'Permit Zone' signage may confuse the public as to why the zone exists and who is permitted to access the space, and does not support the aims of the On-Street Parking Policy which recognises the *'need for on street parking controls which are simple and easy to understand'*
 - 28.4. Anecdotally, Administration are only aware of one instance where such a zone has been requested.
 - 28.5. Based on the above information, this option is not recommended.

DATA AND SUPPORTING INFORMATION

[Accessible parking | City of Adelaide](#)

[Disabled Parking in Adelaide | UPark](#)

[Residential parking permit | City of Adelaide](#)

[Visitor parking permits | City of Adelaide](#)

Link 1 - Residential Parking Permit Survey Feedback

ATTACHMENTS

Nil

- END OF REPORT -

Strategic Asset Management Plan

ITEM 10.3 09/03/2021
Council

Strategic Alignment - Dynamic City Culture

Program Contact:
Matthew Morrissey, AD
Infrastructure 8203 7462

2020/01521
Public

Approving Officer:
Klinton Devenish, Director
Services, Infrastructure &
Operations

EXECUTIVE SUMMARY

The City of Adelaide is the custodian of community infrastructure assets which provide the community with services that are essential to their quality of life. These services and assets are managed through the Asset Management discipline. Asset Management is a key business function for all councils to manage their infrastructure portfolio responsibly and effectively.

The City of Adelaide coordinates infrastructure related objectives through its Asset Management Plans, per legislation Section 122 of the *Local Government Act 1999 (SA)*. The Strategic Asset Management Plan (SAMP), will specify how the City of Adelaide's strategic priorities are to be converted into asset management objectives, the approach for developing Asset Management Plans, and the role of the asset management framework in supporting achievement of the asset management objectives.

Council approval is sought for the Draft Strategic Asset Management Plan to go out to public consultation.

RECOMMENDATION

THAT COUNCIL

1. Approves the Draft Strategic Asset Management Plan, Attachment A to Item 10.3 on the Agenda for the meeting of Council held on 9 March 2021, for public consultation for a period of six weeks.
2. Authorises the Chief Executive Officer to make minor editorial amendments to the Draft Strategic Asset Management Plan prior to the release of the Plan for consultation.
3. Approves Administration report back to Council in June 2021 on the consultation feedback and finalise the Strategic Asset Management plan for endorsement.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment - Dynamic City Culture Develop asset management plans to provide for future generations
Policy	The Strategic Asset Management Plan (SAMP) aligns to Council's approved Asset Management Policy. Approval and release for public comment of the SAMP will meet the requirements of Council's engagement policies.
Consultation	The required six-week community engagement period will be undertaken through the YourSay Adelaide Platform.
Resource	Development of the plan including consultation activities will be undertaken within existing 2020-21 budget allocations.
Risk / Legal / Legislative	Meets Council's requirement under Section 122 of the <i>Local Government Act 1999</i> to develop and adopt an asset management plan covering a period of at least ten years.
Opportunities	Adopting the SAMP for public consultation will result in the Plan, and associated summary material, being made available to the public to allow them to provide feedback and comment. In doing so, we will seek feedback from the community on how Council is currently performing in relation to the management of its assets, we will also seek comment on Council's plans to manage its assets over the next ten years.
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	The SAMP will be revised at an interval no greater than four years and within two years of a local government election.
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

DISCUSSION

Background

1. Councils have an obligation to ensure that assets they control are managed efficiently and effectively and that decisions regarding the acquisition of new assets and the sale and maintenance of existing assets are undertaken in an open and transparent fashion.
2. Pursuant to Section 122 of the *Local Government Act 1999(SA)*, Councils are required to develop and adopt an asset management plan covering a period of at least ten years.
3. Council must in any event, undertake a comprehensive review of its strategic management plans within two years after each general election of the Council.
4. In addition, Councils are required to adopt a long-term financial plan also covering a period of at least ten years. The long-term financial plan must reflect the optimal level of proposed asset maintenance, renewal and replacement outlays necessary to achieve the Council's specified service levels, while minimising whole-of-life-cycle asset costs and maintain services, as specified in the Council's Asset Management Plans.
5. The City of Adelaide has been practising formal asset management for over 20 years with the last plans approved by Council in 2016.
6. Council has a diverse and complex \$2 billion infrastructure asset portfolio consisting of the following asset classes:
 - 6.1. Transportation
 - 6.2. Water
 - 6.3. Buildings
 - 6.4. Park Lands and Open Space
 - 6.5. Urban Elements
 - 6.6. Lighting and Electrical

Strategic Asset Management Plan

7. The Asset Management Policy approved by Council in February 2019 requires us to prepare an Asset Management Strategy, this is provided in the form of a Strategic Asset Management Plan (SAMP).
8. The SAMP creates the strategy to update our Asset Management Plans for each of our six complex asset classes.
 - 8.1. The SAMP also details the actions we will undertake to deliver the asset management policy approved by Council in February 2019 (Link 1 view [here](#)).
 - 8.2. The Draft SAMP is attached to this report (**Attachment A**).

Consultation Requirements

9. There is a legislative requirement that this strategic asset management plan be released for public consultation. The City of Adelaide engagement policy requires a six-week consultation period.
10. We are seeking feedback through public consultation on the draft SAMP and actions associated with its implementation. The questions we will be asking the community are available at Link 2 view [here](#).
11. The consultation process for updating our individual Asset Management Plans (per asset class) will involve workshops with Council and extensive public consultation to agree our levels of service. This will inform individual asset management plans that will be integrated and costed into the Long-Term Financial Plan.

Recovery Principles / Covid-19 Context

12. The SAMP is a long-term strategy and not a response to Covid-19, however it is important to understand how this strategy supports Council's recovery principles through the business plan and budget process. The Principles agree in the SAMP will inform the development of AMP's per Asset Class.
 - 12.1. Principle: Asset Renewals will be prioritised based on audit condition and risk

While we adapt to the impacts of Covid-19 we will prioritise assets based on condition audit and risk. As the city recovers we will develop a resource prioritisation method following the strategy set in the SAMP which incorporates other considerations such as, links to the strategic plan, asset use, asset demand, hierarchy in network, community expectation and other risk factors. The revised prioritisation method will be included in our asset management plans and enable sound decision making for our future capital works programs.

The SAMP also supports the need for demand driving assets which stimulate economic growth and jobs as a priority as we recover from the impacts of Covid-19.

12.2. Principle: Asset Enhancements will be delivered through partnership

The financial sustainability principle detailed in the SAMP prioritises seeking partnerships for delivery of upgrades to our existing infrastructure.

12.3. Principle: We will seek Government Funding for new Infrastructure.

The financial sustainability principle detailed in the SAMP prioritises seeking government funding for delivery of new and significant upgrades to infrastructure.

12.4. Principle: Our service delivery will reflect on the needs of the community

The Community Benefit principle detailed in the SAMP prioritises community benefit and understanding community expectations of “levels of service” to inform our capital works programs.

Building on the work commenced through the consultation on the 2020-21 Business Plan and Budget, we will undertake significant public consultation to understand the levels of service related to infrastructure required by the community prior to preparing our asset management plans and subsequent capital works programs.

Asset Management Levers

13. The SAMP also includes six levers related to the management of our infrastructure, which might impact on the LTFFP. These levers will be detailed in the SAMP and the application of the levers will be workshopped through the Asset Management Plans per asset category.

Next Steps

14. Following the mandatory consultation process, we will review and incorporate relevant feedback and return to Council with a final version of the SAMP to be approved.

DATA AND SUPPORTING INFORMATION

Link 1: Asset Management Policy approved by Council in February 2019

Link 2: Proposed questions for public consultation

ATTACHMENTS

Attachment A – Strategic Asset Management Plan

- END OF REPORT -

City Of Adelaide

Strategic Asset Management Plan

2020–2024



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Kaurna Aknowlegement

The city of Adelaide and its assets are located on the traditional Country of the Kaurna people of the Adelaide Plains. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

1 Introduction

City of Adelaide currently owns and manages approximately \$2 billion worth of assets on behalf of our communities. These community assets range from significant structures such as roads and buildings through to park furniture and play equipment. These assets are a significant investment and require sound strategic management and planning.

The *Local Government Act 1999* requires the preparation of strategic management plans, including long term financial plans and infrastructure asset management plans. The long-term costs of owning

and operating infrastructure assets continue to be a financial challenge to local government and requires Councils to take a whole of life approach to determining the cost of owning and managing infrastructure.

We are implementing an integrated asset management approach that aims to:

- Ensure the appropriate level of service
- Ensure the asset's service is delivered in the most effective and efficient way
- Embrace environmental sustainability
- Promote economic sustainability
- Ensure our financial sustainability
- Management of risks

The strategic planning and decisions made by Council, benefit not just the local community, but often flow to all South Australians. City of Adelaide provides hundreds of services and facilities that contribute to building strong and vibrant communities, improve the community's quality of life and enhance their experiences.

City residents, business owners and visitors alike can enjoy a safe, clean and vibrant city and beautiful Park Lands and live the life of their choice. Our infrastructure assets are critical to delivering these experiences.

Today, like in many Australian communities, many of our assets are aging and require significant ongoing maintenance, partly because most of our assets were built decades ago. Our community has grown, and expectations have increased, as well as the demand for new and improved services. Our assets are also vulnerable to climate change impacts such as heavier localised storms, extended heatwaves and other unexpected events. At the same time, new advancements in technology and engineering need to be understood to plan for the future.

It is important that investment decisions on our infrastructure are based on the ability to fund the upfront capital costs and also include allowances for the ongoing operational, maintenance and future replacement costs.

1.1 What is Asset Management?

Infrastructure is at the heart of our economy and enriches of our community’s experience in the city. As infrastructure assets can provide services over extended periods of time, the choices we make today can impact the quality of life of future generations. Asset Management is a systematic business practice to manage and maintain infrastructure in a sound and reliable condition and is based on minimizing whole-of-life costs, it also aims to significantly reduce operating and maintenance cost, as well as long-term capital expenses.

Asset Management provides the organisation with the ability to understand the immediate, medium, and long-term impacts of decisions and provide solutions on how to mitigate the risks to the organisation.

Asset Management benefits include:

- Improve the cost efficiency by looking at the whole of lifecycle costs,
- Target critical assets to ensure performance is maintained and risk is managed,
- Understand what level of service can be achieved for different costs,
- Ensure infrastructure networks are appropriately funded for the long term and
- Improve customer satisfaction by matching the services we provide to the community’s expectations

In simple terms, asset management is about how we manage our assets throughout their lifecycle on both a day to day basis as well as in the medium to long term.

Day to day asset management requirements include the monitoring of our assets as well as operational and maintenance activities to ensure our assets are kept in a safe and serviceable condition. This includes activities like maintenance inspections, cleansing, grass mowing, graffiti removal, as well as maintenance activities such as road patching and footpath repairs.

Medium to Long term asset management requirements include planning, renewal, creation and disposal of assets. This includes comprehensive condition audits of our asset networks, stakeholder engagement, development of Asset Management Plans, development of a comprehensive five year Capital Works program, Project Design and Construction Management.

1.2 Strategic Plan objectives

Our aim is to listen, understand and respond to its community. The City of Adelaide today not only delivers traditional council services, but acts as champion, influencer, advocate and enabler to be a leader in the ways we bring benefit to the community. We work to continually develop, improve and innovate to achieve our vision. As a capital city council, the City of Adelaide has wide-ranging responsibilities. From community wellbeing to urban planning, events, lifestyle experiences to heritage, business growth to climate action. Council works across sectors and issues to ensure the best outcomes for ratepayers, residents, workers and visitors in the city.

The City of Adelaide Strategic Plan for 2020 to 2024 ensures Council Members, our people and the community can share a vision for the future and embrace the opportunities around us. The City of Adelaide 2020–2024 Strategic Plan’s vision is for Adelaide to become the most liveable city in the world.

The Strategic Plan’s guiding principles include:

- Community Benefit
- Embracing Innovation
- Accessible Participation
- Being Accountable

Key outcomes for the Strategic Plan include:

Thriving Communities

- Healthy and resilient communities
- Safe and welcoming community spaces
- Well-planned and inclusive residential population growth
- Functional zero homelessness
- A safe, affordable, accessible, well-connected city for everyone, and all transport modes
- Increase community use of and access to the Adelaide Park Lands

Strong Economies

- The lowest-cost capital city with the least red tape
- Greater digital capabilities and connectivity through Ten Gigabit Adelaide, enhancing capacity for innovation
- Attraction and retention of a broad range of businesses and investment
- Be a test bed for innovation in diverse industries
- Main streets activated for economic growth

Dynamic City Culture

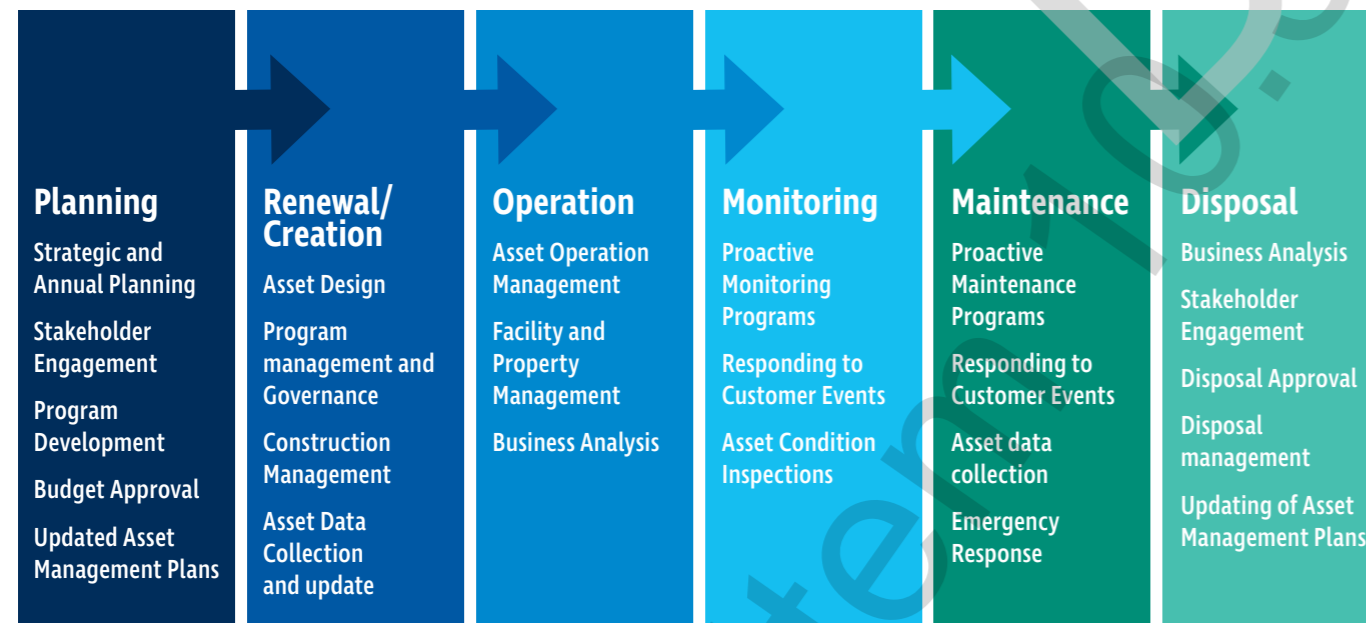
- Aboriginal people and culture strongly represented in city life
- Beautiful, surprising places
- Global connections and collaborations
- Celebration of diverse community, culture and creativity
- New cultural infrastructure
- Protection, preservation and promotion of our unique built, natural and cultural heritage

Environmental Leadership

- A city where sustainability is core
- A transition to low carbon and circular economies
- Enhanced greening and biodiversity
- A climate ready organisation and community
- Integrated and sustainable development

The Strategic Asset Management Plan provides the framework to consider all Council strategies when planning for infrastructure, as an example it supports the strategic property review’s aims to optimise the performance of the City’s property portfolio ensuring improved alignment of Council’s existing holdings with its strategic, community and financial objectives.

Asset Management Lifecycle



1.3 Strategic Asset Management Plan

The purpose of the Strategic Asset Management Plan (SAMP) is to provide a high-level integrated framework to deliver on the infrastructure needs and objectives identified in the City of Adelaide Strategic Plan 2020–2024. This will be delivered through our Asset Management Plans.

Our Asset Management Plans will be divided into six Asset Categories. Asset Management Plans for each of our six asset categories are established in consultation with our community to document a scenario that allows us to cost-effectively manage our assets to a defined level of service within risk, resource and financial constraints. These plans project the long term financial requirements of each asset category across renewal, upgrade and new, maintenance and operational expenditure streams.

Financial projections relating to each asset management plan are incorporated in the City of Adelaide’s LTFP.

The Strategic Asset Management Plan provides the framework to consider all Council strategies when planning for infrastructure, as an example it supports the strategic property review’s aims to optimise the performance of the City’s property portfolio ensuring improved alignment of Council’s existing holdings with its strategic, community and financial objectives.

The aim of this plan is to transform the way that the City of Adelaide manages assets to enable long-term sustainability. This approach will enable Adelaide to grow and prosper over the next decade without diminishing levels of service and will also ensuring intergenerational equality.

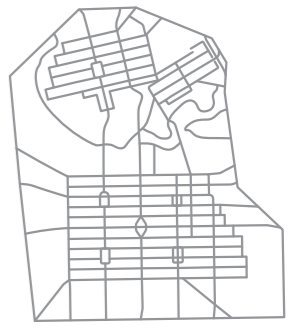
The Strategic Asset Management Plan will implement industry standard systems and processes. These will support evidence-based decision making and delivery of our infrastructure to our community in a financially sustainable way supporting a strong economy. These best practice solutions will ensure City of Adelaide is an industry leader in Asset Management.



2 City Of Adelaide Asset Portfolio

2.1 Our Assets

Our city is comprised of a vast range of assets, each of which provide specific services to our community. This Strategic Asset Management Plan relates to six specific asset categories. The Strategic Asset Management Plan refers to assets that are owned by us as well as some assets owned by other tiers of government or agencies where we have care and control.



Transportation
Total Replacement Cost – \$936 million
Includes: Roads, Footpaths, Bridges, Traffic Signals

Buildings
Total Replacement Cost – \$514 million
Includes: Commercial, Community, Corporate and Facility Buildings

Urban Elements
Total Replacement Cost – \$96 million
Includes: Street Furniture, Bins, Public Art, Monuments, Park Lands Structures

Lighting and Electrical
Total Replacement Cost – \$131 million
Includes: Public Lighting, Electricity Distribution, CCTV

Water Infrastructure
Total Replacement Cost – \$271 million
Includes: Stormwater Infrastructure, Park Lands Water Courses (Including Torrens) and Weirs

Park Lands and Open Space
Replacement Cost of Hard Assets – \$34 million
Replacement Cost of Soft Assets – \$45 million
Includes: Trees, Landscaping, Irrigation System Water Features, Playgrounds and Sporting Courts

Asset Categories:

1. Transportation

City of Adelaide's transportation assets provide safe and efficient movement of pedestrians, cyclists, commuter vehicles and public transport services throughout the City. These assets include roads, footpaths, bridges, kerb and water table and traffic signal infrastructure. With projected growth for both the City and greater metropolitan Adelaide, it is anticipated there will be increased use of public space, which will put additional demand on the transportation network.

Asset Class	Asset Subclass
Transportation	Roads
	Footpaths
	Bridges
	Kerb and Water Table
	Traffic Signals

2. Buildings

City of Adelaide's building assets provide accommodation for the civic, administrative and operational functions of Council as well as providing community services. These are services such as sporting and recreational activities which include libraries, community centres and public toilets. The building portfolio also includes several sites used for commercial (income generating) purposes.

Asset Class	Asset Subclass
Building	Commercial
	Community
	Corporate
	Facility
	Leased Building

3. Water Infrastructure

City of Adelaide's water infrastructure assets provide services to the entire city of Adelaide area. To deliver these services, the City of Adelaide manages a portfolio of water infrastructure assets including, an underground stormwater drainage network that provides flood protection for rainfall events, a network of watercourses providing amenity and supporting ecosystems and biodiversity through the Park Lands, and a group of Weirs, boat landings, earth retaining structures and environmental equipment to support the Torrens Lake.

Asset Class	Asset Subclass
Water	Stormwater Network Structure
Infrastructure	Torrens River and Creeks
	Sewer Infrastructure

4. Park Lands and Open Space

City of Adelaide's open space assets are contained within 760 ha of Adelaide Park Lands, city streets and associated public realm areas. These assets to support the vision for the Adelaide Park Lands. The Adelaide Park Lands Management Strategy and City of Adelaide Community Land Management Plans proposes a transformation of the Park Lands to meet the challenges and needs of an increasingly diverse population in and around the city. These strategies support a robust framework for future park management and development and illustrates the significant contribution that the Park Lands make to the social life of Adelaide.

Asset Class	Asset Subclass
Park Lands and Open Space	Irrigation System
	Open Space Area
	Water Feature
	Recreational Spaces

5. Urban Elements

City of Adelaide's Urban Elements asset portfolio aims to provide services and amenity to enhance the experience for those living within our community as well as visitors to the City.

Asset Class	Asset Subclass
Urban Elements	Arts and Culture
	Furniture
	Other Structures
	Parking
	Signs
	Structure
	Waste

6. Lighting and Electrical

City of Adelaide's lighting and electrical assets provide services to the entire Council area through facilitating safe access and enjoyment of the city and its amenities. These assets include the infrastructure to support the delivery of electricity to our assets to keep the city safe.

Asset Class	Asset Subclass
Lighting and Electrical	Public Lighting
	Electrical Distribution
	CCTV
	Smart Technology Assets

3 Our changing city

We have identified four key areas with the potential to significantly impact our ability to meet the community's needs. These challenges also provide opportunities which we can leverage to our advantage. These include:

1. **Environmental Challenges**
2. **Population Growth and Demographic Changes**
3. **Technology**
4. **Impact of Covid-19 Pandemic**

Demand for infrastructure is expected to continue to increase, due to urban densification and increase number of visitors per day. Population forecasts show an increase significantly over the next 20 years. The types of infrastructure required will be guided by the demographics of the developed areas. Additional demand will come from the need for public realm improvements to our centres and to cater for medium and higher density developments.

It is recognised that the type and form of infrastructure required for these areas will differ to traditional approaches, requiring high functioning assets that facilitate several uses and potentially catering for higher volumes and intensity of use.

Our current forecasting over the next 10 years indicates significant investments in asset renewals to sustain our existing assets as well as new capital projects to support city growth and other strategic objectives.

A detailed resource modelling project, which commenced in 2020, aims to analyse the resourcing impacts of demand for all services across the organisation, including demand for new and upgraded infrastructure, to further inform our demand modelling and the prioritisation of financial resources.

3.1 Environmental challenges

Adelaide's climate is projected to significantly change over the coming decades. The Millennium Drought presented a significant challenge, hotter and longer heat waves over the Summer of 2019 as well as the Adelaide Hills bushfires. An overall drying trend is predicted with a reduction in Spring rainfall, however the intensity of individual rainfall events in Adelaide is expected to increase.

Climate Data



Temperature

Annual average temperatures to increase by 1°C by 2050, +3.3°C by 2090



Rainfall

Spring rainfall to decline by 7.4% by 2050



Extreme Heat

26 days over 35°C by 2030, 47 days over 35°C by 2090 (Extreme Heat Days to double by 2090)



Extreme Rain

Rainfall intensity to increase by at least 10% by 2050



Fire Danger

Days of 'severe' fire danger rating to increase by more than 200% by 2090



Climate Fact

Adelaide experienced 17 days of temperatures above 40°C in 2019

Most of our current infrastructure was designed, built and intended to be maintained on the premise that our future climate would be similar to that in which had been previously experienced. Current scientific opinion indicates this is no longer the case. The potential risks to the our assets and infrastructure are significant. The City of Adelaide's recent climate change risk assessment identified over three quarters of risks were associated with the increase in average temperatures including increased frequency of very hot days and heatwaves; and changing rainfall patterns, extreme rainfall and flooding events.

Extensive risk assessment for council owned assets, understanding community demands and climate change adaption, can provide useful insights to support the sustainable management of assets.

Adapting our assets so they are climate ready and sustainable will require innovative solutions. New technologies are already being trialled such as roads constructed using 100% recycled materials, installation of raingardens and water sensitive urban design features, cool road surface treatments and increasing tree canopies for shading.

The City of Adelaide is striving to be one of the world's first carbon neutral cities and has already begun transforming assets. These transformations include street-lights to LED, installing solar systems on large buildings to reduce greenhouse gas emissions and purchasing renewable energy resources.

These actions will help mitigate future climate change impacts and ensure that assets are adaptive. The impact to our current assets and those planned for the future, could be immense if City of Adelaide continues to design, build and maintain without considering the potential risks posed by a changing climate.

The useful life of horticultural assets-built infrastructure and stormwater drainage systems is likely to be shortened by extreme heat, reduced rainfall and flooding events. The use of community assets will change to accommodate human impacts of climate change. Changes due to heat could include an increasing demand for 'cool refuges', less outdoor events or cancellations due to heat, and reduced open space use or pedestrian activity. There will also be an increase the mortality of trees and other vegetation on very hot days resulting in urban heat island implications. Increased frequency of extreme rain events will affect the capacity and maintenance of our

stormwater infrastructure. Increased extreme heat and rainfall will affect our road surfaces and footpaths requiring more frequent maintenance and renewal.

3.2 Population Growth and Demographic Changes

The City of Adelaide has been growing at a significant rate since 2016, and this is expected to continue. In 2016 the population was 23,552 and it is to an estimated 31,280 in 2021. This growth is expected to continue to trend up at about 5% annually to a population of 36,931 in 2026. This is based on current data available and the longer-term impacts of COVID19 is yet to be determine.

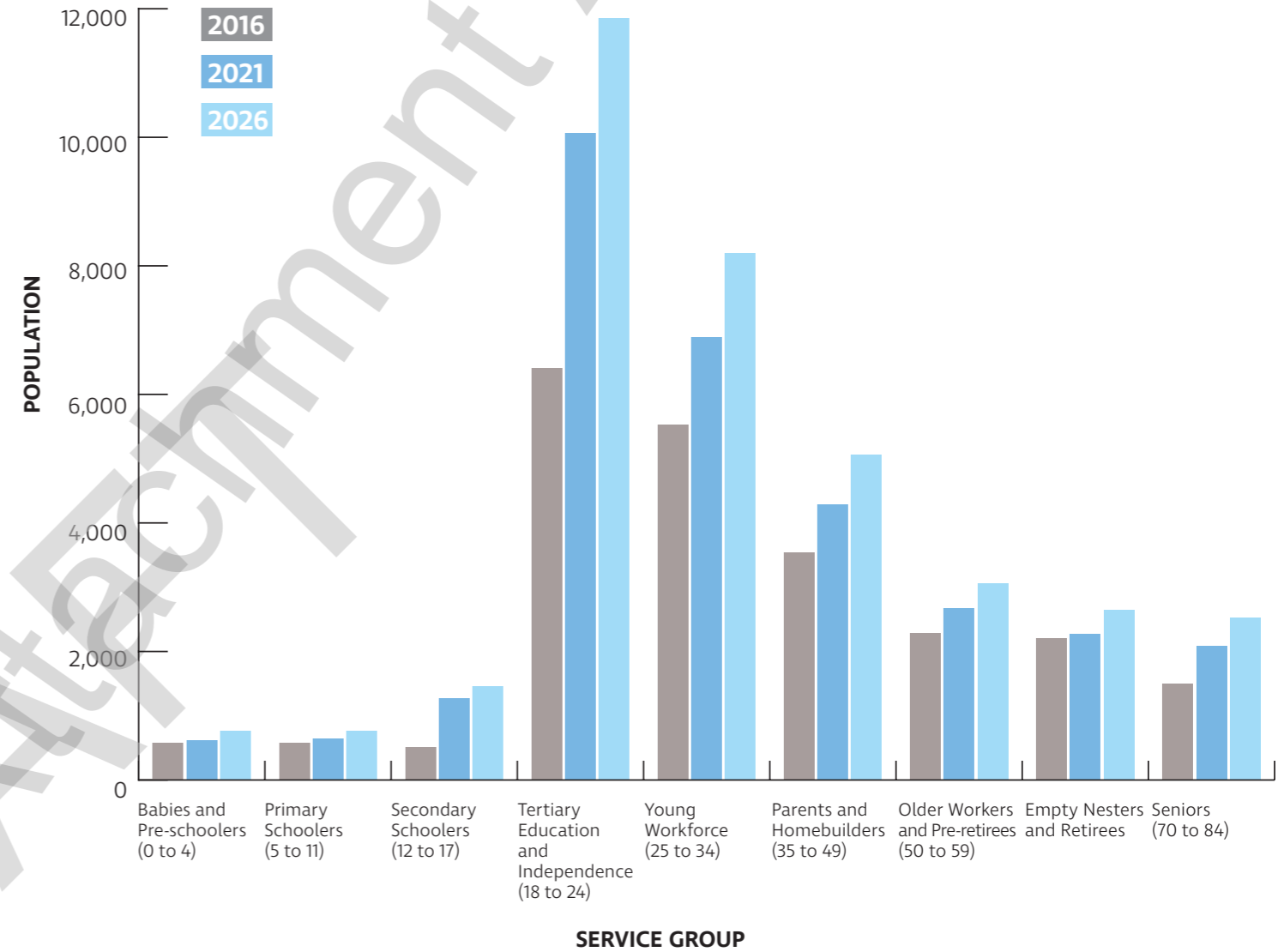
The impacts of this growth on the City of Adelaide are significant. This increase will have an impact on demand for services and infrastructure. The opportunities available for expansion and development are limited with an extremely low availability of unused public land.

The demographic profile of the city of Adelaide will also change over the next six years, and with it, the service and assets needs of the community.

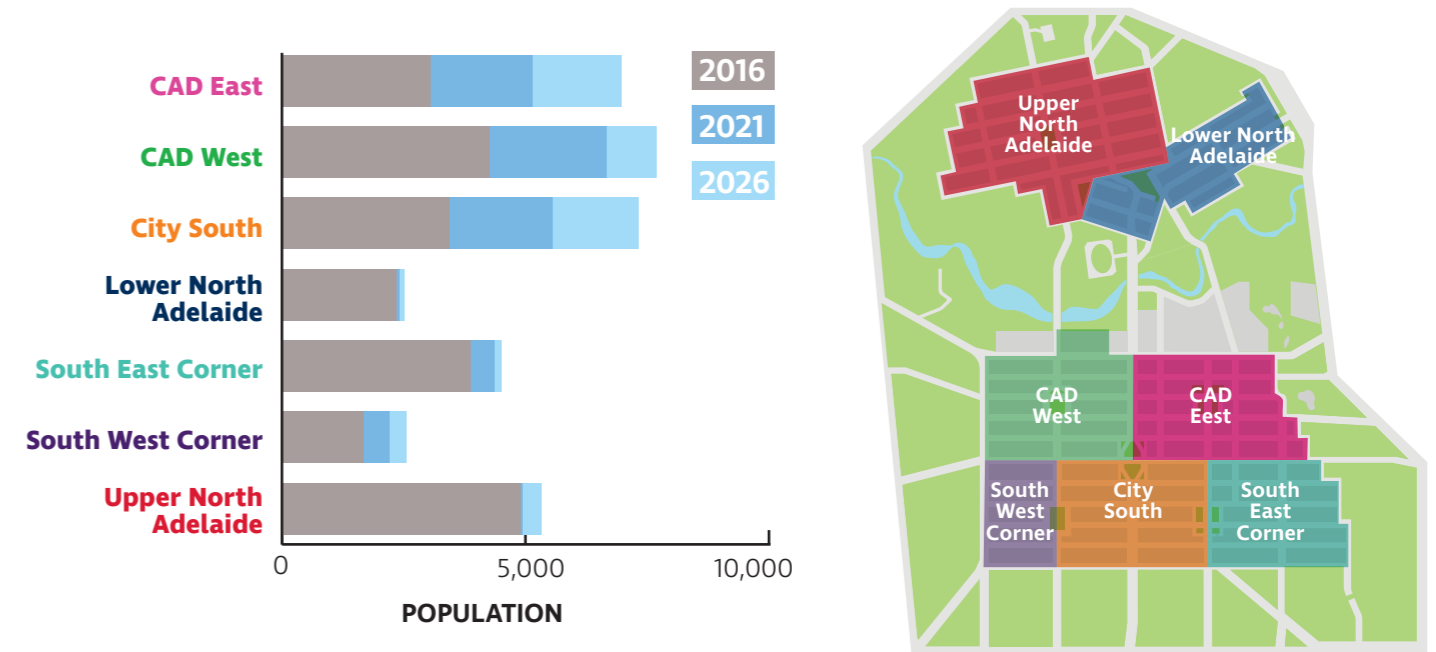
The biggest change comes in the number of residents in the 'Tertiary Education and Independence (18 to 24)' service group, growing from 6,412 in 2016 to 11,858 by 2026. A slight decrease across the other service age groups is currently expected. The 18 to 24 service group are densely populated in the CAD East (49.3% of area population) & West (53.8% of area population).

The other major demographic for the City of Adelaide is the 'Young Workforce (25 to 34)' who, when combined with the 18 to 24 service group, project to account for 54% of the population. Metropolitan growth projections and increased number of people coming into the City to work, study, tourism and leisure, putting additional demand on services we provide and associated assets.

Demographic changes



Estimated changes to population in specific areas of the City of Adelaide



3.3 Technology

Advancements in technology are reshaping the way the city operates. These changes affect the way City of Adelaide plans and delivers its services, and by extension assets to the community. These advancements also change the way in which our community engages with us.

The changes in technology challenge the City of Adelaide to ensure it keeps pace with new technologies, but also provide an opportunity for our asset management systems.

Data is becoming the key component to linking the community, our assets and the City of Adelaide. Data analysis is what helps to inform many of our asset decisions such as our strategic planning and long-term capital renewal planning.

The development of new technologies open up new and exciting ways of obtaining data and turning it into wisdom and knowledge through sharing and collaboration. These technologies include cloud-based services, the Internet of Things, smart phones, smart meters, people movement and other sensors.

Access and understanding of the data available and systems to support this, will enable the City of Adelaide to better understand our asset performance and model our future requirements. This data will allow us to better engage with our community and allow them to participate in prioritising and making asset decisions.

3.4 Impact of Covid19 Pandemic

In the first half of 2020 during the early stages of the COVID-19 pandemic the way in which people used the city changed. While too early to fully understand the impacts of social distancing, temporary health advisory signage, increased cleaning regimes and reduced commuter traffic all have implications on the city's infrastructure. All decision making will consider the impact the situation has on the assets and how they are managed.

4

How City of Adelaide will respond

The City of Adelaide is committed to sustainable asset management which involves managing the levels of service, risk and investment on infrastructure assets in an optimal manner throughout their lifecycle. As such, Council adopted the Asset Management Policy in February 2019, which includes the principals to develop and maintain consistent Asset Management Policy, which are:

1. Community benefits:

Development of service levels and standards to ensure an appropriate balance of expectations and the objectives and requirements of the City of Adelaide.

2. Financial sustainability:

Investment decisions for new and upgraded infrastructure will consider costs of constructing, operating and maintaining to ensure adequate funding is allocated in the long-term financial plan.

3. Environmental sustainability:

Efficient use of resources and protection of the natural environment will be embedded into asset lifecycle planning to support the environmental sustainability objectives of the city.

4. Continuous improvement:

Commitment to advancing the practice of asset management including the use of smart technology to optimise decisions, performance and reporting.

5. Evidence based decision making:

Development and maintenance of an asset management information system that will underpin effective asset lifecycle analysis and sound financial management to enable accountability and sustainable management of infrastructure assets and services.

The City of Adelaide aims to ensure alignment with any key international standards, including the International Asset Management Standard (ISO 55000) and both the International Infrastructure Management Manual and International Infrastructure Financial Management Manual, associated Guidance Documents and Practice Notes. These are proven industry standards to achieve best outcome for the organisation and the community.

4.1 Community Benefit

By working with the community City of Adelaide will develop levels of service that are needs based and easily understood.

Actions:

- Together with the community, use community-based levels of service to inform our strategic objectives.
- Align City of Adelaide's Strategies to identify future opportunities and ensure better community outcomes.
- Utilise Council-endorsed prioritisation methods and levels of service to determine the feasibility of projects and biggest impact to the community.
- Effectively adapt and respond to community needs without adversely impacting the asset management plans and agreed level of service.

4.2 Evidence-Based Decision making

Evidence Based Decision-Making is critical to ensure that there is a line of sight between proposed investments and requirements associate with levels of service, risk management and strategic objectives.

This will allow us to effectively and accurately demonstrate the ongoing renewal and maintenance requirements for our existing assets as well as the investments needed for new and upgrade infrastructure. This evidence comes in several forms, but most common is digital data. System and data management is critical to build an organisations knowledge base over time.

Actions:

- Develop a data governance policy and procedures to ensure that data and information are sufficiently accurate, reliable and secure. Then use the information to determine, measure and monitor key indicators to demonstrate the organization's performance.

- b. Undertake optimised scenario modelling to identify impacts of funding and/or service levels, risk profiles and investment strategies on our assets over the long term. Then model that prioritised expenditure across all of our asset portfolio and Capital Works Program.
- c. Make all data needed available to the relevant people to make the right decision at the right time.
- d. Use information to better understand the whole of lifecycle benefits and costs of our assets.

4.3 Financial Sustainability

A council's long-term financial performance and position is sustainable where planned long-term service and infrastructure levels and standards are met without unplanned increases in rates or disruptive cuts to services. City of Adelaide will manage assets to deliver the organisation's objectives through effective asset lifecycle management at the lowest cost to the community.

Actions:

- a. Maintain a strategic approach to the delivery of all services and capital works programmes with a sustainable 10 year Long Term Financial Plan to achieve Council's long-term strategic objectives.
- b. Model investment requirements associated with different level of service scenarios.
- c. Work with industry to leverage opportunities for innovative techniques with cost saving opportunities
- d. Identify opportunities to partner or to secure grant and other government funding to support our infrastructure.
- e. Ensure there is fairness between generations of rate payers and Adelaide remains an affordable and attractive city to work, live and experience into the future.

4.4 Environmental Sustainability

City of Adelaide will ensure the challenge presented by a changing climate is taken into account when planning and managing assets.

Actions:

- a. Consider 'green' over 'grey' infrastructure where appropriate, cost effective and deliver the same level of service.
- b. Investigate and implement sustainable infrastructure solutions.
- c. Consider projected environmental changes when planning and implementing infrastructure solutions today
- d. Promote and support sustainable procurement strategies
- e. Minimise impacts to the natural environment.
- f. Recycle and minimise waste to landfill where appropriate and re-purposing of existing assets to meet changing community needs.

4.5 Continuous improvement

Community's expectation can change over time. The challenge is to be able to anticipate these changes, while still providing services. Improving our asset management capability will give us greater ability to adapt to changing community requirements.

Actions:

- a. Systems – Develop or enhance data processes and systems capability to ensure accurate, consistent, complete data is available.
- b. Capability – Develop improvement programs to advance and mature our Asset Management capabilities.
- c. Process - Develop reporting capability to determine whole of lifecycle benefits and costings to enable better decision making.

5 How we will fund our Asset Management Objectives

Asset Management Plans will project the long-term financial requirements of each asset category, and consider funding requirements to monitor, maintain and renew our existing assets, as well as identify the requirement for new and upgraded assets. Financial projections relating to each asset management plan are incorporated into the Long-Term Financial Plan (LTFP). The LTFP seeks to ensure that we can deliver services, maintain assets and achieve its strategic objectives in a financially sustainable manner. It provides guidance to support decision making and confirms that we have the financial capacity to meet our longer-term commitments.

With consideration of our current financial position following the covid-19 pandemic, during our recovery it is critical that we look to reduce whole-of-life costs associated with the management of our asset portfolio. To do this, a number of 'levers' can be considered moving forward to inform the development of asset management plans and the associated LTFP. These levers include:

- Optimisation of Renewals
- Review of Levels of Service
- Asset Sustainability Ratio
- Divesting Assets and Accepting Assets
- External Funding Opportunities
- Resource Allocation Strategy

5.1 Optimisation of Renewals

Utilising predictive modelling, a number of asset investment strategies can be modelled with consideration of level of service, cost and risk. Rather than assets being replaced through the conventional 'worst first' approach, various other management strategies can be modelled and considered.

Optimisation through predictive modelling allows specific treatments to be identified for specific assets to ensure works are prioritised to reduce the whole-of-life costs of an asset network. In the long term this will allow optimisation of both level of service outcomes as well as renewal and maintenance expenditure.

Optimisation of asset renewals would be considered through the development of Asset Management Plans and reviewed on an annual basis to align with the Capital Works program that informs the Business Plan and Budget.

5.2 Review of Levels of Service

Levels of service describe the objectives that we intend to deliver to our community through assets, with consideration of quality, function and capacity.

Levels of service are the building blocks of asset management and establishing levels of service is a key requirement to effectively provide services from assets.

To ensure assets are managed in a sustainable manner, it is important that levels of service are periodically reviewed to understand the financial impacts associated with a reduction, maintenance or increase in an assets service provision.

A review to Levels of Service would be undertaken in consultation with the community as well as with Council through workshops in the leadup to the development of Asset Management Plans. Considerations would include:

- Material palettes and design standards, including where they are utilised within the City
- Intervention criteria for undertaking renewal and maintenance works on our assets
- Responsiveness to reactive maintenance activities (e.g. repairing a pothole in a road)
- Frequency of planned operational and maintenance activities (e.g. street sweeping and lawn mowing)
- Functionality and capacity of assets to meet community needs.

5.3 Asset Sustainability Ratio

The Asset Sustainability Ratio indicates whether we are renewing our assets at the same rate that they deteriorate. Adhering to an asset sustainability ratio of between 90-110% ensures that we are sustainably managing the current state of our assets. Where an asset sustainability ratio falls to less than 90% over the medium-long term, it indicates that the state of our assets will deteriorate over time and level of service objectives will not be met. It is important that our assets are sustainably managed over the medium-to-long term to ensure that the cost to maintain and replace them does not become a burden for future ratepayers.

Through reviewing our levels of service, optimising asset renewals and considering asset investment strategies to inform the development of asset management plans, there is an opportunity to ensure we are able to sustainably manage our assets into the future at a reduced cost.

5.4 Divesting Assets and Accepting Assets

A number of our assets provide services not only for our local community, but also the greater metropolitan Adelaide. With consideration of these services, there is opportunity to strategically reconsider ownership and management responsibilities between City of Adelaide, State Government and other interested parties. Through strategically divesting specific assets that may be underperforming or not in our interest to continue to own and operate, the value of our overall asset portfolio would decrease as well as the ongoing lifecycle management costs, allowing funding to be reallocated towards other priorities. Divestment and partnership opportunities for impacted assets would be workshopped with Council. Through deeds and agreements, we regularly accept gifted assets from State Government and developers through third-party projects. Understanding and assessing the ongoing maintenance, operating and replacement costs of these gifted assets is critical to ensure that they can be accommodated within our financial capacity and allow us to continue to sustainably manage our asset portfolio.

5.5 External Funding Opportunities

Leveraging off external funding opportunities for projects will allow us to maintain and enhance the quality of the service we provide through assets, while reducing financial pressures through the efficiencies in an increased revenue. We will continue to work in partnership with both the State and Federal Governments to pursue these opportunities for both renewal and significant upgrade/new projects.

5.6 Resource Allocation Strategy

Implementing a Resource Allocation Strategy will provide a governance structure and line of sight regarding how project initiatives are prioritised and delivered through the Annual Business Plan and Budget. The Resource Allocation Strategy would create a score and ranking for each project initiative, with consideration of the criteria below:

- Strategic Plan Alignment
- Asset Management Plan Alignment
- Demand on Assets
- Community Expectations
- Contribution to Economic Growth
- Environmental and Financial Sustainability
- Project Readiness

The intent is that new project initiatives would be scored, ranked and considered through annual reviews of Asset Management Plans and the LTFP.

6 References

6.1.1 Strategic Asset Management Implementation Program (ACC2020/122266)

6.1.2 National State of the Assets 2018 – Australian Local Government Association

cdn.alga.asn.au/wp-content/uploads/2018-National-State-of-the-Assests-1.pdf

6.1.3 Key documents and related processes

Plan or process	Input from AMP	Output to AMP
Corporate and strategic planning		
Strategic Plan 2020–24 and related strategic management plans	Consolidation of strategic asset management implications and requirements	Confirms key strategies and directions as detailed within the strategic management plans informing asset management planning and priorities. Strategies, directions and required functions to be facilitated or delivered through provision of assets
Council Policy		Council policy refers to sustainability and Council's role as owner/custodian and service provider
Asset Management Policy	Life cycle asset requirements including Service Levels, sustainability and financial implications	Endorsed asset management framework and key processes
Financial Planning		
Long Term Financial Plan and Funding Policy	Financial forecasts modelling and sustainability impacts	Endorsed and forecast funding levels
Annual Business Plan and Budget	New assets, asset renewal, operating and maintenance requirements, budgets and programs	Resulting endorsed budgets are then included in the AM planning process
Project and Capital Works (PCW)	Proposed programs and input to the PCW planning process including definition of requirements, pressures and issues for each category	Endorsed prioritised and scheduled works programs and forecasts
Operational Planning		
Business Plans (local work area plans, Project Register)	Service levels, work programs, processes and budgets defined in asset management plans are incorporated into business plans as activity budgets, management strategies and performance measures	Business plans provide schedule and resource information for inclusion in asset management planning
Service specifications and standards	Required service delivery specifications and resulting intervention levels	Resource requirements and capacity issues
Works programs – (PCW, maintenance and operational)	Programs defined by asset management planning and PCW	Program completion and changes provide input to AM planning
Specific studies, strategic and planning documents		Studies, strategic and tactical planning documents are required as input to the asset management planning process
Other		
Contracts	Service levels, strategies and information requirements contained in the asset management plans are incorporated into contract specifications	Contracts provide for the provision of required asset management data

Barton Terrace West Landscaping

ITEM 10.4 09/03/2021
Council

Strategic Alignment - Enabling Priorities

Program Contact:
Matthew Morrissey, Associate
Director, Infrastructure 8203 7462

2018/004053
Public

Approving Officer:
Klinton Devenish, Director
Services, Infrastructure &
Operations

EXECUTIVE SUMMARY

At its meeting on the 10 November 2020, there was a Council decision for an Administration report on which parts of the 2017 constructed Barton Street West Landscaping project had not yet been completed in accordance with the images and written descriptions provided at the time of the public consultation. An explanation was also requested as to why any elements were not delivered, when residents can expect the project to be completed and what funds would be required.

RECOMMENDATION

THAT COUNCIL

1. Notes the works undertaken in 2017 were completed to a Council endorsed budget of \$200,000.
 2. Notes the kerb replacement could not be completed within the approved budget and was therefore removed from the scope.
 3. Notes the road is currently due for renewal in 2026, at which time the kerb can be considered for renewal.
 4. Notes that replacement of the kerb prior to end of useful life has impacts on the Asset Sustainability Ratio and long term financial plan and works would be considered as new and/or significant upgrade, of which funds would need to be borrowed.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<p>Strategic Alignment – Enabling Priorities</p> <p>Council will continue to work innovatively and collaboratively with partners and the community.</p>
Policy	Not as a result of this report
Consultation	Public Consultation undertaken, as detailed in this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Not as a result of this report
20/21 Budget Allocation	If proposed works are required, the additional elements would not be able to be designed and constructed this financial year.
Proposed 21/22 Budget Allocation	Additional \$285,000 if additional works are required.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
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

DISCUSSION

1. At its meeting on 10 November 2020, Council resolved the following:

That Council:

Noting it conducted a public consultation with engagement sessions onsite and subsequently allocated funds as part of its 2016 -2020 Strategic Plan to green the City “to landscape the previously unkempt areas between Barton Terrace (West) and the Golf Course, promising through artists illustrations and words to :

1. *Plant turf either side of the Park Lands Trail to the edge of the Golf Course to help create “a spectacular area of Park Lands” and install an irrigation structure for the turf to enhance vistas*
2. *Create understorey plantings, including at the northern edge of Barton Terrace West*
3. *Renew the kerb along the north side of the street;*

Asks the Administration to report to Council’s January 2021 meeting which parts of the project have not yet been completed in accordance with the images and written descriptions provided at the time of the public consultation, why any elements were not delivered, when residents can expect the project to be completed and what funds would be required.’

2. The Barton Terrace West Landscaping project was initiated and allocated \$200,000 through the 2016/17 Business Plan and Budget.
3. The scope of the project was to consider, understorey planting, formalised turfing of the area, installation of irrigation infrastructure and renewal of kerbing along the north side of Barton Terrace.
4. The project delivered:
 - 4.1. Installation of new turf and new irrigation system to ensure adequate maintenance.
 - 4.2. Fifteen new large specie native trees, 74 understorey plants were planted.
 - 4.3. Poor performing landscape elements were either removed or pruned to open the vistas into the golf course environs and to improve the overall landscape amenity.
 - 4.4. Existing bench seating was repositioned to supply a more integrated landscape outcome.
5. Concept design for consultation was conducted through November and December 2016 (Link 1 view [here](#)).
6. During the consultation period between 21 November 2016 and 16 December 2016, there was total of 328 visitors to the “Your say” website for public consultation (these are unique visitors, which could be individuals or individuals visiting on behalf of organisations).
7. Of these 328, 153 visitors explored the available consultation materials more closely to learn more about the project by browsing through the consultation information available (eg they may have downloaded supporting documents such as the Information Pack).
8. One of the 153 visitors submitted feedback through the online engagement tool.
9. Although the concept design did not include the renewal of the kerbs, it was included as a consideration as part of this project and excluded from scope because:
 - 9.1. Landscaping, irrigation, and greening improvements were prioritised for delivery within the available budget.
 - 9.2. Waterflow on the north side of the road is directed through the natural grades and levels between the road and surrounding landscape with support of asphalt kerb in some sections to minimise ponding on the rubble verge.
 - 9.3. Current kerb infrastructure is in fair and serviceable condition (assessed in 2019) with any small maintenance issues able to be addressed and a remaining useful life of 5 to 10 years.
 - 9.4. Possible concrete kerb and water table could provide improved amenity, but be considered as an upgrade and not a renewal as the infrastructure is still in a fair condition.
 - 9.5. The upgrade to standard concrete kerb and water table would have created considerable additional costs to adjust surface levels and would be considered as an upgrade not a renewal, which means additional funds would have to be borrowed to undertake this element.
 - 9.6. This change in scope was communicated to residents through the community consultation process (Link 2 view [here](#) and Link 3 view [here](#)).

- 9.7. To undertake the kerb replacement is estimated at \$285,000, however detailed design would be required to confirm this solution and cost.
- 9.8. The installation of a new kerb could be considered in line with the next road renewals which is currently nominated for 2026 (pending funding).

DATA AND SUPPORTING INFORMATION

Link 1 – Concept Design for Barton Terrace West Landscaping

Link 2 – S711 Barton Terrace West Landscaping Consultation Letter

Link 3 – S711 - BTW Notification of Works

ATTACHMENTS

Nil

- END OF REPORT -

Representation Review Options Paper

ITEM 10.5 09/03/2021
Council

Strategic Alignment - Enabling Priorities

Program Contact:
Kerry Loughhead, Acting
Manager Governance

2018/04004
Public

Approving Officer:
Justin Lynch, Chief Operating
Officer, Corporate Services

EXECUTIVE SUMMARY

At its 13 October 2020 Council Meeting, Council appointed Helen Dyer of Holmes Dyer Pty Ltd (the Consultant) as the suitably qualified person pursuant to section 12(5) of the *Local Government Act 1999 (SA)* to prepare the Representation Review Options Paper for the City of Adelaide. The report from the Consultant has now been received.

RECOMMENDATION

THAT COUNCIL

1. Notes the Representation Review Options Paper as per Attachment A to Item 10.5 on the Agenda for the meeting of Council held on 9 March 2021, for the purposes of public consultation.
 2. Authorises the Chief Executive Officer to make editorial amendments or formatting changes of a minor nature to the Representation Options Paper as part of the preparation for public consultation (if required).
-

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 section 12(7) and (9) of the <i>Local Government Act 1999 (SA)</i> .
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> . An independent consultant has been procured to deliver the options paper on behalf of Council.
Opportunities	Changes to the City of Adelaide Council composition and or wards may provide for updated representation.
20/21 Budget Allocation	\$60,000 reserved for the two statutory public consultations, 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)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. Section 12 (4) of the *Local Government Act 1999 (SA)* (the Act) requires each Council to undertake a review of all aspects of its composition and the division (or potential division) of the Council area into wards (the Representation Review), as prescribed by the Minister from time to time by a notice published in the Government Gazette.
2. The City of Adelaide last completed a Representation Review in 2013. The most recent Notice of Determination of Relevant Period for section 12 (4) of the Act was published by the Minister in the SA Government Gazette on 1 August 2019. The Notice indicates that the City of Adelaide is required to undertake a review during the period of June 2020 - October 2021.
3. A Representation Review is a mechanism for examining the existing composition and electoral structure, assessing the advantages and disadvantages of various options available for the composition and structure of the elected Council and ensuring that structures will be in place to ensure effective and efficient governance to meet future community requirements.
4. A Representation Review also gives the community an opportunity, on a regular basis, to have input into the optimum number of elected representatives on Council and the structure of the Council that best meets the needs of the community.
5. Following the Council Meeting held on 13 October 2020, Council appointed Helen Dyer of Holmes Dyer Pty Ltd (the Consultant) as the suitably qualified person pursuant to section 12(5) of the *Local Government Act 1999 (SA)* to prepare the Representation Review Options Paper for the City of Adelaide.
6. The Representation Review Options Paper has now been finalised by the Consultant and is ready to be released for the purposes of community consultation.
7. The Representation Review Options Paper provides information on possible representation structures for consultation purposes, including:
 - 7.1. Composition of the Council.
 - 7.2. Elector Representation – with regard to elector ratios and number of councillors.
 - 7.3. Demographic trends – taking into account current elector numbers and population projections.
 - 7.4. Ward Structure – which considers no wards, variations of ward representation and the number of wards.
8. It should be noted that Section 12 (6) of the Act requires that where there are more than 12 members of Council, the review must consider reducing the number of members. Furthermore, where the Council is divided into wards, the review must consider whether the wards should be abolished.
9. The Statutes Amendment (Local Government Review) Bill 2020 (the Bill), which was introduced into Parliament on 17 June 2020, proposes reforms to local government legislation, including the provisions which relate to elector representation reviews. The proposed legislative amendments for elector representation reviews seek to:
 - 9.1. Cap the number of elected members (including the Lord Mayor) at 12.
 - 9.2. Introduce a new abridged process which incorporates the preparation/provision of only one report (for public consultation purposes) and only one public consultation stage.
10. The Bill remains the subject of debate within Parliament. However, it is noted that as the Representation Review process has been started, Council has committed to the statutory course as per the current unreformed legislation. Notwithstanding, some regard must be given to ensure changes are not vastly at odds with the proposed Bill.
11. The Options Paper sets out six different options:
 - 11.1. Option 1 – No Wards (Lord Mayor and Elected Members)
 - 11.2. Option 2 – Three Wards (as close as practicable to existing)
 - 11.3. Option 3 – Three Wards with material boundary revisions (equal representation)
 - 11.4. Option 4 – Three Wards – North, East and West
 - 11.5. Option 5 – Four Wards
 - 11.6. Option 6 – Six Wards

12. The following table explains the public consultation/marketing that is proposed to accompany the release of the Representation Review Options Paper:

Timeframe	Milestone/ Engagement/ Marketing Tactic
Thursday 9 March 2021 – Friday 30 April 2021	The Representation Review Options Paper released for a period not less than six weeks for community consultation
Session 1 - Thursday 22 April 2021 Session 2 - Tuesday 27 April 2021	Two community forums – one held for the business community and the other for the city residential community (both will be recorded and released for those who are unable to attend)
Thursday 9 March 2021 – Friday 30 April 2021	Electronic engagement with ratepayers via the rates database- Qualtrics
Thursday 9 March 2021 – Friday 30 April 2021	Engagement with city community via YourSay (materials will be the same as Qualtrics)
Thursday 9 March 2021 – Friday 30 April 2021	Provision of copies of the Representation Review Options Paper for inspection on the City of Adelaide's website and at the principle office of the Council and community centres
Thursday 9 March 2021 – Friday 30 April 2021	Direct engagement and discussion available with the Corporate Governance and Risk Team via email or phone call as provided with online materials
Thursday 9 March 2021 – Friday 30 April 2021	Direct engagement with the international student residential community as identified by the databases of the Community Wellbeing Team (inclusive of WeChat marketing engagement)
Thursday 9 March 2021 – Friday 30 April 2021	Direct online engagement with the city business community as per database provided by AEDA administration
Thursday 9 March 2021 – Friday 30 April 2021	Tactical marketing collateral including posters & flyers in areas of significant communities of interest and city business hubs. Public notices, online advertising, CoA social media accounts and monthly Your Say EDM.

13. While the conduct of the City of Adelaide Representation Review is a legislative requirement, the review provides a positive opportunity for reform and meaningful community engagement and participation. It is anticipated that following Council approval, the public consultation period will run from 9 March 2021 until close of business 30 April 2021.
14. This affords the community approximately seven weeks to engage in the first public consultation element. Additional time has been recommended by the Electoral Commission of South Australia to factor in public holidays during this time.
15. A report will then be presented to Council which will contain a consolidated post engagement summary and analysis– addressing results from the public consultation, a response on the issues arising from the consultation and a proposal that will satisfy the requirements of Section 12 of the Act. The results of the consultation will inform Council's eventual Representation Review proposal.
16. The Representation Review Report will be subject to a further three-week public engagement period, where at the conclusion, members of the community will be invited to speak to the Council directly on Council's in-principle preferred option.
17. Any decision regarding the representation structure of Council will take effect from the next General Election, scheduled to occur in November 2022.

ATTACHMENTS

Attachment A – Representation Review Options Paper as prepared by Holmes Dyer Pty Ltd

HOLMES DYER

REPRESENTATION REVIEW
OPTIONS PAPER CITY OF ADELAIDE

Prepared for:
City of Adelaide

Date:
19.02.2021

HOLMES DYER

Proprietary Information Statement

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Document Control

Revision	Description	Author	Date
v1	Draft	SG/HD	12.02.21
v2	Final	SG/HD	19.02.21

EXECUTIVE SUMMARY

Executive Summary

“The Representation Review is a mechanism for examining the existing composition and electoral structure, assessing the advantages and disadvantages of various options available for the composition and structure of the elected Council, and ensuring structures will be in place to ensure effective and efficient governance to meet future community requirements.”

– LGA (SA).

This Representation Options Paper has been prepared in accordance with section 12(5) of the Local Government Act 1999, 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 review.

The purpose of this Representation Review is to determine whether the City of Adelaide communities are adequately represented in local government. The Review looks at whether Council’s structure gives residents an effective pathway to have a voice to its local government and if those communities would benefit from changes to the composition, size or Ward structure of the Council.

The *Local Government Act 1999* provides the statutory framework for undertaking a Representation Review. The review must be conducted in accordance with sections 12, 26(1)(c) and 33 of the Act. The City of Adelaide is also subject to the *City of Adelaide Act 1998*. This Act is to be read in conjunction with the *Local Government Act 1999* and the *Local Government (Elections Act) 1999* such that the three Acts are construed as if there was one Act.

The City of Adelaide is required to conduct a comprehensive review of its representation structure by June 2021.

This paper sets out a range of options designed to address the following:

- Whether the City of Adelaide community would benefit from an alteration to its composition or Ward structure;
- The advantages and disadvantages of the various options that are available to the Council, and because the City of Adelaide has Wards, whether the division of the area into Wards should be abolished; and
- How each option relates to the Principles under section 26(1)(c) and the matters referred to in section 33 of the *Local Government Act 1999*.
- The method of election of the Lord Mayor.

The review does not address a change from a municipal council to a district council or the alteration of the name of the Council or the area of the Council.

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1 - INTRODUCTION

Item 10

1. Introduction

1.1. Authorship

This Representations Options paper has been prepared by Ms Helen Dyer of Holmes Dyer, with assistance from Ms Sarah Gilmour, Mr Stephen Holmes of Holmes Dyer and Mr Matthew Pistor of Graphica, in accord with the requirements of the *Local Government Act 1999* section 12(5). The paper addresses the representation and governance issues that may arise with respect to the matters under review.

The opinions expressed in this paper are those of the author and do not reflect an Adelaide City Council position.

1.2. Representation Review

The purpose of a Representation Review is to determine whether the City of Adelaide communities are adequately represented in local government. The review looks at whether Council's structure gives residents an effective pathway to have a voice to its local government and if those communities would benefit from changes to the composition, size or Ward structure of the Council.

The *Local Government Act 1999* provides the statutory framework for undertaking a Representation Review. The Review must be conducted in accordance with sections 12, 26(1)(c) and 33 of the Act. The City of Adelaide is also subject to the *City of Adelaide Act 1998*. This Act is to be read in conjunction with the *Local Government Act 1999* and the *Local Government (Elections Act) 1999* such that the three Acts are construed as if there was one Act.

The City of Adelaide is required to conduct a comprehensive review of its representation structure by June 2021.

The Review process involves the following broad steps:

1. Initiate Representation Review
2. **Representation Options Paper (Options Paper)**
3. **Community Consultation on the Options Paper**
4. Respond to Public Consultation Outcomes
5. Representation Review Report (Review Report)
6. Community Consultation on the Review Report
7. Public Hearing of Submissions
8. Final Representation Review Report
9. Boundary Documentation (if required).

The Adelaide City Council resolved to initiate its Representation Review and appoint Helen Dyer of Holmes Dyer to undertake this review at its meeting held on 13 October 2020.

1.2.1. Consultation

The process for a Representation Review includes two periods of public consultation.

The first is in relation to this Options Paper and occurs for a period of at least six weeks. The second is in relation to the Representation Report and is for a period of at least three weeks, following which there is an opportunity for interested persons to be heard by the Council.

Notification of public consultation on this Options Paper will be provided in accord with the *Local Government Act 1999* and will include notification in the Government Gazette, public notices in print media and on Council's website.

The public consultation period is Thursday 9 March 2021 to Friday 30 April 2021

Interested persons may obtain a copy of the Representation Options Paper:

- The Adelaide City Council, Customer Centre, 25 Pirie Street, Adelaide (9am-5pm Mon-Fri)
- Adelaide City Council Libraries (during opening hours)
 - » City Library, level 3, Rundle Place, enter via Rundle Mall, Francis Street, Lindes Lane or the Grenfell Street Car Park
 - » Hutt Street Library 235 Hutt Street, Adelaide
 - » North Adelaide Library, 176 Tynte Street, North Adelaide
- Council's website <https://www.cityofadelaide.com.au>

Comments should be received no later than Friday 30 April 2021 and can be submitted via <https://yoursay.cityofadelaide.com.au/> or in writing addressed to:

Chief Executive Officer
City of Adelaide
25 Pirie Street
Adelaide, SA, 5000

Or

Chief Executive Officer
City of Adelaide
GPO Box 2252
Adelaide, SA, 5001

Following this initial round of public consultation, the Council will prepare a report that addresses the community response to the Representations Option Paper and set out the Council's proposal for the future composition of the Council. This second report will be titled Representation Review Report.

A second Round of consultation will occur once the Council has prepared its Representation Review Report and will be advertised in the SA Government Gazette, and on Council's website.

1.3. Scope

Under section 12(4) of the *Local Government Act 1999*, the Representation Review requires a full review of all aspects of the composition of the Council, and the issue of the division, or potential division, of the Council area into Wards.

This Representation Options Paper examines broadly the matters required under section 12(6) of the Act, and specifically:

- Whether the City of Adelaide community would benefit from an alteration to its composition or Ward structure;
- The advantages and disadvantages of the various options that are available to the Council, and because the City of Adelaide has Wards, whether the division of the area into Wards should be abolished; and
- How each option relates to the Principles under section 26(1)(c) and the matters referred to in section 33 of the *Local Government Act 1999*.

The City of Adelaide is different to other Councils in South Australia by virtue of the breadth of stakeholders and its roles as a Capital City Council. Adelaide City not only is the Government body representing ratepayers, businesses, institutions and residents of the city, but represents the whole of Adelaide on a national and international stage. The Lord Mayor, in particular, has a key role in the national arena but also has a special

relationship with the State Parliament. This role is recognised in *section 20 of the City of Adelaide Act 1998* which provides that the Council will be constituted of the Lord Mayor and other members. The following additional matter is therefore identified for review:

- The method of election of the Lord Mayor

The review does not address a change from a municipal council to a district council or the alteration of the name of the Council or the area of the Council.

1.4. Previous Review

The previous comprehensive review of Council's representation structure was completed in December 2013. At the time of that review the Council composition included:

- The Lord Mayor elected by the electors of the Council area as a whole
- Five Councillors elected by the electors of the council area
- Six Councillors elected by the electors in each of three Wards, with each Ward comprising two Ward Councillors.

As a result of the review process, the certified review resulted in slight boundary changes for the three Wards already in place, the removal of one Area Councillor position, and the creation of an additional Central Ward Councillor position. The changes were implemented at the November 2014 elections.

This remains the current composition of Council.

1.5. Current Composition

The City of Adelaide is comprised of twelve elected members that represent Adelaide and North Adelaide, as follows:

- The Lord Mayor who is elected by the electors of the council area as a whole;
- Four councillors elected by the electors of the council area; and
- Seven councillors elected by the electors of three Wards, as follows:
 - » Two councillors for North Ward
 - » Three councillors for Central Ward
 - » Two councillors for South Ward.

The existing Wards are shown below in Figure 1.

Figure 1. Current Ward Map



Due to uneven levels of growth across the City with more growth occurring in the South Ward, the Ward representation is now in excess of the allowable tolerances and as such in the event that the Council seeks to retain Wards, some readjustment of Ward representation will be required.

As at 21 December 2020 the total numbers of voters was 27,782. The Quota was 1:2315 and the Ward Quota was 1:3968.

Table 1 below shows the variances.

Table 1. Variances from Ward quota

Ward	Ward Councillors	Electors	Voters per Ward Councillor	Variance
North	2	6,931	3,465	-12.65%
Central	3	11,983	3,968	+0.66%
South	2	8,868	4,434	+11.74%

1.6. City of Adelaide

Adelaide is the Capital of South Australia and comprises two suburbs, Adelaide and North Adelaide separated by the River Torrens (Karrawirra Parri). It covers an area of some 15.5 km² and lies on the Traditional Lands of the Kurna people. It is home to around 25,500¹ people and (pre-COVID-19) is visited by about 300,000² people every day.

The City of Adelaide was identified by the Colony's Surveyor General, Colonel William Light in December 1836 and was surveyed and laid out by March 1837. Adelaide is a largely grid pattern with the southern square mile and North Adelaide both being surrounded by Park Lands and divided by the River Torrens (Karrawirra Parri). The southern square mile grid is a regular north/south – east/west layout with North Adelaide's grid being located slightly diagonally to accommodate the steeper topography.

As the CBD for South Australia, Adelaide is the highest order commercial and retail centre within the State.

Most of the institutional and commercial land uses are to the south of the River with the mainly residential North Adelaide to the North. Notably both sides of the River Torrens (Karrawirra Parri) comprise the Park Lands and area have been developed for recreational uses, such as playing fields and parks, the Adelaide Oval, the Botanic Gardens and the Zoo. Some cultural and institutional buildings are also partially located within the Park Lands, notably universities, schools, the hospital, Rail yards and Festival Centre. Adelaide's Parklands are Heritage listed.

The City of Adelaide is unique in South Australia having a role also as both a State and National City.

¹ idprofile, 2019 ERP

² City of Adelaide website, about Adelaide

5 - Attachment A

2 – VOTERS AND PROJECTIONS

Item 10

2. Voters and Projections

2.1. Voters

Voters are recorded on the Voters Roll. The Adelaide City Council Voters Roll comprises electors derived from the House of Assembly Roll and both residential and non-residential electors identified from ratepayers which are recorded on the Council assessment record, (those registered to vote are included on the Supplementary Roll). Together the House of Assembly Roll and the Council's Supplementary Roll comprises the Voters Roll for each Council election.

An elector may be a natural persons, body corporate or group of persons. The qualification for enrolment on the Voters Roll are contained within Schedule 1 of the *City of Adelaide Act, 1998*. Those persons able to be enrolled include:

- A natural person over the age of 18 years who is resident in the City of Adelaide and who:
 - » Is enrolled as an elector for the house of Assembly; or
 - » Has lodged a resident enrolment form with the Council.
- A natural person over the age of 18 years and:
 - » Is a ratepayer and sole owner of a rateable property; or
 - » Is a ratepayer and sole occupier of a non-residential rateable property;
- A body corporate that:
 - » Is a ratepayer and sole owner in respect of rateable property; or
 - » Is a ratepayer and sole occupier of rateable property.
- A group of natural persons and/or bodies corporate that:
 - » Are all ratepayers and joint owners in respect of rateable property; or
 - » Are all ratepayers and joint occupiers of non-residential rateable property, and at least one Member is not enrolled as a natural person or body corporate as above and no natural person is enrolled, in respect of the rateable property, as an elector for the House of Assembly or by virtue of a resident enrolment form.

As at 21 December 2020 there were 27,782 voters registered for the City of Adelaide.

An elector is only entitled to one vote in any particular election, noting that for example a periodic election could comprise multiple elections each with their own Voters Roll viz a viz:

- An election in respect of the position of Lord Mayor; and/or
- An election for a councillor or Councillors to represent the Area; and/or
- An election for a councillor or Councillors to be representatives of a Ward (the voting for councillors for each Ward comprises a separate election).

2.1.1. Example of voter entitlements for the election of Councillors

The following demonstrates how an election for Councillors would work in the above context.

2.1.1.1. Election of Area Councillors – ie the whole Council area is the electoral division.

The Voters Roll for an election of Area Councillors comprises the electors included in the House of Assembly Roll and both residential and non-residential elector identified from the Council Assessment Record.

An elector must only appear on the Voters Roll once.

- For example, if “A” owns two properties one in Adelaide and one in North Adelaide, the name “A” will appear twice on the Council’s assessment record. However, the name “A” will only be included on the Voters Roll once.

2.1.1.2. Election of Councillors from Wards

When the Council area is divided into Wards, there is an impact on the composition of the council Voters Roll for the election of Councillors. Although the qualification for enrolment remain unchanged the division into Wards alters the total number of elector entitlements.

- For example if “A” owns two properties one in Adelaide and one in North Adelaide, and these properties are located within different Wards, the person will have an entitlement to vote for candidates in both Ward elections.

2.1.1.3. Election of a combination of Area Councillors and Ward Councillors

If the composition of the Council includes both Area and Ward Councillors (as per the current City of Adelaide composition), each are voted for separately and the voter would have an entitlement to vote in each election once.

- For example if “A” owns two properties one in Adelaide and one in North Adelaide, and these properties are located within different Wards, and the Council has Area Councillors then “A” will be entitled to vote once in each Ward and once in the election for Area Councillors.

It is also worth noting that in the event that the Lord Mayor is also elected at large this would be a separate election and thus in each of the above examples at 2.1.1.1, 2.1.1.2 and 2.1.1.3 voter “A” would also have a vote in that election.

2.2. Voter Projections Analysis

Holmes Dyer has reviewed the Voters Roll for the City of Adelaide, to establish the number of residents and the number of businesses by a range of geographic areas (whole of City, current Wards and possible future Wards) to provide a base population of residents and businesses from which to establish the current suitability of alternative Ward boundaries and to project forward those population bases to 2022, 2026 and 2030; these being the year of the next and subsequent local government elections, noting the next Representation Review will likely fall in 2028-29.

The rates of growth (or decline) in resident and business voters on the roll has been estimated based upon a range of data projections. Forecast.id has provided growth projections on an annual basis from 2020 to 2030 for seven geographic areas of the City of Adelaide. Economy.id has provided historical trends in GST registered business numbers in the CBD.

The .id population projections were prepared in April 2019 and, therefore, do not consider the implications of COVID-19. They have, however, issued substantial commentary on the expected impact of COVID-19 on population and employment growth in CBD areas generally and within the City of Adelaide. Holmes Dyer has utilised these predictions to modify the levels of population and business growth over the next few years to produce revised (downward) projections for 2022 to 2030. It must be emphasised, however, that the extent of impact of COVID-19 and the length of time taken to overcome the pandemic is highly uncertain and outside of the control of the consultants. Therefore whilst we have taken great care to research the impacts of COVID-19 and provide reasonable projections and options, the uncertainty surrounding the pandemic means there is less certainty that the tolerances will be maintained over time, potentially requiring an earlier review.

The base data comes from the City of Adelaide Voters Roll. The figure for current voters is 27,782 as of 21 December 2020. The break-down is shown in Table 2 below.

Table 2. Combined Voter Roll for City of Adelaide, 21.12.2020

Ward Code	Ward Name	House of Assembly Electors	Council Voters Roll	Total
1	North	4,547	2,384	6,931
2	Central	2,790	9,193	11,983
3	South	4,986	3,883	8,868
Total		12,323	15,459	27,782

Source: Electoral Commission SA

Forecast growth rates by .id (in 2019) were for c. 4.3% p.a. population growth from 2020 to 2022 and around 3.0% p.a. population growth from 2022 to 2030. Preliminary evidence of the impacts of COVID-19 suggest that these growth rates will need to be reviewed downwards for at least the next couple of years. The most recent advice from the Electoral Commission of South Australia suggests that House of Assembly registered voters have increased slightly during the December 2020 Quarter (125 votes or 1.0%) but Council's Supplementary Roll has declined by 307 or c. 2.0%, for a total change of negative 182 (-0.07%) over the period September to December 2020.

For the purpose of the projections for this project, the following growth rates have been assumed over the next 10 calendar years:

- 2021 – 2022: 0% p.a
- 2023: 1.5% p.a
- 2024 – 2030: 3.0% p.a

Historical growth rates tabulated by Economy.id for GST Registered Businesses in the City of Adelaide have increased by c. 3.2% p.a between March 2015 and March 2020. From March to September 2020, this rate has fallen to the equivalent of c. 1.6% p.a.

For the purpose of the projections for this project, we have assumed the following net business registration change over the next 10 calendar years:

- 2021 – 2022: 1.0% p.a
- 2023: 2.0% p.a
- 2024 – 2030: 3.0% p.a

Based upon the Voters Roll provided by Council, the projected change in voters at the key dates of 2020, 2022, 2026 and 2030, are as follows:

Table 3. Projections of Voters by Voter Type

Voter Type	Year			
	2020	2022	2026	2030
Residents	19,658	19,658	21,803	24,539
Businesses	8,124	8,287	9,236	10,395
Total	27,782	27,945	31,039	34,934

These totals are then distributed geographically in accord with the proportion of growth predicted by Forecast.id for each of its seven geographic areas. While the absolute numbers are now lower than predicted by .id in their 2019 forecast, it is reasonable to assume that their distribution of that growth will approximate the geographic distribution foreshadowed by .id.

The proportion of growth occurring in each geographic area and the number of voters generated by that growth is therefore as follows:

Table 4. *Geographic Distribution of Growth*

Locality	Proportion of ACC Growth
Upper North Adelaide	3.94%
Lower North Adelaide	1.51%
Central West	23.53%
Central East	27.48%
South West	9.86%
South Central	28.18%
South East	5.50%

These growth rates are then applied to the projection of each of these geographic areas included within each potential Ward identified in the attached Ward Representations Options, ensuring that in each case, the voter population in each geographic location, when allowance is made for the number of Elected Member Representatives, is within $\pm 10\%$ of the calculated Ward Quota.

5 - Attachment A

3 – REPRESENTATIVE STRUCTURE - ASSESSMENT CRITERIA

Item 10

3. Legislative Provisions/ Criteria

3.1. Head Powers

The *Local Government Act 1999* provides the statutory framework for undertaking a Representation Review. The review must be conducted in accordance with sections 12, 26(1)(c) and 33 of the Act. The City of Adelaide is also subject to the *City of Adelaide Act 1998*. This Act is to be read in conjunction with the *Local Government Act 1999* and the *Local Government (Elections Act) 1999* such that the three Acts are construed as if there was one Act.

3.1.1. Composition of Councils

Part 1 of Chapter 3 of the Act addresses the constitution of Councils. This part of the Act deals with matters such as the creation of Councils, structuring and restructuring, composition, and Wards.

The purpose of a Representation Review is to provide a mechanism to review and examine all aspects of the composition of the Council.

Section 12 specifically requires a Council to review its composition and electoral structure as previously adopted, and identify and contemplate alternative options, and consider, in consultation with the community, whether an alternative structure may be more beneficial.

A Representation Review will therefore consider issues such as:

1. *What is a reasonable, fair, and equitable representation quota, ie how many voters should each Councillor represent?* (This leads to the determination of the total number of Elected Members representing the community. In addition, if a Council has more than 12 Members, the number of Members must be specifically considered to determine if the number should be reduced.)
2. *Whether the Council will be led by a Mayor or a Chairperson?* (This acknowledges that each is elected by a different process.)
3. *Whether the area will be divided into Wards?* (If the area is currently divided into Wards, the question of whether these should be abolished must be specifically considered.)
4. *Whether there will be Area Councillors, Ward Councillors or a combination?*
5. *If the area is divided into Wards whether there will be one Councillor or multiple Councillors per Ward, or a combination?*
6. *If there are Wards the most appropriate boundaries?*
7. *If there are Wards the names of the Wards?*

A copy of section 12 is included in Appendix 1.

3.1.2. Principles to be observed

Section 26 establishes the Principles that must be observed by the Commissioner in considering the Constitution of Councils, this includes dividing or redividing a Council into Wards or abolishing Wards and determining the composition of the Council. These are quite broad ranging and focus on enabling Council to discharge its powers and duties for the benefit of the community, equitably, inclusively, cost effectively and efficiently. The provisions of section 26 are included in Appendix 1. In essence these Principles are:

1. *The resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within a community.*
2. *Proposed changes should, wherever practicable, benefit ratepayers.*

3. *A Council should have a sufficient resource base to fulfil its functions fairly, effectively and efficiently.*
4. *A Council should offer its community a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis.*
5. *A Council should facilitate effective planning and development within an area, and be constituted with respect to an area that can be promoted on a coherent basis.*
6. *A Council should be in a position to facilitate sustainable development, the protection of the environment and the integration of land use schemes.*
7. *A Council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations.*
8. *A Council area should incorporate or promote an accessible centre (or centres) for local administration and services.*
9. *The importance within the scheme of local government to ensure that local communities within large Council areas can participate effectively in decisions about local matters.*
10. *In considering boundary reform, it is advantageous (but not essential) to amalgamate whole areas of Councils (with associated boundary changes, if necessary), and to avoid significant dislocations within the community.*
11. *Residents should receive adequate and fair representation within the local government systems, whilst over-representation in comparison with Councils of a similar size and type should be avoided (at least in the longer term).*
12. *The importance within the scheme of local government that a Council be able to cooperate with other Councils and provide an effective form of government to the community.*
13. *A scheme that provides for the integration or sharing of staff and resources between two or more Councils may offer a community or communities a viable and appropriate alternative to structural change options.*

The Commission should also have regard to structural changes that “enhance the capacity of local government to play a significant role in the future of an area or region from a strategic perspective”.

These Principles therefore need to be observed as part of the Representation Review Process and the Options considered. Given the State and National role played by the City of Adelaide it is of paramount importance that its governance structure (composition) enhances its capacity in this regard.

3.1.3. Wards

If a Council elects to be divided into Wards, there are additional provisions in the Local Government Act to guide the establishment, redivision and composition of such.

These provisions are included in Section 33 of the *Local Government Act 1999* which is included in Appendix 1.

Section 33 addresses some of the specific matters that must be addressed in the formation of Wards and the tolerances around representation (quotas). Specifically Wards need to reflect:

- (a) *the desirability of reflecting communities of interest of an economic, social, regional or other kind;*
- (b) *the population of the area, and of each Ward affected or envisaged by the proposal;*
- (c) *the topography of the area, and of each Ward affected or envisaged by the proposal;*
- (d) *the feasibility of communication between electors affected by the proposal and their elected representatives;*
- (e) *the nature of substantial demographic changes that may occur in the foreseeable future;*

- (f) *the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term).*

Critically for the purposes of a Representation Review the number of electors represented by a Councillor must not as at the relevant date vary from the Ward Quota by more than 10%, unless demographic changes are predicted by a Commonwealth or State Agency indicate that the Ward quota will not exceed the tolerance as at the date of the next periodic election.

5 - Attachment A

4 – COMPOSITION OF COUNCIL

Item 10

4. Composition of Council

4.1. Composition

Section 51 of the *Local Government Act, 1999* provides that the Membership of a Council will be a Principal Member and Councillors.

Section 20 of the *Adelaide City Council Act, 1998* specifically provides, in respect of the City of Adelaide, that the Council will be constituted of:

- The Lord Mayor; and
- Other Members.

The ability for a person to stand for Council is governed by the *Local Government Elections Act, 1999*. This is beyond the scope of this paper but it is worth noting that a person does not necessarily need to be resident in a Council Area or Ward to nominate.

4.1.1. Lord Mayor

The Act also provides that the Lord Mayor may not serve more than two consecutive terms, and that Council may resolve to have a Deputy Lord Mayor in accordance with the provisions of the *Local Government Act, 1999*. Extracts from the *City of Adelaide Act, 1998* are provided in Appendix 2.

The role of the Principal Member is set out in section 58 of the *Local Government Act 1999* and section 21 of the *City of Adelaide Act, 1998*.

The specific roles of Principal Members as per section 58 of the *Local Government Act, 1999* is as follows:

Specific roles of principal member

(1) The role of the principal member of a council is—

- (a) to preside at meetings of the council;*
- (b) if requested, to provide advice to the chief executive officer between council meetings on the implementation of a decision of the council;*
- (c) to act as the principal spokesperson of the council;*
- (d) to exercise other functions of the council as the council determines;*
- (e) to carry out the civic and ceremonial duties of the office of principal member.*

(2) Subsection (1)(c) does not apply in circumstances where a council has appointed another member to act as its principal spokesperson.

Section 21 of *The City of Adelaide Act, 1998* sets out the role of the Lord Mayor as follows:

The role of the Lord Mayor is—

- (a) as the principal elected member of the Council representing the capital city of South Australia—*
 - (i) to provide leadership and guidance to the City of Adelaide community;*
 - (ii) to participate in the maintenance of inter-governmental relationships at regional, State and national levels;*
 - (iii) to carry out civic and ceremonial duties associated with the office of Lord Mayor; and*

- (b) *as the principal member of the Council—*
- (i) *to provide leadership and guidance to the Council;*
 - (ii) *to preside at meetings of the Council;*
 - (iii) *to advise the chief executive officer on the implementation of decisions of the Council between council meetings (as necessary);*
 - (iv) *to act as the principal spokesperson of the Council;*
 - (v) *to exercise other functions of the Council as the Council determines.*

Whilst quite similar, section 21 of the *City of Adelaide Act, 1998* specifically reflects the duality of the role of the Lord Mayor being the Principal Member of the Adelaide City Council but also the Principal Member of the State's Capital City.

In accord with the provisions of the *Local Government Act, 1999* (section 51) the Principal Member of a Council may be either elected directly by voters or from amongst the Elected Members. The method of election changes the nomenclature of the position in all cases except the City of Adelaide and determines the Principal Member's vote as either a casting vote or a deliberative vote.

If the position is elected directly via voters then the position will be called Mayor (in respect of the City of Adelaide the title will be Lord Mayor - irrespective) and will have a casting vote. That is the Lord Mayor will only vote on a matter before the Chamber in the event of a tied vote between the Councillors.

If the Principal Member is chosen by the Elected Members from amongst them the Principal Member may be called Chairperson or have another title as decided by the Council. Again in respect of the City of Adelaide this position would carry the title of Lord Mayor. The vote of the position in this instance however, would be a deliberative vote, which means the Lord Mayor would vote on every matter in the same way other Councillors vote. The Lord Mayor in this instance does not have a casting vote.

In the event of a Presiding Member not having a casting vote and uneven number of Members could prove beneficial in reducing the opportunity for a tied vote.

If a Council proposes to alter the composition of the Council by virtue of the method of election for the Principal Member then section 12 (11a) of the *Local Government Act 1999* provides that it must conduct a poll of electors on the matter and satisfy the provisions of section 12 (11c), prior to any change coming into effect.

4.1.1.1. Lord Mayor elected directly by voters

The following provides an overview of the implications and/or potential implications of a directly elected Lord Mayor.

- Vacancy during term of office – in the event that the position of Lord Mayor becomes vacant this leaves a vacancy in the position that will need to be filled by a Supplementary Election comprising all voters, with the Deputy Mayor stepping in on an interim basis. A Council wide election is generally more costly for the Council to run than a Ward election.
- Costs and Candidacy – Campaigning for the role of the Lord Mayor is usually more expensive than campaigning for the role of Councillor due to the higher profile associated with the role. Campaigning across the whole of the Council as distinct from Wards is also more costly for Candidates as they need to communicate to more people which typically requires more resources and materials. This can skew candidature to only those who can afford the associated costs.
- Leadership - A Lord Mayor selected by the voters is seen to have the support of the Community (voters), and this may assist with the leadership role and gravitas of the position. The Lord Mayor will likely be seen as the leader of the Council, leading with neutrality and acting for the whole of Council in its best overall interests. Election via this approach ensures that the role is directly accountable to the community at large.

- Partnerships – High profile leaders can also be effective at partnering with other key persons, governments and agencies to achieve superior outcomes. This takes on a greater importance when considering the role of the City of Adelaide not only as the Local Council responsible for Adelaide and North Adelaide but also the Capital City of the State.
- Council Unity - A particularly popular and well supported Lord Mayor holds much power within the Council. This person may or may not have the support and confidence of the balance of the Council. In the event that there is not an underlying unity, disharmony and disfunction can result. Given the specific election process the Lord Mayor cannot be easily replaced for the greater good.
- Candidacy Pool – The South Australian system does not allow for any candidate to contest multiple elections, i.e. a Candidate cannot seek election both as a Ward Councillor and the Principal Member. This means that an unsuccessful candidate for the position of Lord Mayor, no matter how good, is lost to the Council for the term. The result is twofold, firstly it can act to dissuade Ward and Area Councillors from vacating their position to contest the position of Lord Mayor, and in the alternative, it can take good candidates out of contention for Councillor positions.
- Voter Participation – A high profile Mayoral election may increase voter turnout.

4.1.1.2. Lord Mayor elected from within

The following provides an overview of the implications and/or potential implications of a Lord Mayor elected from within.

- Campaigning - selected from within potentially avoids Council wide campaigns for the position of Mayor and thus should enable improved accessibility for candidature. In addition aspirational Lord Mayor candidates ultimately not successful would not be lost from the position of Councillor.
- Vacancy during term of office – in the event that the position of Lord Mayor becomes vacant the Council can elect a replacement Lord Mayor from the balance of the elected members.
- Cost of Supplementary Election – If the Council was divided into Wards any resultant Supplementary Election would be undertaken in respect of only the Ward thus keeping the cost to the Council and Candidates lower. If the Council area is not divided into the Wards then filling the vacancy would incur similar costs to filling the position of Mayor elected at large.
- Council Unity – typically selecting a Principal Member from within promotes unity as the Lord Mayor would require sufficient support amongst the other elected members to enable his/her election to the position. This process should promote a united Council with the Lord Mayor and Members working as a team. In this case if that support is lost there is a process for replacement. There may however, be a perception of equity – ie all Members including the Lord Mayor are firstly an Elected Member, this may diminish the office of Lord Mayor but may enhance Council unity.
- Groups – selection from within creates a situation where potential Candidates will need the support of the other Members to achieve nomination and election. This could potentially result in the Lord Mayor feeling obligated to supported selected Members and/or their priorities.
- Stability – A Lord Mayor selected from within does not necessarily hold the position for a full term. Changes in the position of Lord Mayor could undermine continuity and certainty. It may also change the Community's perception of the strength of leadership given the Community might have lower levels of association with the role and position of the Lord Mayor, especially if the Council is divided into Wards, as not everyone would have had the opportunity to vote for the person.
- Neutrality – Given the Lord Mayor under this scenario could also be a Ward Councillor the position may be viewed as less impartial by the balance of the community who might feel the ties to the Ward will prevail over whole of Council considerations. On the flip side members of the Ward may feel that the dual role will cause the Lord Mayor to have a lower focus on Ward issues.
- Being required to vote on every matter before the Council as distinct from only being required to vote in the event of a tie does mean the Lord Mayor is actively involved all decisions of the Council.

4.1.2. Councillors

The balance of the Elected Members are Councillors. Councillors may represent Wards or the whole of the Council area.

If the area is divided into Wards then the Councillors are elected by the electors in the particular Ward as the representative of that Ward.

If the area is not divided into Wards then Councillors will be elected by all voters to represent the whole Council area. Such Councillors are known as Area Councillors.

A Council may elect to have both Area and Ward Councillors. These may be in any proportion so long as the numbers meet the terms of the legislation and provide for appropriate levels of representation.

Councils may wish to consider whether they wish to comprise an odd or even number of Councillors. This consideration should be made in the context of the method of election of the Lord Mayor and as such whether the Lord Mayor has a deliberative or casting vote. An odd number of Members voting should reduce the chance of a tied vote.

For the purposes of undertaking this Review in considering the election of Councillors, it is worthwhile understanding their role. The role of Councillors pursuant section 59 of the *Local Government Act, 1999* and section 22 of the *City of Adelaide Act 1998* both make essentially the same provision for the role of Councillors with the *City of Adelaide Act, 1998* including more specificity to the City of Adelaide and serving the overall public interest of the City of Adelaide.

Section 22 of The *City of Adelaide Act 1998* provides:

(1) The role of a member of the Council is—

(a) as a member of the governing body of the Council—

- (i) to participate in the deliberations and activities of the Council;*
- (ii) to provide community leadership and guidance to the City of Adelaide community and to participate in achieving a vision for the desired future of the City through the formulation of strategic plans and policies;*
- (iii) to keep the Council's goals and policies under review to ensure that they are appropriate and effective;*
- (iv) to keep the Council's resource allocation, expenditure and corporate strategies, and the efficiency and effectiveness of its service delivery, under review;*
- (v) to participate in setting and assessing performance standards to be met under the Council's contract with the chief executive officer;*
- (vi) to serve the overall public interest of the City of Adelaide;*

(b) as a person elected to the Council—to represent the interests of residents and ratepayers and to facilitate communication between the community and the Council.

(2) The Lord Mayor may authorise another member of the Council to act in place of, or to represent, the Lord Mayor in the performance of a particular function.

(3) An authorisation under subsection (2) cannot derogate from the role of a Deputy Lord Mayor under the Local Government Act 1999.

(4) A member of the Council has no direct authority over an employee of the Council with respect to the way in which the employee performs his or her duties.

5 - ELECTORS

5. Elector Representation

Reviewing Elector Representation is fundamental to considering the number of Elected Members appropriate to a particular Council. Representation should be adequate and fair.

Retired Professor Dean Jaensch AO a renown political scientist has previously (2008) written on the topic of representation for the Local Government Association of South Australia.

At that time he suggested the adequate representation and determining the optimal number of Councillors requires a balance between having, firstly sufficient members to undertake the roles and function of the Council and meeting the reasonable expectations of the groups and sectors within the population of the Council area and secondly, providing a structure that is efficient and effective. The former leading to a higher number of Members and the latter to fewer.

Section 12 of the *Local Government Act, 1999* requires that where a Council has more than 12 Elected Members it should consider whether the number of Members should be reduced. The City of Adelaide comprises a total of 12 Members including the Lord Mayor and thus the current number of Members is consistent with this provision.

In this context, the Council is also required to consider the number of Elected Members and representation of similar Councils.

5.1. Elector Numbers

The number of electors is the number of persons eligible to vote in a Council election. This includes all persons enrolled on the House of Assembly Roll for the City. It also includes non-resident property owners (residential and commercial), and other eligible persons and body corporates registered on the Council's Supplementary Voters' Roll.

The *Local Government Act 1999* requires all non-resident rate payers who are eligible to vote to specifically register on the Council's Supplementary Roll.

Adelaide City Council is in quite a unique position with respect to its Supplementary Roll in that it has the largest number of businesses of any Council and also has other residents (ie students) who may not be eligible to be on the House of Assembly Roll but are eligible to vote in the Council's elections. The Council works hard to ensure the Register is maintained in a current state. It does this by cross activity management and checking, including contacting businesses to ensure Roll details are correct.

The need to actively be enrolled prior to an election can potentially skew the numbers of electors. This is particularly important within the Adelaide City Council where without this active management many eligible voters would potentially not be included in the Voters Roll. Nonetheless it is possible that the total number of eligible electors could be higher than the identified 27,782 on the Voters Roll.

5.2. Quota

The Quota is the amount ascertained by dividing the number of electors in the area by the number of Council Members who constitute the Council, ignoring any fractions.

An under representation of enrolment of non-resident ratepayers will cause the representation quota to be understated.

The Quota for the City of Adelaide as at 21 December 2020 is 2,315.

There is no stipulated right number in relation to representation and as such if undertaking a review, consideration must be given to ensuring it is fair and adequate and the overall actual number of Elected Members having regard to like Councils and the provision of the *Local Government Act 1999* that requires specific consideration of the absolute number if it is greater than 12.

5.3. Ward Quota

The Ward Quota is the number of electors for the Council divided by the number of Councillors who represent Wards.

The current Ward Quota for the City of Adelaide is 3,968.

5.4. Comparisons with Similar Councils

The notion of similar Councils is somewhat difficult to define. Councils may be similar in terms of:

- Scale (function)
- Scale (physical size)
- Scale (voters)
- Scale (budget)
- Spatial attributes (locational attributes, topography)
- Similarities of land uses
- Similarity of voter classes
- Similarity of socio-economic attributes and the like.

The City of Adelaide is slightly more difficult to compare than other Councils within South Australia due to its inherent complexities and elevated State and National prominence.

Comparing Adelaide to other South Australian Councils has shortcomings in that the Councils most like Adelaide in terms of budget size are the large suburban Councils such as the City of Onkaparinga, the City of Charles Sturt and the City of Salisbury and the City of Port Adelaide Enfield. These Councils typically cover much larger areas than the City of Adelaide and have far greater numbers of voters and have varying degrees of different land use compositions. In terms of their sphere of influence, these Councils have largely a local focus, whereas the City of Adelaide has both the local and National focus.

On the other hand, although comparing the City of Adelaide with other Capital Cities provides quite a good similarity of comparability of role and function, these Councils vary quite distinctly in terms of their size (being both smaller and larger in terms of area and population). Topography also varies which can have a bearing on communities of interest.

Furthermore different election and review cycles mean that data sets can vary in currency and published Quotas are not always calculated in the same manner.

The following table nonetheless provides a comparison to guide this Representation Review. To provide a better comparison all ratios have been calculated to ensure comparability.

Table 5. Comparison with Capital City Councils

Council	Electoral Structure	Number of Councillors	Electors	Ratio of Councillors to Electors	Method of electing Lord Mayor
Adelaide	3 Wards	11 plus Lord Mayor	27,782	2,315	All voters
Sydney	No Wards	9 plus Lord Mayor	141,369 ³	14,136	All voters
Melbourne	No Wards	9 plus Lord Mayor and Deputy Lord Mayor	137,165 ⁴	12,469	All voters ⁵
Brisbane	26 Wards	26 plus Lord Mayor	772,162 ⁶	28,598	All voters
Perth	No Wards	8 plus Lord Mayor	14,716	1,635 ⁷	All voters
Hobart	No Wards	9 plus Lord Mayor and Deputy	37,718 ⁸	3,428	All voters ⁹
Darwin	4 Wards ¹⁰	12 plus Lord Mayor	50,118	4,177	All voters

Comparing the City of Adelaide with Capital City counter parts it can be seen that the ratio of voters to Elected Members vary quite significantly. Whilst Brisbane could be considered to be somewhat anomalous as it is a Council effectively encompassing the majority of Greater Brisbane as distinct from the other Capitals, and its Act provides for a somewhat different governance structure, in the table above which are effectively the CBD Councils, the voter representation is nonetheless still the ratio of elected members to voters. It is expected that the higher the population the lower the representation generally and this is demonstrated above with both Sydney and Melbourne at 14,136 and 12,469 respectively, also exhibiting higher ratios of voters per Elected Member. There is a quantum change in the level of representation between these larger Councils/Cities and the remainder, with the next lowest level of representation being Darwin at 4,177. Comparing Adelaide with the smaller cities only Perth has a higher level of representation at one member per 1,635 voters. Considering that representation is likely to be generally slightly higher for lower populations, Adelaide could be expected to have a higher level of representation than Sydney or Melbourne, however it could be expected to have lower levels than Hobart and Darwin, which is not the case. On this basis a slight reduction in levels of representation could be sustained and would still likely leave Adelaide at one of the higher levels of representation.

For the purposes of number of Councillors we will exclude Brisbane in this instance as it is more anomalous in this respect. Brisbane City Council operates with full-time Councillors, a Civic Cabinet and the Lord Mayor and each of the 26 Ward Members of Council having an office (Ward Councillors' offices are in their respective Wards) with paid staff and thus is not considered to be particularly comparable. Turning to the other cities, Adelaide has the second highest number of members at 12 after Darwin which has 13. Beyond this most of the Councils have 10 or 11 Members. Perth has nine. On this basis if Adelaide was to drop one or even two members it would not be out of sync with other Councils, noting this would also cause representation levels to drop slightly. If an 11

³ Number of Registered Voters at 2016 Election.

⁴ Council's website 2020 Election

⁵ The Lord Mayor and Deputy Lord Mayor are both elected by all voters – run as a team

⁶ Representation Review 2019

⁷ 2020 election held for whole Council. Typical election sees only half the Council turnover. Number provided is for whole of Council from the 2020 election.

⁸ Roll as 2018 Poll

⁹ The Lord Mayor and Deputy are both separately elected. Each Candidate can run for only one position.

¹⁰ Currently under review, numbers taken from that review.

member model was considered the current ratio would increase to 1:2525 and a ten Member model would see this increase to 2,778. Under either scenario it would still have the second highest level of representation amongst Capital Cities nationally. It would be reasonable to consider this as part of this Options Paper.

Of interest all Capital Cities Councils vote for the Lord Mayor at large, most likely as a reflection of the gravitas of the position. On this indicator Adelaide is considered to be consistent with the other Capitals.

Only Brisbane, Darwin and Adelaide have Wards. The size and structure of Brisbane City is kind of akin to a State and as such Wards are considered somewhat of a necessity. Darwin's model is currently under review. The remainder of the Councils, Sydney, Perth, Melbourne, and Hobart comprise area wide representation. Wards are perhaps a somewhat more local consideration, based on numerous considerations including size and populations, communities of interest, topography and accessibility.

By having Area Councillors, each voter in the City of Adelaide has layers of Elected Members representing them. In the City of Adelaide each person therefore could see they are directly represented as is shown in table 6 below:

Table 6. Access to number of Councillors by Ward

Ward	Access to Ward Councillors	Access to Area Councillors	Access to Lord Mayor	Total Access to Members
North	2	4	1	7
Central	3	4	1	8
South	2	4	1	7

In the absence of Area Councillors, or even if these Area Councillors were redistributed as Ward Councillors each Ward voter would have direct access to fewer Members.

To this end, on this indicator whilst not out of step, it would appear that Adelaide could nonetheless sustain an area model. This could result in fewer numbers of Members overall, but still enable each voter to access a similar number of Members as they can currently. This should therefore be considered as an option.

Looking across Greater Adelaide as a whole, Adelaide has a higher level of representation than Councils with larger populations. Notwithstanding, it is generally reasonable in quantum. It also has fewer Elected Members than all comparison councils ranging between one fewer than Salisbury up to six less than Port Adelaide Enfield. See Table 7 below.

All Council's elect the Principal Member at large.

Table 7. Comparison with large (budgets, areas and population) Greater Adelaide Councils

Council	Electoral Structure	Number of Councillors	Electors	Ratio of Councillors to Electors	Method of electing Principal Member
Adelaide	3 Wards	11 plus Lord Mayor	27,782	2,315	All voters
Charles Sturt	8 Wards	16 plus Mayor	83,958	4,938	All voters
City of Port Adelaide Enfield	7 Wards	17 plus Mayor	82,814	4,600	All voters
City of Salisbury	7 Wards	14 plus Mayor	93,937	6,262	All voters
City of Onkaparinga	6 Wards	12 plus Mayor	123,876	9,528	All voters

Turning to the Greater Adelaide and South Australian averages, table 8 below sets out the extremes and averages for both these areas.

Table 8. Comparison across Greater Adelaide and South Australian Councils

Quota Range	Greater Adelaide	South Australia
Lowest	Yankalilla (471)	Elliston (91)
Highest	Onkaparinga (9,529)	Onkaparinga (9,529)
Average	2,810	1,435

Adelaide has a slightly higher level of representation than the average across Greater Adelaide, but is lower than the State average.

5.5. Number of Members

In terms of numbers of Members the Act provides guidance indicating that any Council with more than 12 Members should review this with a consideration to fewer Members.

Given the City of Adelaide comprises 12 Members this legislative provision is met.

The comparisons with other CBD Councils and Larger Metropolitan Councils above however, provides some further guidance in this regard.

At least some of these metropolitan councils considered as per table 7 are also undergoing a Representation Review. Given these have numbers of Members in excess of 12 this will require specific review and to this end the number of Members may be reduced as a consequence of that process. Notwithstanding, all of these Councils currently have more Members than the City of Adelaide. These Councils also typically have larger populations, larger geographic areas and significantly lower levels of representation overall.

Looking to the other CBD capitals, noting the exclusion of Brisbane as per the above analysis, only Darwin has more Members. Being CBD Councils these Councils typically have similar land use characteristics.

As discussed above it would be appropriate for this Options Paper to include the canvass of slightly fewer Members.

5 - Attachment A

6 – WARDS OR NO WARDS

Item 10

6. Wards or No Wards

Retired Professor Jaensch discussed the terms of ‘fair’ representation providing guidance and implying it is suggesting:

- Members will be elected via a democratic electoral approach;
- Various interest groups will have an opportunity to have a “voice” on the Council; and
- Elected members are able to balance twin roles representing a “local” interest along with the interest of the Council wide population.

The issue of ‘fair’ has a significant bearing on the structure of the Council.

For example a Ward based structure has the potential to emphasise local interests but may under-represent the interests of the Council as a whole. The Ward based structure only enables voters to select from Candidates in the Ward as opposed to all Candidates. In the event of a vacancy a Supplementary Election is only required in the relevant Ward which reduces the cost of an election for the Council. However carrying a vacancy in a Ward results in a direct lowering of the level of representation in that Ward for the duration of the vacancy, that under certain circumstances could be for a significant number of months.

An area wide structure on the other hand, enables recognition of the Council wide issues whilst still enabling a focus on the sector or interest which may have a local spatial aspect. Each voter has the right to choose from amongst the full range of Candidates in the election and it provides for multiple channels of communication for residents. However this option could result in the election of numerous Members from one or a few geographic regions within the Council. In the event of a vacancy no particular area is left unrepresented, however the resultant Supplementary Election will require all voters to be involved and thus it is a more costly exercise.

A combination of both Area Councillors and Ward Councillors allows for both a local and a specific Council wide focus. There is sometimes a view that Area Councillors are somehow superior and may lead to a division amongst Members. In addition voters can experience a degree of confusion as the role of each Councillor. Notwithstanding this structure leads to a high level of representation with each voter being able to approach their Ward Councillors along with all Area Councillors and the Lord Mayor.

Wards may be represented by one or more Councillors and may be represented by equal numbers of Members across each or may be unequal as is currently the case for the City of Adelaide.

The City is currently divided into three Wards. These Wards generally have a good logic of communities of interest and are also guided by the geography of River Torrens (Karrawirra Parri).

The Wards have unequal representation and currently both the North Ward and South Ward exceeding the +/- 10% tolerance indicator, with North Ward being over represented (-12.7% variance) and South Ward being under-represented by almost as much (+11.7%). Central is very close to the Ward quota being only slightly under at 3994 voters per Elected Member.

This dictates that should Council elect to retain Wards there will have to be some sort of modification to bring the representation back within the allowable tolerances.

As part of this Review the Council must consider whether or not it wishes to have Wards.

6.1. Wards

If a Council is to have Wards then the Wards must be established with regard to section 33 as per the following

- the desirability of reflecting communities of interest of an economic, social, regional or other kind;*
- the population of the area, and of each Ward affected or envisaged by the proposal;*
- the topography of the area, and of each Ward affected or envisaged by the proposal;*

- (d) *the feasibility of communication between electors affected by the proposal and their elected representatives;*
- (e) *the nature of substantial demographic changes that may occur in the foreseeable future;*
- (f) *the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term).*

6.1.1. The desirability of reflecting communities of interest of an economic, social, regional or other kind;

The City of Adelaide has a diversity of land uses and a strong spatial layout, both which start to dictate communities of interest.

Within the City generally North Adelaide can be seen as being more residential in nature than the balance of the City. However even within this there are pockets of North Adelaide, around O'Connell Street and Melbourne Street that have a stronger commercial and even institutional nature, with strong hubs including the Women's and Children's Hospital, student accommodation, the Calvary Hospital, Adelaide Oval and retail, offices, consulting rooms and restaurants.

The Central area of the City south of the Torrens (Karrawirra Parri) is generally more commercial with the retail heart generally in and around Rundle Mall. Government Offices typically dominate the area north of Victoria Square and east to Pulteney Street although office uses are also quite prominent to one block west of King William Street. Moving further west the uses remain somewhat mixed, but start to tend toward a predominance of residential and especially student accommodation and support uses. The Central Market is almost a sub precinct. However a residential character is also noticeable to the east of Pulteney Street. Other large institutions in the form of schools and hospitals and the like are scattered throughout this area.

The southern area of the city is again more residential but within this there are noticeable differences between the east and west especially in the form of the housing. There are also major institutions including Schools and hospitals.

Whilst the current Wards do form generally logical communities of interest there are some similarities across current Wards that could form the logic for alternative boundaries. These communities of interest will be considered in determining prospective Ward boundaries for the purposes of this Options Paper.

6.1.2. The population of the area, and of each Ward affected or envisaged by the proposal; and the nature of substantial demographic changes that may occur in the foreseeable future;

These two criteria are considered to be linked.

The population across the City encompasses both residential and commercial interests along with traditionally a strong semi-permanent population in the form of visiting workers and international students.

The residential population has been steadily growing in response to an active campaign some years ago by the Council to target an increased residential population. COVID-19 has had an impact on population in more recent times. The extent and duration of this impact is difficult to quantify at this early stage, as has been discussed in more detail in section 2 above.

Critically for this study is the differing methods of enrolment for resident ratepayers and long term residents versus business, non-resident ratepayers and semi-permanent residents. Persons and interests in these latter categories need to specifically enrol via the council's supplementary roll in order to be eligible to vote. This makes this group potentially less likely to be enrolled, although it is noted that the City of Adelaide goes to great pains to ensure members of these groups enrol.

The spatial distribution of the voter population will drive Ward boundaries in relation to the issue of tolerances.

6.1.3. the topography of the area, and of each Ward affected or envisaged by the proposal;

The key natural topographical feature that will impact the City of Adelaide is the River Torrens (Karrawirra Pari). This snakes through the City between the Adelaide and North Adelaide. It forms a very strong physical boundary with defined vehicle and pedestrian crossing points, notably, within the City Morphett Street, King William Street, and Frome Road and Port Road and Hackney Road along the Boundaries for vehicles and a number of dedicated pedestrian bridges.

In addition whilst the land to the south of the River is largely flat, land to the north has some undulation.

6.1.4. The feasibility of communication between electors affected by the proposal and their elected representatives;

The City has developed such that with a relatively small population and spatial area, communication between electors and Members is relatively feasible.

Indeed anecdotally voters will approach all three categories of Elected Members.

6.1.5. Wards

If the Council opts to retain Wards then it will also need to consider the composition of the Wards. This will need to be considered in concert with the requirements for Wards as discussed above. Specific options considered to be feasible are discussed with more particular below.

6.1.5.1. Single Ward Councillors

Single Councillor Wards will most likely comprise small areas as the Councillor will need to be able to effectively and efficiently manage the workload and represent the voters in his/her Ward. This model should provide for strong communities of interest.

However, in the event that a Ward Councillor is absent for an extended period of time or vacates the position, the Ward will have no direct representation for that duration.

In addition, the Ward quota tolerances could be difficult to maintain given the likelihood of relatively higher number of smaller Wards.

6.1.5.2. Two or more Ward Councillors

Having multiple Members representing a Ward is the most common model of representation associated with Wards.

Multiple Councillors provides increased opportunity for voters to approach their Councillors.

The shared workload can lead to better representation and it is less likely that a Ward will be unrepresented although it could still be under-represented.

Multiple Councillor Wards can generally be larger in size than single Councillor Wards which may allow for greater fluctuation of voter population within the Ward quota tolerances.

6.1.5.3. Wards with varying representation

This model enables Wards to be constructed with varying numbers of representatives. This model is useful if there are strong communities of interest of varying sizes – enabling Ward boundaries to be drawn to reflect the community of interest and enable varying levels of Councillor representation per Ward to achieve the necessary quotas and balances.

There is a perception however, that some Wards have greater levels of representation under this model, due to the greater number of members in a particular Ward or Wards.

6.1.6. Characteristics of Wards

It is suggested that Councillors for Wards have a stronger affiliation with the Ward, its people and the key issues. This is despite the fact that a Ward Councillor may not necessarily reside in the Ward. It is nonetheless suggested that the Ward structure provides for better quality representation and that communities feel as though their voice is better heard.

Wards also typically have fewer barriers to entry in terms of campaign costs and thus provide the opportunity for a more diverse and larger range of candidates.

In the event of a vacancy it is also typically less costly for the Council to run a Supplementary Election as it is confined to the Ward.

On the flip side Wards may be seen to over-represent the local issues and under-represent the whole of Council matters.

6.2. No Wards

An Area Councillor approach is considered to maximise democracy by enable all electors to vote for all the candidates for vacant positions on the Council.

Area wide representation removes the need to monitor representation quotas across Wards.

The Candidates with the most votes across the Council will be elected as opposed to the Ward structure where a Candidate with fewer votes can still be elected to Council over Candidates who poll more overall votes.

Elected Members elected to represent the Council area as a whole should make decisions in the best interests of the Council as a whole, unconstrained by Ward parochialism.

Small communities or groups of interest can be well represented on the Council if they can generate sufficient support for a candidate, although there is no guarantee of geographically even representation across the Council.

Whole of Council elections are broader and therefore generally more costly, for both candidates and the Council. This could dissuade some potential candidates.

If there is a casual vacancy, although filling the vacancy may be more costly, it does not leave a Ward or area temporarily under represented.

Voters have perceived direct access to a greater number of Councillors.

6.3. Combination

A Council may take a combination approach to its governance with a structure comprising both Wards and Ward Councillors and Area Councillors.

This approach can lead to higher levels of representation in the sense that a voter would see a direct level of representation with the Ward Councillors(s), all of the area Councillors and the Lord Mayor.

This structure is considered by many to provide a good balance of local and Council wide representation that should lead to optimal decision making.

This option also overcomes the potential short-coming of an area only Councillor model in that it ensures some geographic representation. This model also enables representation of interests.

In the event of a vacancy, depending on whether this is created in the Ward or council wide it may need only a contained (Ward) Supplementary Election or it may need a whole of Council Supplementary Election.

7 – OPTIONS

7. Options

This paper has considered a range of options prior to arriving at the following six which are considered appropriate when considered against the terms of the legislation, the opportunity for good governance, generally logical boundaries and acceptable levels of representation.

- Option 1 – Area with Councillors plus the Lord Mayor.
- Option 2 – Three Wards (as close as practicable to the existing) plus the Lord Mayor
- Option 3 – Three Wards with material boundary changes plus the Lord Mayor
- Option 4 - Three Wards with material boundary changes plus the Lord Mayor
- Option 5 - Four Wards plus the Lord Mayor
- Option 6 - Six Wards plus the Lord Mayor.

These options are considered to provide for good communities of interest and logical boundaries generally. Options 2-5 can be supplemented with up to three Area Councillors. The addition of Area Councillors is discussed in respect of each of the options below. Collectively these options provide for between nine and 12 Elected Members overall.

As per the requirements of the Act, each Ward option has been considered with regard to communities of interest and logical boundaries, and the best fit for representation of every voter and the Council both for now and the 2022 election, and within the constricts of the uncertainties surrounding the longer terms impacts of COVID-19 on populations, over the remainder of the Representation Review cycle. The Wards therefore have been tested to seek to ensure they can remain within tolerances based on the projected population, at 2022, 2026 and 2030.

The results show that considering a best assessment as to the impacts of COVID-19 (which lowers the predicted growth early in the cycle as per section 2 of this paper), the growth rates of North Adelaide versus the growth in the south of Adelaide make it likely that most options will start exceeding the tolerances somewhere between the 2026 election and the 2030 election. Specifically North Adelaide starts to become over-represented. Only by adding an area of growth from the west to North Adelaide (Option 6) can this be addressed. Noting that in accord with the normal course of events, a Representation Review will be scheduled for 2028-29 it is considered that any option that can retain tolerances to 2026 could be considered reasonable. Options tested that could not retain tolerances to 2026 were rejected.

In addition in light of the uncertainty regarding population growth, for comparison purposes, these options were also tested with lower growth rates (assuming a longer tail to the impacts of COVID-19 than current advice is indicating see Appendix 3 for the revised growth assumptions tested). Even with these lower growth rates, North Adelaide experiences over-representation (albeit at a lesser rate) beyond 2026.

On this basis, it is considered the options presented would work in a similar vein should the growth be lower than projected.

7.1. Option 1 - No Wards – Lord Mayor and Elected Members

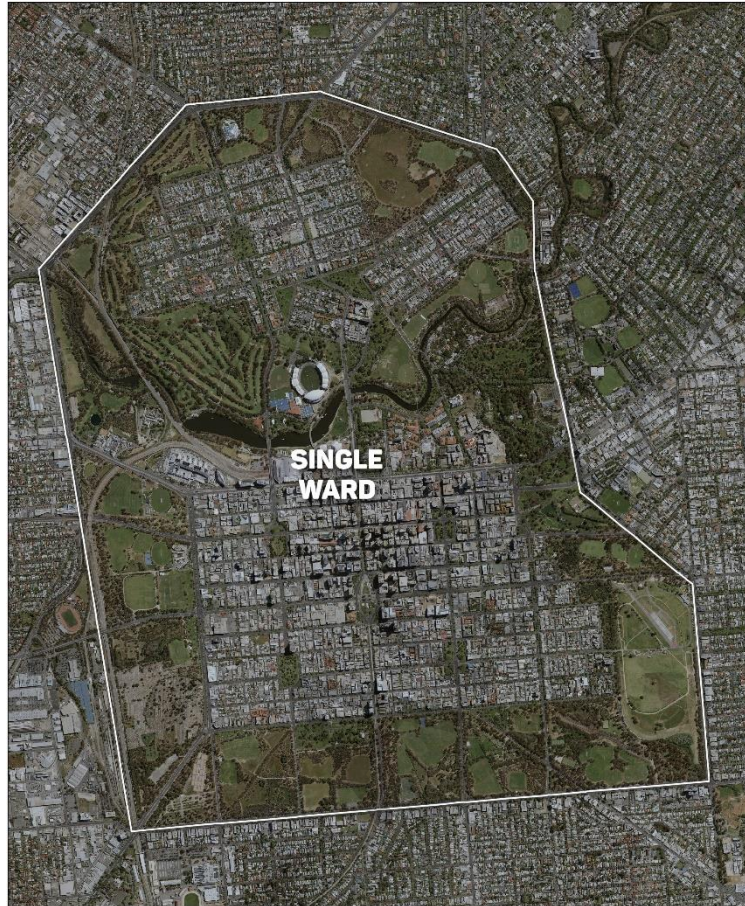
This Area model sees the whole of the Adelaide City Council local government area as a community of interest. As a Council it is wholly contained within a defined road network that borders the Park Lands, which in turn create a significant geographical separation between Adelaide and its neighbouring Councils.

Having no Wards means that representation is simple, each voter can vote for all Members and is directly represented by all Members. This option can be easily made to work with any number of Elected Members and the Lord Mayor. The rider would be that there would need to be sufficient Councillors to appropriately represent the community.

This model follows the majority of other State Capital Cities across Australia.

A map demonstrating this option is included in Figure ?? below:

Figure 2. Option 1 No Wards



To demonstrate how this model could work table 9 below shows various numbers of Elected Members and quotas.

Table 9. Example of quotas with varying numbers of Elected Members

Lord Mayor + Councillors (Area)	Voters				Quota			
	2020	2022	2026	2030	2020	2022	2026	2030
Lord Mayor + eleven	27,782	27,945	31,039	34,394	2,315	2,328	2,586	2,866
Lord Mayor + ten	27,782	27,945	31,039	34,394	2,525	2,540	2,821	3,126
Lord Mayor + nine	27,782	27,945	31,039	34,394	2,778	2,794	3,103	3,439
Lord Mayor + eight	27,782	27,945	31,039	34,394	3,086	3,105	3,448	3,821
Lord Mayor + seven	27,782	27,945	31,039	34,394	3,472	3,493	3,879	4,299

Considering the ranges of representation shown in table 9, at the upper level (12 Members) representation starts just above the metropolitan average and creeps over time to about the metropolitan average. It remains roughly unchanged when compared with other Capital Cities. This would allow for twelve members in total and thus is in keeping with the Act.

At the other end, a reduction of Members down to a total of eight would see a quota in-keeping with other Capitals and would be sitting akin to Darwin placing Adelaide central amongst all Capital Cities. This quota figure would also be in keeping with larger metropolitan Adelaide Councils, ie Charles Sturt, Port Adelaide Enfield and

Salisbury. It would be lower representation than the metropolitan average but would be relatively central between the minimum and maximum.

Under any number of Members, this model would provide relatively stable representation. If the number of voters declined or increased dramatically then the model may require review due to a fundamental over or under representation respectively.

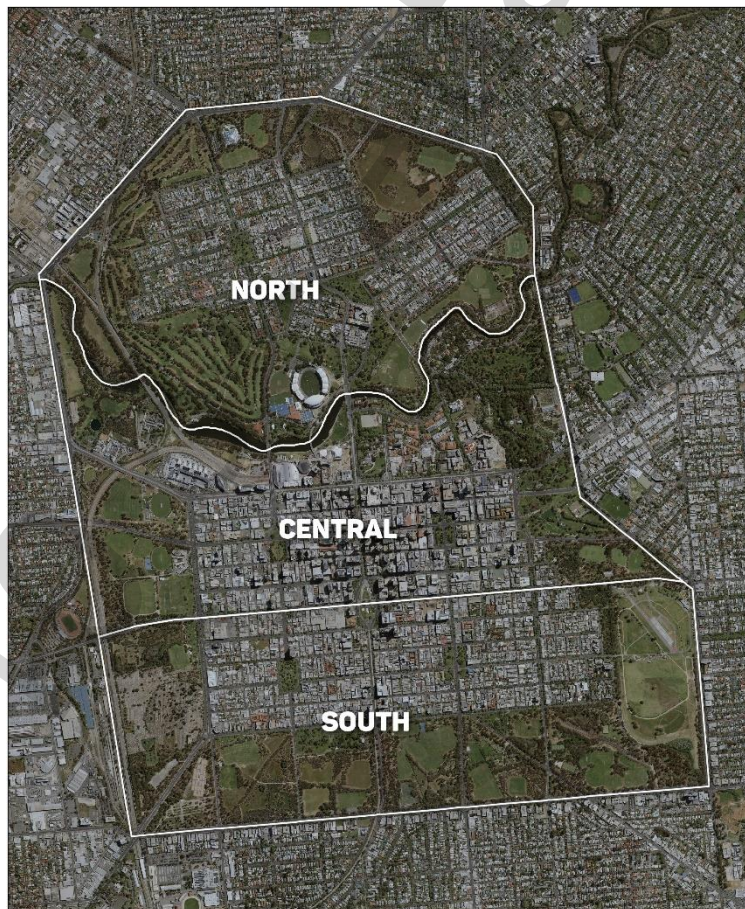
7.2. Option 2 - Three Wards – as close as practicable to existing

As at 2020 the current structure was outside tolerances and therefore requires modification. This option seeks to retain the current Ward structure as close as possible whilst addressing the issue of tolerances.

This option sees the creation of a North Ward, that coincides with North Adelaide the suburb and thus the current North Ward, a Central Ward coinciding with the primary commercial precinct and a South Ward that provides for a mixed residential/commercial precinct that is generally of lower scale than the Central Ward. This arrangement is considered to represent logical communities of interest within the ACC and respects the natural geographic boundary provided by the River Torrens (Karrawirra Pari). The key difference between this proposal and the current boundaries is the realignment of the boundary between Central Ward and South Ward.

Figure 3 below shows the proposed Ward boundaries

Figure 3. Option 2 – Three Wards – as close as practicable to existing



To make the quota tolerances work now and into the future this option has unequal representation with North Ward being represented by two Councillors and South and Central each by three Councillors. It is not possible to modify this representation and stay within the 12 Member cap and thus this option could be a Lord Mayor and eight Councillor option or a Lord Mayor and eight Ward Councillors and up to three Area Councillors. Adding just

one Area Councillor is considered to have limited benefit and as such should Council wish to add Area Councillors to this model, two or three is considered the most suitable and would result in quotas as shown in table 10 below:

Table 10. Example of Quotas with and without Area Councillors

Composition	Quota			
	2020	2022	2030	2036
Lord Mayor plus eight Ward Councillors	3,086	3,105	3,448	3,821
Lord Mayor plus eight ward Councillors plus 2 Area Councillors	2,525	2,540	2,821	3,126
Lord Mayor plus eight ward Councillors plus 3 Area Councillors	2,315	2,328	2,586	2,866

Table 11 below shows the representation and variance for the Wards over time.

Table 11. Representation and variance over time

Year	Total Voters	Ward Quota	Councillors	Voter/Councillor	Variance (%)
2020					
North	6,907	3,472	2	3,453	-0.55
South	10,172	3,472	3	3,390	-2.36
Central	10,702	3,472	3	3,567	+2.73
2022					
North	6,196	3,493	2	3,458	-1.00
South	10,255	3,493	3	3,418	-2.14
Central	10,773	3,493	3	3,591	+2.80
2026					
North	7,085	3,879	2	3,542	-8.70
South	11,834	3,879	3	3,945	+1.67
Central	12,120	3,879	3	4,040	+4.13
2030					
North	7,279	4,366	2	3,649	-16.44
South	13,821	4,366	3	4,607	+5.50
Central	13,816	4,366	3	4,605	+5.46

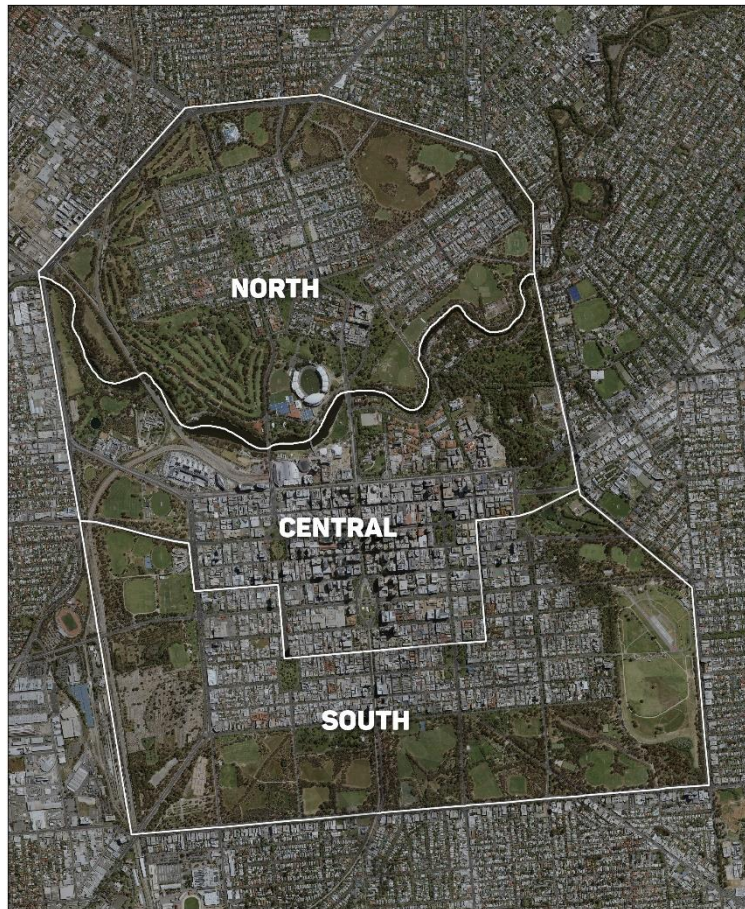
7.3. Option 3 - Three Wards with material boundary revisions (Equal Representation)

This option seeks to retain three Wards but provides for a slightly more modified boundary.

This option would see the retention of the North Ward north of the River Torrens (Karrawirra Parri). The Central and South Wards however, are divided to provide a more consolidated central precinct (Central Ward) and a South Ward that wraps around the Central Ward to encompass the low-mid rise mixed use areas to the east and west of the core commercial precinct. South Ward encompasses Hutt Street, while Central includes the Central Market.

Figure 4 below shows the proposed Ward boundaries

Figure 4. Option 3 – Three Wards – modified to improve logic of South and Central Wards



To make the quota tolerances work now and into the future this option has unequal representation with North Ward being represented by two Councillors and South and Central each by three Councillors. It is not possible to modify this representation and stay within the 12 Member cap and thus this option could be a Lord Mayor and eight Councillor option or a Lord Mayor and eight Ward Councillors and up to three Area Councillors. Adding just one Area Councillor is considered to have limited benefit and as such should Council wish to add Area Councillors to this model, two or three is considered the most suitable and would result in quotas as shown in table 12 below:

Table 12. Example of Quotas with and without Area Councillors

Composition	Quota			
	2020	2022	2030	2036
Lord Mayor plus eight Ward Councillors	3,086	3,105	3,448	3,821
Lord Mayor plus eight ward Councillors plus 2 Area Councillors	2,525	2,540	2,821	3,126
Lord Mayor plus eight ward Councillors plus 3 Area Councillors	2,315	2,328	2,586	2,866

Table 13 below shows Ward representation and variance over time.

Table 13. Representation and variance over time

Year	Total Voters	Ward Quota	Councillors	Voter/Councillor	Variance (%)
2020					
North	6,907	3,472	2	3,453	-0.55
South	10,466	3,472	3	3,488	+0.46
Central	10,427	3,472	3	3,475	+0.09
2022					
North	6,916	3,493	2	3,458	-1.00
South	10,530	3,493	3	3,510	+0.48
Central	10,498	3,493	3	3,499	+0.18
2026					
North	7,085	3,879	2	3,542	-8.70
South	12,108	3,879	3	4,036	+4.03
Central	11,846	3,879	3	3,948	+1.77
2030					
North	7,297	4,366	2	3,648	-16.44
South	14,095	4,366	3	4,698	+7.60
Central	13,541	4,366	3	4,513	+3.37

The variances of this option is less significant than for Option 2.

7.4. Option 4 - Three Wards – North, East and West

Like Options 2 and 3 above, this option would see the retention of the North Ward north of the River Torrens (Karrawirra Parri). The balance of the Council area is divided along King William Street, Carrington and Pulteney into an East Ward and a West Ward. This option provides areas of largely geographical interest with both Wards south of the Torrens (Karrawirra Parri) each containing a portion of CBD, mixed fringe uses and low rise residential precincts. Hutt Street is retained in a single Ward.

It is noted that the logic of dividing the City along the main North -South thoroughfare of King William Street (where the East -West running streets change name) is slightly lost due to the need to stagger the boundary to the east to ensure the tolerances can be managed to 2026.

Figure 5 below shows the proposed Ward boundaries

Figure 5. Option 4 – Three Wards – North, East and West



To make the quota tolerances work now and into the future this option has unequal representation with North Ward being represented by two Councillors and West and East each by three Councillors. It is not possible to modify this representation and stay within the 12 Member cap and thus this option could be a Lord Mayor and eight Councillor option or a Lord Mayor and eight Ward Councillors and up to three Area Councillors. Adding just one Area Councillor is considered to have limited benefit and as such should Council wish to add Area Councillors to this model, two or three is considered the most suitable and would result in quotas as shown in table 14 below:

Table 14. Example of Quotas with and without Area Councillors

Composition	Quota			
	2020	2022	2030	2036
Lord Mayor plus eight Ward Councillors	3,086	3,105	3,448	3,821
Lord Mayor plus eight ward Councillors plus 2 Area Councillors	2,525	2,540	2,821	3,126
Lord Mayor plus eight ward Councillors plus 3 Area Councillors	2,315	2,328	2,586	2,866

Table 15 below shows the Ward representation and variance over time.

Table 15. Representation and variance over time

Year	Total Voters	Ward Quota	Councillors	Voter/Councillor	Variance (%)
2020					
North	6,907	3,472	2	3,453	-0.55
West	10,064	3,472	3	3,354	+3.40
East	10,809	3,472	3	3,603	+3.75
2022					
North	6,916	3,493	2	3,458	-1.00
West	10,143	3,493	3	3,381	-3.21
East	10,885	3,493	3	3,628	+3.87
2026					
North	7,085	3,879	2	3,542	-8.69
West	11,638	3,879	3	3,879	-0.01
East	12,314	3,879	3	4,104	+5.80
2030					
North	7,297	4,366	2	3,648	-16.44
West	13,521	4,366	3	4,507	+3.21
East	14,115	4,366	3	4,705	+7.75

The variances of this three Ward option are generally greater than for both of the other three Ward options.

7.5. Option 5 - Four Wards

This option is similar to Option 4 with the variant of splitting the East and West Wards to create a third Central Ward. This option places Lot 14, Rundle Street East, and Hutt Street into East Ward, and the new RAH and University Research Precinct into West Ward with the balance of the institutional precinct and the primary commercial area into Central Ward. It retains North Ward as the area north of the River Torrens (Karrawirra Parri).

Figure 6 below shows the proposed Ward boundaries

Figure 6. Option 5 – Four Wards – North, East, West and Central



The quota tolerances work now and until beyond 2026 with equal representation, meaning each Ward can have the same number of Councillors as every other Ward. This is the only option that achieves equal representation.

The Quota under this scenario would be 3,086 in 2020, 3,105 in 2022, 3,448 in 2026 and 3,821 in 2030.

Table 16 below shows representation and variance over time for a two Councillor per Ward, four Ward model.

Table 16. Representation and variance over time

Year	Total Voters	Ward Quota	Councillors	Voter/Councillor	Variance (%)
2020					
North	6,907	3,472	2	3,453	-0.55
West	6,693	3,472	2	3,346	+3.63
Central	6,678	3,472	2	3,339	-3.85
East	7,502	3,472	2	3,751	+3.75
2022					
North	6,916	3,493	2	3,459	-1.00
West	6,747	3,493	2	3,373	-3.42
Central	6,733	3,493	2	3366	-3.62
East	7,548	3,493	2	3774	+8.04
2026					
North	7,085	3,879	2	3,542	-8.70
West	7,774	3,879	2	3,887	+0.19
Central	7,770	3879	2	3885	+0.13
East	8,409	3,879	2	4,204	+8.37
2030					
North	7,297	4,366	2	3,648	-16.44
West	9,067	4,366	2	4,533	+3.82
Central	9,075	4366	2	4,537	+3.91
East	9,494	4,366	2	4,747	+8.71

It is possible to modify this representation and stay within the 12 Member cap ie 1 Member Wards or 2 Member Wards. Noting that if one Member wards were selection the ward representation would be reduced by half.

Nonetheless this option could comprise the Lord Mayor and eight Ward Councillors or the Lord Mayor and four Ward Councillors. The first variation could allow for up to three area Councillors and the second up to seven Area Councillors.

With only one Member Wards, Council would need to supplement the number of Elected Members with Area Councillors to ensure appropriate levels of representation when compared within South Australia and ensure quorums could be readily achieved. Adding 7 Area Councillors would maintain the status quo of 12 Councillors overall, adding 6 would reduce overall numbers by one and provide an overall odd number of Members, whilst adding 5 Area Councillors would reduce overall numbers by 2 down to a total of 10.

Representation levels under all of these scenarios are considered to be appropriate.

Table 14 shows how single Member Wards with Area Councillors might work:

Table 17. Member number options – Single Member Wards

Ward	Lord Mayor	Ward Councillors	Area Councillors	Total Members
North	1	1	5, 6 or 7	10, 11 or 12
West	1	1		
East	1	1		
Central	1	1		

Adding Area Councillors in these amounts above would lead to quotas as showing in Table 18 below:

Table 18. Example of Quotas with Area Councillors

Composition	Quota			
	2020	2022	2030	2036
Lord Mayor plus four Ward Councillors plus 5 Area Councillors	2,778	2,794	3,103	3,439
Lord Mayor plus four ward Councillors plus 6 Area Councillors	2,525	2,540	2,821	3,126
Lord Mayor plus four ward Councillors plus 7 Area Councillors	2,315	2,328	2,586	2,866

If each Ward has two Members it would be reasonable to rely only upon Ward Councillors and the Lord Mayor. Whilst with a total of only 9 Members representation might be a bit lower than average (it would still be roughly central when compared to other Capital Cities), in this scenario the equality of numbers of Members between the Wards adds a sense of balance. Nine Members should be workable enabling Council to achieve a quorum, which would comprise five Members.

Adding just one Area Councillor is considered to have limited benefit and as such should Council wish to add Area Councillors to this model, two or three is considered the most suitable and would result in quotas as shown in table 19 below:

Table 19. *Example of Quotas with Area Councillors*

Composition	Quota			
	2020	2022	2030	2036
Lord Mayor plus eight ward Councillors plus 2 Area Councillors	2,525	2,540	2,821	3,126
Lord Mayor plus eight ward Councillors plus 3 Area Councillors	2,315	2,328	2,586	2,866

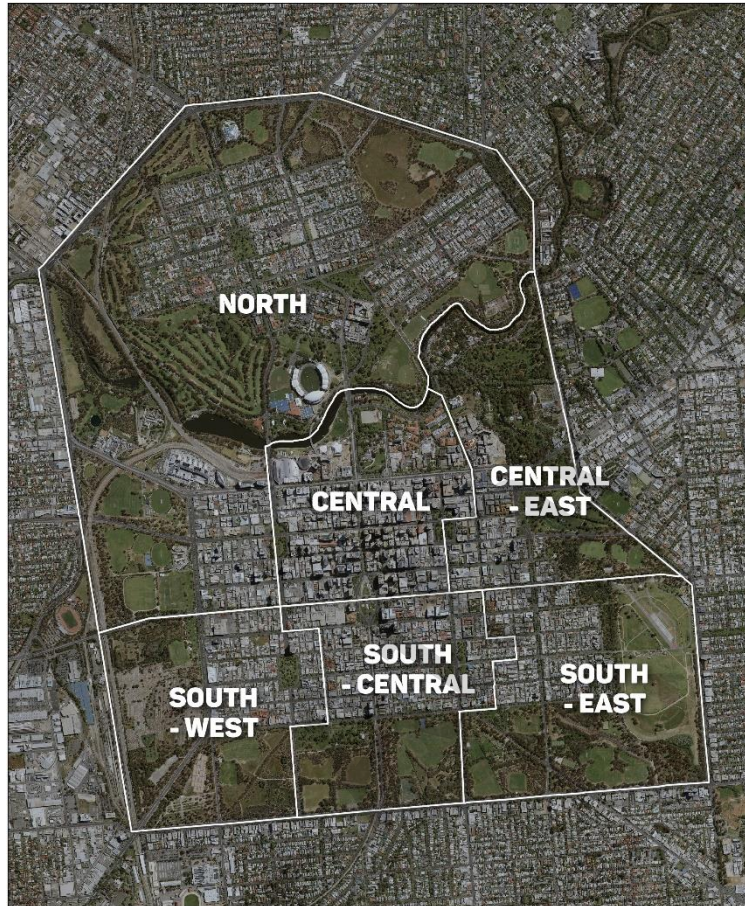
7.6. Option 6 - Six Wards

This option seeks to address the inherent imbalance of population growth in the area north of the River Torrens (Karrawirra Parri) as compared to the balance of the Council area, by adding an area of growth (south of the River Torrens (Karrawirra Parri) west of Morphett Street and north of Grote Street) to the former North Ward. A further five Wards then comprise, Central, Central-East, South-West, South-Central and South-East.

The Central Wards encompasses much of institutional lands both the existing universities and the new university precincts and most of the primary commercial area. The southern portion of the primary commercial area from the southern half of Victoria Square and the Central Market are included in South-Central Ward. The Central-East Ward covers the key entertainment and leisure areas within the eastern side of the City including the Botanic Gardens, the East End, and Lot 14. Hutt Street is divided between the Central-East Ward and the South-East Ward, the latter including the balance of the mainly residential and low scale mixed use land to the southern Council boundary. The South-West Ward includes the newer residential areas and low scale mixed use areas to the western boundary of the City.

Figure 7 below shows the proposed Ward boundaries

Figure 7. Option 6 – Six Wards – North, Central, Central-East, Central-West, South-Central, South-East and South-West.



This option remains within tolerances to 2030 and is the only option to do so. The numbers of Members in each Ward is unequal with the North Ward comprising three Members, the South-West, Central-East and South-East all being represented by one Member each and the remaining two Wards (Central and South-Central) being represented by two Members each. This totals ten Members and the Lord Mayor resulting realistically in a reduction of one Member and thus marginally lower representation.

Table 20 below shows representation and variance over time for a five Ward model.

Table 20. Representation and variance over time

Year	Total Voters	Ward Quota	Councillors	Voter/Councillor	Variance (%)
2020					
North	8939	2,778	3	2,979	+7.25
South-West	2,790	2,778	1	2,790	+0.41
Central-East	2,511	2,778	1	2,511	-9.61
Central	5,630	2,778	2	2,815	+1.33
South-Central	5,128	2,778	2	2,564	-7.71
South-East	2,784	2,778	1	2,784	+0.21
2022					
North	8,966	2,794	3	2,988	+6.94
South-West	2,812	2,794	1	2,812	+0.61
Central-East	2,530	2,794	1	2,530	-9.47
Central	5,675	2,794	2	2,837	+1.53
South-Central	5,162	2,794	2	2,581	-7.64
South-East	2,802	2,794	1	2,802	+0.25
2026					
North	9,494	3,103	3	3,164	+1.95
South-West	3,209	3,103	1	3,209	+3.37
Central-East	2,896	3,103	1	2,896	-6.70
Central	6,526	3,103	2	3,263	+5.12
South-Central	5,789	3,103	2	2,894	-6.75
South-East	3,127	3,103	1	3,127	+0.73
2030					
North	10,158	3,493	3	3,386	-3.08
South-West	3,709	3,493	1	3,709	+6.16
Central-East	3,356	3,493	1	3,356	-3.93
Central	7,598	3,493	2	3,799	+8.75
South-Central	6,579	3,493	2	3,289	-5.84
South-East	3,535	3,493	1	3,535	+1.18

5 - Attachment A

8 – CONCLUSION

Item 7

8. Conclusion

In conclusion this report is designed to promote thought and discussion about the options available for the composition of the Council.

Representation should be provided on the basis of one vote one value and should be fair and adequate.

Matters for consideration as part of this process include:

- What is reasonable, fair and equitable representation in the context of the City of Adelaide and how many voters should one Elected Member represent?
- Should the Lord Mayor be elected by every voter, or should the Lord Mayor be elected from amongst the Elected Members?
- Should the Area be divided into wards? If so what are the most appropriate ward boundaries having consideration to matters of geographic, access, communication, communities of interest and Ward Quota tolerances?
- If there are wards should there be only Wards Councillors or should there be a combination of both ward and area Councillors?
- What should the wards be named?

At this time the Council has not made any decisions in respect to the direction its composition should take. It has commissioned this independent paper to provide options that meet the terms of the relevant legislation and that would provide for appropriate governance and appropriate community input and representation.

Each option carries with it a suite of benefits and some drawbacks when considered comparatively.

The Council is now seeking feedback from the Community to inform it in arriving at a preferred position.

Once Council has reached its preferred position that position will be released for a further period of consultation prior to the Council formally adopting its Representation Report and forwarding it to the Electoral Commissioner for ratification.

5 - Attachment A

APPENDICES

Item 10

Appendix 1. Extracts – *Local Government Act 1999*

Item 10.5 - Attachment A

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- (7) If the Governor by proclamation under this Part provides for new or additional offices in the membership of a council, the Governor may, by the same or a subsequent proclamation or proclamations, appoint the first persons to fill those offices.
- (8) If the Governor by proclamation under this Part abolishes a council, the Governor may, by the same or a subsequent proclamation or proclamations—
- (a) declare that the property, assets, rights and liabilities of the council, as at the date of abolition, vest in, or attach to, another council or councils named in the proclamation;
 - (b) make, subject to the provisions of a relevant Act, award or enterprise agreement, provision to protect the various rights and interests of staff of the council being abolished.
- (9) If the Governor does not make a declaration under subsection (8)(a) on or before the day on which the council is abolished, the assets, rights and liabilities of the council vest in, or attach to, the Crown on the abolition of the council.

11—General provisions relating to proclamations

- (1) The Governor cannot make a proclamation under a preceding section of this Division except—
- (a) in pursuance of an address from both Houses of Parliament; or
 - (c) in pursuance of a proposal recommended by the Minister under Part 2.
- (2) The Governor may also, by proclamation—
- (a) make provision for related or ancillary matters necessary, desirable or expedient in view of the circumstances of a particular case;
 - (b) provide that during a transitional period specified in the proclamation (being a period not exceeding five years from the date of operation of the proclamation), a provision of this Act applies as varied or modified in a manner set out in the proclamation to or in respect of—
 - (i) a council affected (or to be affected) by a proclamation under this Part; or
 - (ii) a council constituted or formed by a proclamation under this Part;
 - (c) include other provisions of a transitional nature consequent on changes being made by proclamation under this Part (including for the construction of references in instruments or documents).
- (3) The provisions of a proclamation under this Part have effect according to their terms as from the day or days fixed in the proclamation or, if no day or days are so fixed, as from the day of the publication of the proclamation.

Division 2—Powers of councils and representation reviews

12—Composition and wards

- (1) A council may, by notice in the Gazette after complying with the requirements of this section—
- (a) alter the composition of the council;

Local Government Act 1999—1.1.2019

Chapter 3—Constitution of councils

Part 1—Creation, structuring and restructuring of councils

Division 2—Powers of councils and representation reviews

-
- (b) divide, or redivide, the area of the council into wards, alter the division of the area of the council into wards, or abolish the division of the area of a council into wards.
- (2) A notice under this section may also—
- (a) change the council from a municipal council to a district council, or change the council from a district council to a municipal council;
 - (b) alter the name of—
 - (i) the council;
 - (ii) the area of the council;
 - (c) give a name to, or alter the name of, a ward,
- (without the need to comply with section 13).
- (3) A council must, before it publishes a notice, conduct and complete a review under this section for the purpose of determining whether its community would benefit from an alteration to its composition or ward structure.
- (4) A review may relate to a specific aspect of the composition of the council, or of the wards of the council, or may relate to those matters generally—but a council must ensure that all aspects of the composition of the council, and the issue of the division, or potential division, of the area of the council into wards, are comprehensively reviewed under this section at least once in each relevant period that is prescribed by the regulations.
- (5) A council must, in order to commence a review, initiate the preparation of a paper (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 review.
- (6) The representation options paper must examine the advantages and disadvantages of the various options that are available to the council under subsection (1) (insofar as the various features of the composition and structure of the council are under review) and, in particular (to the extent that may be relevant)—
- (a) if the council is constituted of more than 12 members—examine the question of whether the number of members should be reduced; and
 - (b) if the area of the council is divided into wards—examine the question of whether the division of the area into wards should be abolished,
- (and may examine such other relevant issues as the council or the person preparing the paper thinks fit).
- (7) The council must—
- (a) by public notice—
 - (i) inform the public of the preparation of the representation options paper; and
 - (ii) invite interested persons to make written submissions to the council on the subject of the review within a period specified by the council (being a period of at least 6 weeks); and
 - (b) publish a copy of the notice in a newspaper circulating within its area.

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- (8) The council must ensure that copies of the representation options paper are available for inspection (without charge) and purchase (on payment of a fee fixed by the council) at the principal office of the council during the period that applies under subsection (7)(a)(ii).
- (8a) The council must, at the conclusion of the public consultation undertaken under subsection (7)(a), prepare a report that—
- (a) provides information on the public consultation and the council's response to the issues arising from the submissions made as part of that process; and
 - (b) sets out—
 - (i) any proposal that the council considers should be carried into effect under this section; and
 - (ii) in respect of any such proposal—an analysis of how the proposal relates to the principles under section 26(1)(c) and the matters referred to in section 33 (to the extent that may be relevant); and
 - (c) insofar as a decision of the council is not to adopt any change under consideration as part of the representation options paper or the public consultation process—sets out the reasons for the council's decision.
- (9) The council must—
- (a) make copies of its report available for public inspection at the principal office of the council; and
 - (b) by public notice—
 - (i) inform the public of the preparation of the report and its availability; and
 - (ii) invite interested persons to make written submissions to the council on the report within a period specified by the council (being a period of at least 3 weeks); and
 - (c) publish a copy of the notice in a newspaper circulating within its area.
- (10) The council must give any person who makes written submissions in response to an invitation under subsection (9) an opportunity to appear personally or by representative before the council or a council committee and to be heard on those submissions.
- (11) The council must then finalise its report (including in its report recommendations with respect to such related or ancillary matters as it thinks fit).
- (11a) If the report proposes that the composition of the council be altered so that—
- (a) the council will have a chairperson rather than a mayor; or
 - (b) the council will have a mayor rather than a chairperson,
- then the proposal cannot proceed unless or until a poll has been conducted on the matter and the requirements of subsection (11c) have been satisfied.

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Part 1—Creation, structuring and restructuring of councils

Division 2—Powers of councils and representation reviews

(11b) The council may, with respect to a proposal within the ambit of subsection (11a)—

- (a) insofar as may be relevant in the particular circumstances, separate the proposal (and any related proposal) from any other proposal contained in the report (and then it will be taken that the council is reporting separately on this proposal (and any related proposal));
- (b) determine to conduct the relevant poll—
 - (i) in conjunction with the next general election for the council (so that the proposal (and any related proposal) will then, if approved at the poll, take effect from polling day for the following general election); or
 - (ii) at some other time (so that the proposal (and any related proposal) will then, if approved at the poll, take effect in the manner contemplated by subsection (18)).

(11c) The following provisions apply to a poll required under subsection (11a):

- (a) the *Local Government (Elections) Act 1999* will apply to the poll subject to modifications, exclusions or additions prescribed by regulation;
- (b) the council must—
 - (i) prepare a summary of the issues surrounding the proposal to assist persons who may vote at the poll; and
 - (ii) obtain a certificate from the Electoral Commissioner that he or she is satisfied that the council has taken reasonable steps to ensure that the summary presents the arguments for and against the proposal in a fair and comprehensive manner; and
 - (iii) after obtaining the certificate of the Electoral Commissioner, ensure that copies of the summary are made available for public inspection at the principal office of the council, are available for inspection on a website determined by the chief executive officer, and are published or distributed in any other way that the Electoral Commissioner may direct;
- (c) the proposal cannot proceed unless—
 - (i) the number of persons who return ballot papers at the poll is at least equal to the prescribed level of voter participation; and
 - (ii) the majority of those persons who validly cast a vote at the poll vote in favour of the proposal.

- (11d) For the purposes of subsection (11c)(c), the *prescribed level of voter participation* is a number represented by multiplying the total number of persons entitled to cast a vote at the poll by half of the turnout percentage for the council, where the *turnout percentage* is—
- (a) the number of persons who returned ballot papers in the contested elections for the council held at the last periodic elections, expressed as a percentage of the total number of persons entitled to vote at those elections (viewing all elections for the council as being the one election for the purposes of this provision), as determined by the Electoral Commissioner and published in such manner as the Electoral Commissioner thinks fit; or
 - (b) if no contested elections for the council were held at the last periodic elections, a percentage determined by the Electoral Commissioner for the purposes of the application of this section to the relevant council, after taking into account the turnout percentages of other councils of a similar size and type, as published in such manner as the Electoral Commissioner thinks fit.
- (12) The council must then, taking into account the operation of the preceding subsection, refer the report to the Electoral Commissioner.
- (12a) The report must be accompanied by copies of any written submissions received under subsection (9) that relate to the subject-matter of the proposal.
- (13) On receipt of a report, the Electoral Commissioner must determine whether the requirements of this section have been satisfied and then—
- (a) if of the opinion that the requirements have been satisfied—give an appropriate certificate; or
 - (b) if of the opinion that the requirements have not been satisfied—refer the matter back to the council together with a written explanation of the reasons for not giving a certificate under this subsection.
- (14) The validity of a determination of the Electoral Commissioner under subsection (13) cannot be called into question.
- (15) If a certificate is given by the Electoral Commissioner under subsection (13)(a)—
- (a) the Electoral Commissioner must specify in the certificate a day by which an appropriate notice (or notices) for the purposes of this section must be published by the council in the Gazette; and
 - (b) the council may then, by notice (or notices) in the Gazette, provide for the operation of any proposal under this section that it has recommended in its report.
- (16) If the matter is referred back to the council under subsection (13)(b), the council—
- (a) must take such action as is appropriate in the circumstances (and may, as it thinks fit, alter its report); and
 - (b) may then refer the report back to the Electoral Commissioner.
- (17) However, a council must, if it makes an alteration to its report under subsection (16)(a), comply with the requirements of subsections (9) and (10) (as if the report (as altered) constituted a new report), unless the council determines that the alteration is of a minor nature only.

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- (18) A proposal under this section takes effect as follows:
- (a) if the day of publication of the relevant notice under subsection (15) occurs before 1 January of the year in which a periodic election is next due to be held then, unless paragraph (c) applies, the proposal will take effect as from polling day for that periodic election;
 - (b) if the day of publication of the relevant notice under subsection (15) occurs on or after 1 January of a year in which a periodic election is due to be held (and before polling day for that periodic election) then, unless paragraph (c) applies, the proposal will take effect as from polling day for the periodic election next following the periodic election held in the year of publication;
 - (c) if a general election (not being a periodic election) is held after the expiration of 7 months from the day of publication of the relevant notice under subsection (15) (and before polling day for the next periodic election after publication) then the proposal will take effect from polling day for that general election.
- (18a) Subsection (18) has effect subject to the operation of subsection (11b)(b)(i).
- (19) If a council—
- (a) subject to subsection (22), fails to undertake a review in accordance with the requirements of this section; or
 - (b) fails to take appropriate action if a matter is referred back to the council by the Electoral Commissioner under subsection (13)(b); or
 - (c) fails to publish an appropriate notice in the Gazette by the day specified by the Electoral Commissioner in a certificate under this section,
- the chief executive officer must refer the matter to the Electoral Commissioner.
- Maximum penalty: \$2 500.
- (20) On the referral of a matter under subsection (19), the Electoral Commissioner may take such action as, in the circumstances of the particular case, appears appropriate to the Electoral Commissioner and may then, by notice in the Gazette, give effect to a proposal that could have been carried into effect by the council under this section.
- (21) The Electoral Commissioner may recover from councils costs reasonably incurred by the Electoral Commissioner in performing his or her functions under this section.
- (22) The Minister may exempt a council from the requirement to hold a review under this section on the basis that relevant issues have already been addressed by a proposal under this Chapter.
- (23) An exemption under subsection (22) may be granted on conditions determined by the Minister, including a condition that the council carry out a review under this section by a date specified by the Minister.
- (24) If—
- (a) the area of a council is divided into wards; and
 - (b) the Electoral Commissioner notifies the council in writing that the number of electors represented by a councillor for a ward varies from the ward quota by more than 20 per cent,

then the council must undertake a review under this section within a period specified by the Electoral Commissioner.

- (25) For the purposes of subsection (24)—
- (a) if two or more councillors represent a ward, the number of electors represented by each councillor will be taken to be the number of electors for the ward (as at a date determined by the Electoral Commissioner) divided by the number of councillors who represent the ward (ignoring any fractions resulting from the division); and
 - (b) the ward quota is the number of electors for the area (as at a date determined by the Electoral Commissioner) divided by the number of councillors for the area of the council who represent wards (ignoring any fractions resulting from the division).

13—Status of a council or change of various names

- (1) A council may, by notice in the Gazette, after complying with the requirements of this section—
 - (a) change the council from a municipal council to a district council, or change the council from a district council to a municipal council;
 - (b) alter the name of—
 - (i) the council;
 - (ii) the area of the council;
 - (c) alter the name of a ward.
- (2) A council must, before it publishes a notice, comply with the following requirements:
 - (a) the council must give public notice of the proposal;
 - (b) the notice must contain an invitation to interested persons to make written submissions to the council on the matter within a period specified by the council (being a period of at least 6 weeks);
 - (ba) publish a copy of the notice in a newspaper circulating within its area;
 - (c) the council must give any person who makes written submissions in response to an invitation under this section an opportunity to appear personally or by representative before the council or a council committee and to be heard on those submissions.
- (3) A notice published by a council under this section has effect from the date or dates fixed in the notice or, if no date or dates are so fixed, as from the date of the publication of the notice.

Part 2—Reform proposals

Division 3—Principles

26—Principles

- (1) The Commission should, in arriving at recommendations for the purposes of this Chapter (but taking into account the nature of the proposal under consideration), have regard to—
- (a) the objects of this Act; and
 - (b) the roles, functions and objectives of councils under this Act; and
 - (c) the following principles:
 - (i) the resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within a community;
 - (ii) proposed changes should, wherever practicable, benefit ratepayers;
 - (iii) a council should have a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
 - (iv) a council should offer its community a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis;
 - (v) a council should facilitate effective planning and development within an area, and be constituted with respect to an area that can be promoted on a coherent basis;
 - (vi) a council should be in a position to facilitate sustainable development, the protection of the environment and the integration of land use schemes;
 - (vii) a council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations;
 - (viii) a council area should incorporate or promote an accessible centre (or centres) for local administration and services;
 - (ix) the importance within the scheme of local government to ensure that local communities within large council areas can participate effectively in decisions about local matters;
 - (xi) residents should receive adequate and fair representation within the local government system, while over-representation in comparison with councils of a similar size and type should be avoided (at least in the longer term);
 - (xii) a scheme that provides for the performance of functions and delivery of services in relation to 2 or more councils (for example, a scheme for regional governance) may improve councils' capacity to deliver services on a regional basis and therefore offer a viable and appropriate alternative to structural change; and

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- (d) the extent and frequency of previous changes affecting the council or councils under this Chapter or the repealed Act.
- (2) The Commission should, so far as is relevant, give preference to structural changes that enhance the capacity of local government to play a significant role in the future of an area or region from a strategic perspective.

Division 4—Procedures for proposals

27—Preliminary

- (1) In this Division—

administrative proposal—see section 30(7);

eligible elector, in relation to a proposal, is—

- (a) in the case of a proposal to alter the boundaries of 2 or more councils to incorporate land within the area of a council into the area of another council (a *receiving council*)—an elector in respect of a place of residence or rateable property within the area of a receiving council, or within the area that would be so incorporated; or
- (b) in the case of a proposal that relates to the composition of a council or the issue of wards within the area of a council—an elector in respect of a place of residence or rateable property within the area of the council; or
- (c) in the case of a proposal to incorporate within the area of a council a part of the State that is not within the area of a council (the *outside area*)—a person, body corporate or group within the outside area who or which would, if the proposal were to proceed, be an elector in respect of a place of residence or rateable property within the area that would be so incorporated;

general proposal means a proposal for the making of a proclamation under this Chapter, other than an administrative proposal;

proposal includes an administrative proposal or a general proposal;

proposal guidelines—see subsection (2).

- (2) The Commission must prepare and publish on a website determined by the Commission guidelines (*proposal guidelines*) for the purposes of this Division.
- (3) Without limiting subsection (2), the proposal guidelines—
 - (a) must set out procedures for inquiries under this Division; and
 - (b) must specify requirements relating to consultation that must be undertaken for the purposes of inquiries under this Division, including consultation with the community, councils affected by proposals and entities that represent the interests of council employees affected by proposals; and
 - (c) must set out procedures relating to the determination by the Commission of the reasonable costs of an inquiry for the purposes of section 32B; and
 - (d) may provide for any other matter the Commission thinks appropriate.

32B—Costs

The Commission may recover reasonable costs incurred in respect of an inquiry in relation to a general proposal referred to the Commission by a council or councils under this Division as a debt due from the council or councils.

32C—Inquiries—independence of Commission etc

- (1) Except as provided by this Division, the Commission or an investigator appointed by the Commission is not subject to Ministerial direction in relation to an inquiry or a recommendation or report under this Division.
- (2) Sections 16 to 18 of the *South Australian Local Government Grants Commission Act 1992* do not apply to or in relation to an inquiry conducted or recommendation made under this Division.

Part 3—General provisions

33—Ward quotas

- (1) In addition to the other requirements of this Chapter, the following matters must be taken into account, as far as practicable, in the formulation of a proposal that relates to the boundaries of a ward or wards:
 - (a) the desirability of reflecting communities of interest of an economic, social, regional or other kind;
 - (b) the population of the area, and of each ward affected or envisaged by the proposal;
 - (c) the topography of the area, and of each ward affected or envisaged by the proposal;
 - (d) the feasibility of communication between electors affected by the proposal and their elected representatives;
 - (e) the nature of substantial demographic changes that may occur in the foreseeable future;
 - (f) the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term).
- (2) A proposal that relates to the formation or alteration of wards of a council must also observe the principle that the number of electors represented by a councillor must not, as at the relevant date (assuming that the proposal were in operation), vary from the ward quota by more than 10 per cent.
 - (2a) For the purposes of subsection (2)—
 - (a) if it is proposed that two or more councillors represent a particular ward, the number of electors represented by each councillor will be taken to be the number of electors for the ward (as at the relevant date) divided by the number of proposed councillors for the ward (ignoring any fractions resulting from the division); and

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Chapter 3—Constitution of councils

Part 3—General provisions

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- (b) the ward quota will be taken to be the number of electors for the area (as at the relevant date) divided by the number of councillors for the area who represent wards (assuming that the proposal were in operation and ignoring any fractions resulting from the division); and
 - (c) the relevant date, in relation to a proposal that relates to the formation or alteration of wards of the council, will be taken to be the date on which the proposal is finalised for the purposes of this Chapter.
- (3) The 10 per cent tolerance referred to in subsection (2) may be exceeded if, on the basis of demographic changes predicted by a Commonwealth or State government agency, it appears that the ward quota will not, as at the next periodic elections, be exceeded by more than 10 per cent (the relevant date in this case being the date of the next periodic elections).
 - (4) If under the repealed Act a proposal relating to the formation or alteration of wards did not comply with the corresponding provisions to subsections (2) and (3) and the relevant proposal proceeded (either in its original or an amended form) then, unless otherwise determined by proclamation, the relevant council (or each relevant council) must conduct (and complete) a review of its composition and wards under Part 1 so as to enable appropriate changes in the composition and wards of the council to take effect on or before the date of the second general election of the council after the proposal took effect or, if an earlier date has been fixed by proclamation, on or before that date.

34—Error or deficiency in address, recommendation, notice or proclamation

- (1) If, in the opinion of the Governor, there is an error or deficiency in an address from both Houses of Parliament, in a recommendation of the Minister, or in a report of the Commission, the Governor may, by proclamation, correct the error or supply the deficiency.
- (2) The power conferred by subsection (1) may be exercised notwithstanding that a proclamation has been made under this Chapter on the basis of the address or report.
- (3) If, in the opinion of the Governor, there is an error or deficiency in a proclamation under this Chapter, the Governor may, by subsequent proclamation, correct the error or supply the deficiency.
- (4) The Governor may, by proclamation, correct an error or deficiency in a notice of a council under this Chapter if requested to do so by the council.
- (5) A proclamation under this section will, if it so provides, be taken to have had effect as from the making of the address, report, proclamation or notice to which it relates.

Local Government Act 1999—4.10.2018

Chapter 5—Members of council

Part 2—Term of office and related issues

Division 2—Special provisions if majority of members resign on specified grounds

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- (ii) the terms of which entitle the council to receive a payment exceeding \$100 000, or payments exceeding \$100 000, on account of the disposal by the council of an asset of the council; or
 - (c) enters into a lease under which the rent payable by the lessee in any period exceeds \$100 000,
- without the approval of the Minister, the contract or lease is liable to be voided by the Minister.
- (4) However, subsection (3) does not apply to—
 - (a) a contract or lease entered into by the council to give effect to any expenditure or revenue measure contained in a budget adopted by the council before the commencement of the relevant period; or
 - (b) a contract or lease of a kind excluded from the operation of that subsection by the Minister (on conditions, if any, determined by the Minister).
 - (5) An approval granted by the Minister for the purposes of this section has no effect unless the council had, before submitting the relevant contract or lease to the Minister for approval, resolved that it would, subject to the approval of the Minister, enter into the contract or lease.
 - (6) If—
 - (a) the Minister voids a contract or lease under this section; and
 - (b) the Minister or the council incurs a liability by reason of or in relation to the contract or lease,

the Minister or the council (as the case may be) may recover the whole of the amount of the liability as a debt from the persons who were members of the council at the time that the contract was made or lease was entered into or made, or from any of them, or from any one of them.

Part 3—Role of members**58—Specific roles of principal member**

- (1) The role of the principal member of a council is—
 - (a) to preside at meetings of the council;
 - (b) if requested, to provide advice to the chief executive officer between council meetings on the implementation of a decision of the council;
 - (c) to act as the principal spokesperson of the council;
 - (d) to exercise other functions of the council as the council determines;
 - (e) to carry out the civic and ceremonial duties of the office of principal member.
- (2) Subsection (1)(c) does not apply in circumstances where a council has appointed another member to act as its principal spokesperson.

59—Roles of members of councils

- (1) The role of a member of a council is—
 - (a) as a member of the governing body of the council—

Appendix 2. Extracts – *City of Adelaide Act 1998*

Item 10.5 - Attachment A

- (c) a document that is a copy of a part of, or contains an extract from, a document referred to in paragraph (a) or (b);
 - (d) an official record of the Committee;
 - (e) a document that contains matter the disclosure of which would disclose information concerning any deliberation or decision of the Committee.
- (2) A document is not an exempt document under subsection (1) if—
- (a) it merely consists of factual or statistical material that does not disclose information concerning any deliberation or decision of the Committee; or
 - (b) it is within a class of documents excluded from the operation of subsection (1) by the regulations.
- (3) The Crown and the Adelaide City Council are entitled to access to—
- (a) a document referred to in subsection (1); and
 - (b) any other document in the possession or control of the Committee under this Act.
- (4) However—
- (a) access to a document is not available under subsection (3) in breach of a duty of confidence; and
 - (b) access to a document under subsection (3) may be given on conditions determined by the Committee.
- (5) In this section, a reference to the Committee includes a reference to a subcommittee or delegate of the Committee acting under this Act.

19—Committee not to be subject to Parliamentary Committees Act

The functions and operations of the Capital City Committee may not be subject to inquiry under the *Parliamentary Committees Act 1991*.

Part 3—Special arrangements for the Adelaide City Council

Division 1—Constitution of Council

20—Constitution of Council

- (1) The Adelaide City Council will be constituted of—
 - (a) the Lord Mayor; and
 - (b) other members.
- (3) A person cannot hold office as Lord Mayor for more than two consecutive terms.
- (4) The Council may resolve to have a Deputy Lord Mayor in accordance with the provisions of the *Local Government Act 1999*.

City of Adelaide Act 1998—31.3.2016

Part 3—Special arrangements for the Adelaide City Council

Division 2—Role of members

Division 2—Role of members**21—Lord Mayor**

The role of the Lord Mayor is—

- (a) as the principal elected member of the Council representing the capital city of South Australia—
 - (i) to provide leadership and guidance to the City of Adelaide community;
 - (ii) to participate in the maintenance of inter-governmental relationships at regional, State and national levels;
 - (iii) to carry out civic and ceremonial duties associated with the office of Lord Mayor; and
- (b) as the principal member of the Council—
 - (i) to provide leadership and guidance to the Council;
 - (ii) to preside at meetings of the Council;
 - (iii) to advise the chief executive officer on the implementation of decisions of the Council between council meetings (as necessary);
 - (iv) to act as the principal spokesperson of the Council;
 - (v) to exercise other functions of the Council as the Council determines.

22—Members

(1) The role of a member of the Council is—

- (a) as a member of the governing body of the Council—
 - (i) to participate in the deliberations and activities of the Council;
 - (ii) to provide community leadership and guidance to the City of Adelaide community and to participate in achieving a vision for the desired future of the City through the formulation of strategic plans and policies;
 - (iii) to keep the Council's goals and policies under review to ensure that they are appropriate and effective;
 - (iv) to keep the Council's resource allocation, expenditure and corporate strategies, and the efficiency and effectiveness of its service delivery, under review;
 - (v) to participate in setting and assessing performance standards to be met under the Council's contract with the chief executive officer;
 - (vi) to serve the overall public interest of the City of Adelaide;
- (b) as a person elected to the Council—to represent the interests of residents and ratepayers and to facilitate communication between the community and the Council.

- (2) The Lord Mayor may authorise another member of the Council to act in place of, or to represent, the Lord Mayor in the performance of a particular function.
- (3) An authorisation under subsection (2) cannot derogate from the role of a Deputy Lord Mayor under the *Local Government Act 1999*.
- (4) A member of the Council has no direct authority over an employee of the Council with respect to the way in which the employee performs his or her duties.

Division 4—Allowances and benefits

24—Allowances

- (1) Subject to this section, a member of the Council is entitled to the allowance determined by the Remuneration Tribunal in relation to the member's office and indexed in accordance with this section.
- (2) The Remuneration Tribunal must make determinations under this section on a 4 yearly basis before the designated day in relation to each periodic election for the City of Adelaide held under the *Local Government (Elections) Act 1999*.
- (3) The Remuneration Tribunal must, in making a determination under this section, have regard to the following:
 - (a) the role of members of the Council as members of the Council's governing body and as representatives of their area;
 - (b) the size, population and revenue of the Council, and any relevant economic and social factors in the council area;
 - (c) the fact that an allowance under this section is not intended to amount to a salary for a member;
 - (d) the fact that an allowance under this section should reflect the nature of a member's office;
 - (e) the provisions of this Act providing for the reimbursement of expenses of members.
- (4) For the purposes of the proceedings before the Remuneration Tribunal but without derogating from the operation of subsection (3), the allowances to be determined under this section will be taken to be in the nature of a fee under the definition of **remuneration** in the *Remuneration Act 1990*.
- (5) Without limiting section 10 of the *Remuneration Act 1990*, the Remuneration Tribunal must allow persons who are entitled to be enrolled on the voters roll for the City of Adelaide, and the LGA, a reasonable opportunity to make submissions orally or in writing to the Tribunal in relation to any determination under this section.
- (6) Nothing in subsection (5) requires the Remuneration Tribunal, for the purposes of making all determinations required under this section in any 4 year period, to hold more than 1 hearing to receive any oral submissions that persons may care to make (and the Tribunal is not required to hold any hearing if it appears to the Tribunal that no one is seeking to make oral submissions).
- (7) The rates of allowances may vary from office to office.

Appendix 3. Assumptions – Low Growth

Item 10.5 - Attachment A

Assumptions underpinning lower growth rate for comparison purposes

For the purpose of low growth projections, we have assumed the following change over the next 10 calendar years:

Residential

- 2021 – 2022: 0% p.a
- 2023: 1.0% p.a
- 2024 – 2030: 2.0% p.a

Business

- 2021 – 2022: 1.0% p.a
- 2023 - 2025: 1.5% p.a
- 2026 – 2030: 2.0% p.a

Based upon the Voters Roll provided by Council, the projected change in voters at the key dates of (December) 2020, 2022, 2026 and 2030 are as follows:

Table 21. Projections of Voters by Voter Type

Voter Type	Year			
	2020	2022	2026	2030
Residents	19,658	19,658	20,659	22,362
Businesses	8,124	8,287	8,839	9,568
Total	27,782	27,945	29,498	31,930

Delegations for the Planning, Development and Infrastructure Act 2016

ITEM 10.6 09/03/2021
Council

Strategic Alignment - Enabling Priorities

Program Contact:
Kerry Loughhead, Acting Manager
Governance 8203 7442

2019/00196
Public

Approving Officer:
Justin Lynch, Chief Operating
Officer, Corporate Services

EXECUTIVE SUMMARY

In April 2016, Parliament passed the *Planning, Development and Infrastructure Act 2016 (SA)* (PDI Act) to replace the *Development Act 1993 (SA)*. This report includes required Chief Executive Officer delegations under the new PDI Act.

This report contains the instruments of delegation containing the relevant powers and functions, drafted by the Local Government Association, for adoption by councils.

RECOMMENDATION

THAT COUNCIL

1. Revokes all previous delegations to the Chief Executive Officer, and any sub-delegations, of those powers and functions contained within the *Planning, Development and Infrastructure Act 2016 (SA)* and its Regulations as approved in the meeting of Council held on 25 June 2019.
2. Delegates the Powers of the Council as a Council, Designated Authority and Designated Entity under the *Planning, Development and Infrastructure Act 2016 (SA)* as follows:
 - 2.1 In exercise of the power contained in Section 44 of the *Local Government Act 1999 (SA)* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation included in Attachment A to Item 10.6 on the Agenda for the meeting of Council held on 9 March 2021, are hereby delegated this day 9 March 2021 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
 - 2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999 (SA)* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
3. Delegates the Powers of the Council as a Relevant Authority under the *Planning, Development and Infrastructure Act 2016 (SA)* as follows:
 - 3.1 In exercise of the power contained in section 100 of the *Planning, Development and Infrastructure Act 2016 (SA)* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed instrument of delegation included in Attachment B to Item 10.6 on the Agenda for the meeting of Council held on 9 March 2021, are hereby delegated this day 9 March 2021 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the schedule of conditions in the proposed instrument of delegation.
 - 3.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities Appropriate legal delegations allow the Administration to achieve the goals, annual objectives and Council directives as established in the City of Adelaide Strategic Plan and Integrated Business Plan
Policy	Delegations are presented in accordance with Council's Application of Delegations Policy.
Consultation	Consultation is occurring across the Administration to ensure appropriate sub-delegations will be in place following the delegation of the powers and functions contained in the Attachments to this report to the Head Delegates.
Resource	Not as a result of this report
Risk / Legal / Legislative	Without appropriate delegations, Council will be responsible for a burden of operational matters. Without further sub-delegations in place, the decisions of Council Officers may be subject to legal challenge.
Opportunities	Not as a result of this report
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	Not as a result of this report
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

DISCUSSION

1. Section 44 of the *Local Government Act 1999 (SA)* (the Act) provides that the Council's powers, functions and duties under that Act and any other Act, may be delegated by the Council to a Council Committee, a Subsidiary of the Council, an employee of the Council, or an employee of the Council occupying a particular office or position.
2. The Council may still act in its own right in any matter, and when it does so the delegate should not act or exercise any delegated power or function. In addition, all delegations of the Council can be revoked at will and do not, except in limited circumstances, prevent the Council from acting in a matter itself.
3. A delegation must be clear, certain and specific and it is for this reason that purported blanket delegations of "all the powers and functions under this Act hereby delegated to..." will not withstand legal scrutiny. All delegations should set out the specific power, by reference to the section in the Act which is being delegated. City of Adelaide adopts the instruments of delegation which contain the specific powers and functions of the legislation, prepared for the Local Government Association, for use by all councils.
4. Section 44 of the Act also requires that the Council must have a recorded list of all delegated functions and powers. This is required to be reviewed at least once every Council term and must be made available to the public, pursuant to Schedule 5 of the Act. The Administration undertakes a minor review of delegations every year to ensure operational activities are compliant with relevant legislation.
5. The PDI Act provides the basis for a major overhaul of the planning and development system in South Australia. All metropolitan Councils within SA are required to implement the PDI Act by 19 March 2021. This implementation completes a three-stage process replacing all operations under the *Development Act 1993* with the new legislation.
6. The PDI Act delegation implementation and approval schedule includes:
 - 6.1. **Attachment A** – Council as a Council, a Designated Authority, and a Designated Entity delegating to the Chief Executive Officer.
 - 6.2. **Attachment B** – Council as a Relevant Authority delegating to the Chief Executive Officer
 - 6.3. Delegations directly to the Council Assessment Panel (CAP), which was included in a report to CAP at the meeting held on 22 February 2021.
 - 6.4. Delegations directly to the Assessment Manager position (already delegated as a Statutory Authority in their own right).

ATTACHMENTS

Attachment A – Instrument A: Delegations of a Council as a Council, Designated Authority and Designated Entity

Attachment B – Instrument B: Delegations of a Council as a Relevant Authority (for building consent and development approval)

- END OF REPORT -

INSTRUMENT A

INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

OF POWERS OF A COUNCIL AS:

- A COUNCIL;
- A DESIGNATED AUTHORITY;
- A DESIGNATED ENTITY

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument. Refer to the Schedule of Conditions at the back of this document.
2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and or amended.

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

1.	Planning Regions and Greater Adelaide
1.1	The power pursuant to Section 5(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act) to make submissions to the Minister on a proposed proclamation under Section 5 of the PDI Act.
2.	Subregions
2.1	The power pursuant to Section 6(3)(b) of the PDI Act to make submissions to the Minister on the Minister's proposed course of action.
3.	Environment and Food Production Areas – Greater Adelaide
3.1	The power pursuant to Section 7(5)(b) of the PDI Act, in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.
4.	Functions
4.1	The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.
5.	Planning Agreements
5.1	The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with

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INSTRUMENT OF DELEGATION UNDER
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	the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.
5.2	The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:
5.2.1	the setting of objectives, priorities and targets for the area covered by the agreement; and
5.2.2	the constitution of a joint planning board including, in relation to such a board:
5.2.2.1	the membership of the board, being between 3 and 7 members (inclusive); and
5.2.2.2	subject to Section 35(4) of the PDI Act, the criteria for membership; and
5.2.2.3	the procedures to be followed with respect to the appointment of members; and
5.2.2.4	the terms of office of members; and
5.2.2.5	conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and
5.2.2.6	the appointment of deputy members; and
5.2.2.7	the procedures of the board; and
5.2.3	the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and
5.2.4	the staffing and other support issues associated with the operations of the joint planning board; and
5.2.5	financial and resource issues associated with the operations of the joint planning board, including:
5.2.5.1	the formulation and implementation of budgets; and
5.2.5.2	the proportions in which the parties to the agreement will

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	be responsible for costs and other liabilities associated with the activities of the board; and
5.2.6	such other matters as the delegate thinks fit.
5.3	The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).
5.4	The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.
6.	Appointment of Administrator
6.1	The power pursuant to Section 41(2)(a) of the PDI Act to make submissions to the Minister on the Minister appointing an administrator under Section 41 of the PDI Act.
7.	Community Engagement Charter
7.1	The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).
7.2	The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.
7.3	The power pursuant to Section 44(10) of the PDI Act to:
7.3.1	seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and
7.3.2	with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.

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8.	Preparation and Amendment of Charter
8.1	The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.
9.	Preparation and Amendment
9.1	The power pursuant to Section 73(2)(b)(iv) of the PDI Act to:
9.1.1	seek the approval of the Minister to initiate a proposal to amend a designated instrument; and
9.1.2	initiate a proposal to amend a designated instrument with the approval of the Minister acting on the advice of the Commission.
9.2	The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied:
9.2.1	to prepare a draft of the relevant proposal; and
9.2.2	to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and
9.2.3	to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – consult with the joint planning board; and
9.2.4	to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give:
9.2.4.1	an owner or occupier of the land; and
9.2.4.2	an owner or occupier of each piece of adjacent land,
	a notice in accordance with the regulations; and
9.2.5	to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and

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9.2.6	to carry out such investigations and obtain such information specified by the Commission; and
9.2.7	to comply with any requirement prescribed by the regulations.
9.3	The power pursuant to Section 73(7) of the PDI Act, after complying with Section 73(6) of the PDI Act, to prepare a report in accordance with any practice direction that applies for the purposes of Section 73 of the PDI Act (including information about any change to the original proposal that the delegate considers should be made) and furnish a copy of the report to the Minister.
9.4	The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.
9.5	The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).
10. Parliamentary Scrutiny	
10.1	The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.
11. Entities Constituting Relevant Authorities	
11.1	The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.
12. Panels Established by Joint Planning Boards or Councils	
12.1	The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to:
12.1.1	appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess;

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12.1.2	determine:
12.1.2.1	the membership of the assessment panel, being no more than 5 members, only 1 of which may be a member of a council, and, if the delegate thinks fit, on the basis that the assessment panel will be constituted by a different number of members depending on the particular class of development that is being assessed by the assessment panel; and
12.1.2.2	the procedures to be followed with respect to the appointment of members; and
12.1.2.3	the terms of office of members; and
12.1.2.4	conditions of appointment of members, or the method by which those conditions will be determined, (including as to their remuneration) and the grounds on which, and the procedures by which, a member may be removed from office; and
12.1.2.5	the appointment of deputy members; and
12.1.2.6	who will act as the presiding member of the panel and the process for appointing an acting presiding member.
12.2	The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel.
12.3	The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act.
12.4	The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.
13.	Panels Established by Minister
13.1	The power pursuant to Section 84(1)(c)(ii)(A) of the PDI Act to request the Minister to constitute a regional assessment panel in relation to the combined areas of the Council and one or more other councils.

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13.2	The power pursuant to Section 84(1)(c)(ii)(B) of the PDI Act to make submissions to the Minister about the constitution of a regional assessment panel in relation to the area of the Council and one or more other councils (or parts of such areas).
14. Substitution of Local Panels	
14.1	The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.
15. Notification of Acting	
15.1	The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require.
16. Relevant Authority - Commission	
16.1	The power pursuant to Section 94(1)(g) of the PDI Act to make a request to the Minister that the Minister declare, by notice served on the proponent, that the Minister desires the Commission to act as the relevant authority in relation to the proposed development.
17. Matters Against which Development Must be Assessed	
17.1	The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting.
17.2	The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting.
17.3	The power pursuant to Section 102(1)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken.
18. Restricted Development	
18.1	The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of

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	planning consent.
18.2	The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council's representation.
18.3	The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development.
19.	Level of Detail
19.1	The power pursuant to Section 112(b) of the PDI Act to express views in relation to the level of detail required in relation to an EIS.
20.	EIS Process
20.1	The power pursuant to Section 113(5)(a)(iii) of the PDI Act to comment and report within the time prescribed by the regulations on an EIS referred to the Council by the Minister.
21.	Amendment of EIS
21.1	The power pursuant to Section 114(2)(b) of the PDI Act to make written submissions on the amendment to the Minister.
22.	Essential Infrastructure – Alternative Assessment Process
22.1	The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act.
22.2	The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council's opposition.
23.	Development Assessment – Crown Development
23.1	The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.
23.2	The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition.

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24. Land Division Certificate	
24.1	The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate security and if the regulations so require in a form prescribed by the regulations.
24.2	The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.
25. Action if Development Not Completed	
25.1	The power pursuant to Section 141(1) of the PDI Act, if:
25.1.1	an approval is granted under the PDI Act; but
25.1.2	-
25.1.2.1	the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or
25.1.2.2	in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the period contemplated by the approval,
	to apply to the Court for an order under Section 141 of the PDI Act.
25.1.3	The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and to recover the costs of that work, as a debt from the person.
25.1.4	The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act:
25.1.4.1	to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.

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26. Completion of Work
26.1 The power pursuant to Section 142(1) of the PDI Act, if:
26.1.1 an approval is granted under the PDI Act; but
26.1.2 the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval,
to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.
26.2 The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out.
26.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.
26.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act:
26.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
27. Notification During Building
27.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications.
28. Classification of Buildings
28.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council's area a classification that conforms with the regulations.
28.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the

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	classification assigned to the building.
29. Certificates of Occupancy	
29.1	The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.
29.2	The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.
29.3	The power pursuant to Section 152(3)(c) of the PDI Act to determine the appropriate fee.
29.4	The power pursuant to Section 152(5) of the PDI Act to consider any report supplied under Section 152(4) of the PDI Act before deciding the application.
29.5	The power pursuant to Section 152(6) of the PDI Act to issue the certificate if the delegate is satisfied (in accordance with procedures set out in the regulations and on the basis of information provided or obtained under Section 152 of the PDI Act) that the relevant building is suitable for occupation and complies with such requirements as may be prescribed by the regulations for the purposes of Section 152(6) of the PDI Act.
29.6	The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of:
29.6.1	the refusal; and
29.6.2	the reasons for the refusal; and
29.6.3	the applicant's right of appeal under the PDI Act.
29.7	The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building.
29.8	The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances.
30. Temporary Occupation	
30.1	The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy.

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30.2	The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose.
30.3	The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of:
30.3.1	the refusal; and
30.3.2	the reasons for the refusal; and
30.3.3	the applicant's right of appeal under the PDI Act.
31.	Emergency Orders
31.1	The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out.
31.2	The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.
31.3	The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
32.	Fire Safety
32.1	The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it as an appropriate authority under Section 157 of the PDI Act.
32.2	The power pursuant to Section 157(17) of the PDI Act to:
32.2.1	appoint to the appropriate authority:
32.2.1.1	a person who holds prescribed qualifications in building surveying; and
32.2.1.2	an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate

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	authority; and
32.2.1.3	a person with expertise in the area of fire safety; and
32.2.1.4	if so determined by the delegate, a person selected by the delegate;
32.2.2	specify a term of office of a member of the appropriate authority (other than a member under Section 157(17)(a)(ii) of the PDI Act;
32.2.3	remove a member of the appropriate authority from office for any reasonable cause;
32.2.4	appoint deputy members;
32.2.5	determine the appropriate authority's procedures (including as to quorum).
33.	Initiation of Scheme
33.1	The power pursuant to Section 163(3)(b) of the PDI Act to request the Minister initiate a proposal to proceed under Section 163 of the PDI Act.
33.2	The power pursuant to Section 163(10) of the PDI Act to make submissions to the Minister in relation to the draft outline.
34.	Initiation of Scheme
34.1	The power pursuant to Section 164(3) of the PDI Act to request the Minister initiate a proposal to proceed under Section 164 of the PDI Act.
34.2	The power pursuant to Section 164(12) of the PDI Act to make submissions to the Minister in relation to the draft outline.
35.	Consideration of Proposed Scheme
35.1	The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.
36.	Adoption of Scheme
36.1	The power pursuant to Section 167(7) of the PDI Act to make submissions to the Minister in relation to a variation to an outline of a scheme.

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37. Funding Arrangements
37.1 The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the PDI Act to apply for any matter to be considered or determined by ESCOSA or some other prescribed person or body as part of a periodic review of the levels and amounts of those contributions.
37.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.
38. Contributions by Constituent Councils
38.1 The power pursuant to Section 177(4) of the PDI Act to make submissions to the Minister in relation to the Council's share.
38.2 The power pursuant to Section 177(5) of the PDI Act to, at the request of the Minister, supply the Minister with information in the possession of the Council to enable the Minister to determine shares under Sections 177(2) and (3) of the PDI Act.
39. Imposition of Charge by Councils
39.1 The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.
40. Authorised Works
40.1 The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act.
40.2 The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to:
40.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and
40.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and
40.2.3 ensure that proper consideration is given to the views of the road

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	maintenance authority.
40.3	The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.
40.4	The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.
41.	Entry onto Land
41.1	The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to:
41.1.1	enter and pass over any land; and
41.1.2	bring onto any land any vehicles, plant or equipment; and
41.1.3	temporarily occupy land; and
41.1.4	do anything else reasonably required in connection with the exercise of the power.
41.2	The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act.
42.	Acquisition of Land
42.1	The power pursuant to Section 189(1) of the PDI Act, to:
42.1.1	seek the consent of the Minister to acquire land for a purpose associated with infrastructure works under and in accordance with the <i>Land Acquisition Act 1969</i> ; and
42.1.2	with the consent of the Minister, acquire land for a purpose associated with infrastructure works under and in accordance with the <i>Land Acquisition Act 1969</i> .
43.	Land Management Agreements
43.1	The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity.

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43.2	The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land with a greenway authority.
43.3	The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to:
43.3.1	the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and
43.3.2	the principle that the entering into of an agreement under Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.
43.4	The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations.
43.5	The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by agreement under Section 192 of the PDI Act.
43.6	The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.
43.7	The power pursuant to Section 192(10) of the PDI Act to express a provision under Section 192(9) of the PDI Act as extending to, or being for the benefit of, a person or body who or which is not a party to the agreement.
43.8	The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the PDI Act where the Council has a legal interest in the land.
43.9	The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-General, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.
43.10	The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made

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	under Section 192 of the PDI Act that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.
43.11	The power pursuant to Section 192(16) of the PDI Act to provide in an agreement under Section 192 of the PDI Act for remission of rates or taxes on the land.
43.12	The power pursuant to Section 192(17) of the PDI Act to seek the Minister's consent to providing in an agreement under Section 192 of the PDI Act entered into by the Council for the remission of rates or taxes payable to the Crown.
43.13	The power pursuant to Section 192(17) of the PDI Act to consent to an agreement entered into by the Minister under Section 192 of the PDI Act, providing for the remission of rates or taxes payable to the Council.
43.14	The power pursuant to Section 192(18) of the PDI Act to take into account the existence of an agreement under Section 192 of the PDI Act when assessing an application for a development authorisation under the PDI Act.
44.	Land Management Agreements – Development Applications
44.1	The power pursuant to Section 193(1) of the PDI Act to, subject to Section 193 of the PDI Act, enter into an agreement under Section 193 of the PDI Act with a person who is applying for a development authorisation under the PDI Act that will, in the event that the relevant development is approved, bind:
44.1.1	the person; and
44.1.2	any other person who has the benefit of the development authorisation; and
44.1.3	the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).
44.2	The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to the assessment of the development under the PDI Act).
44.3	The power pursuant to Section 193(3) of the PDI Act to have regard to:

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44.3.1	the provisions of the Planning and Design Code; and
44.3.2	the principle that the entering into of an agreement under Section 193 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.
44.4	The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance with the regulations.
44.5	The power pursuant to Section 193(10) of the PDI Act to consent to an application to note the agreement against the relevant instrument of title or the land.
44.6	The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.
44.7	The power pursuant to Section 193(13) of the PDI Act to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.
44.8	The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.
44.9	The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval.
45.	Off-setting Contributions
45.1	The power pursuant to Section 197(1)(b) of the PDI Act to seek the approval of the Minister to act under Section 197 of the PDI Act.
45.2	The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate:
45.2.1	development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different

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	site); or
45.2.2	planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or
45.2.3	any other initiative or policy:
45.2.3.1	designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act;
45.2.3.2	prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.
45.3	The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act:
45.3.1	an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act):
45.3.1.1	to make a contribution to a fund established as part of the scheme; or
45.3.1.2	to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or
45.3.1.3	to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act,
	in order to provide for or address a particular matter identified by the scheme; and
45.3.2	an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and
45.3.3	an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.
45.4	The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.
45.5	The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.

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45.6	The power pursuant to Section 197(7) of the PDI Act to:
45.6.1	seek the approval of the Minister to vary or wind up a scheme under Section 197 of the PDI Act; and
45.6.2	to vary or wind up a scheme under Section 197 of the PDI Act with the approval of the Minister.
46. Open Space Contribution Scheme	
46.1	The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the division of land in the Council's area into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require:
46.1.1	that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or
46.1.2	that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or
46.1.3	that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of the PDI Act,
	according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates land as open space and to seek the concurrence of the Commission to taking any action that is at variance with the Planning and Design Code.
46.2	The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act.
46.3	The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.
46.4	The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.
46.5	The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages.

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47. Urban Trees Fund
47.1 The power pursuant to Section 200(1) of the PDI Act to,
47.1.1 seek the approval of the Minister to establish a fund (an urban trees fund) for an area designated by the delegate; and
47.1.2 to, with the approval of the Minister establish a fund (an urban trees fund) for an area designed by the delegate (a designated area).
47.2 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.
47.3 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.
47.4 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.
47.5 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund:
47.5.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or
47.5.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.
47.6 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).
48. Appointment of Authorised Officers
48.1 The power pursuant to Section 210(1) of the PDI Act to:
48.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and
48.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.

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48.2	The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.
48.3	The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card:
48.3.1	containing a photograph of the authorised officer; and
48.3.2	stating any conditions of appointment limiting the authorised officer's appointment.
48.4	The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.
49.	Enforcement Notices
49.1	The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances:
49.1.1	direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach;
49.1.2	direct a person to make good any breach in a manner, and within a period, specified by the delegate;
49.1.3	take such urgent action as is required because of any situation resulting from the breach.
49.2	The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required.
49.3	The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.
49.4	The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action
49.5	The power pursuant to Section 213(7) of the PDI Act, if an amount is

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	recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
50. Applications to Court	
50.1	The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act.
50.2	The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council.
50.3	The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order should not be made under Section 214 of the PDI Act.
50.4	The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.
50.5	The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application.
50.6	The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act.
50.7	The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.
50.8	The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent
50.9	The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
50.10	The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act.

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51. Proceedings for Offences
51.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.
52. Adverse Publicity Orders
52.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.
52.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to:
52.2.1 take the PDI Action or actions specified in the order; and
52.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.
52.3 The power pursuant to Section 223(5) of the PDI Act, if:
52.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and
52.3.2 despite the evidence, the delegate is not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order,
to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions.
52.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council.
53. Civil Penalties
53.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court,

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	an amount as a civil penalty in respect of the contravention.
53.2	The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.
53.3	The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention.
53.4	The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act.
53.5	The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act.
54.	Make Good Order
54.1	The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.
55.	Recovery of Economic Benefit
55.1	The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.
56.	Enforceable Voluntary Undertakings
56.1	The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.
56.2	The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking.
56.3	The power pursuant to Section 230(7) of the PDI Act to agree in writing with a

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	person who has made an undertaking to:
56.3.1	vary the undertaking; or
56.3.2	withdraw the undertaking.
56.4	The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised.
56.5	The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible.
56.6	The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act.
57.	Advertisements
57.1	The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding:
57.1.1	disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or
57.1.2	is contrary to the character desired for a locality under the Planning and Design Code,
	to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).
57.2	The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the person on whom the notice was served.

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58. Professional Advice to be Obtained in Relation to Certain Matters
58.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.
58.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.
59. Charges on Land
59.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed.
59.2 The power pursuant to Section 239(6) of the PDI Act if a charge in the Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge.
60. Registering Authorities to Note Transfer
60.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar-General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.
61. Reporting
61.1 The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the delegate.
62. Review of Performance
62.1 The power pursuant to Clause 3(3) of Schedule 4 of the PDI Act to explain the Council's actions, and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take

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	remedial action), to the Minister.
62.2	The power pursuant to Clause 3(14) of Schedule 4 of the PDI Act to make submissions to the Minister on the report on which the PDI Action to be taken by the Minister under Clause 3(13) of Schedule 4 of the PDI Act is based.
62.3	The power pursuant to Clause 3(15) of Schedule 4 of the PDI Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the PDI Act and the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, to make submissions to the Minister in relation to the directions of the Minister.
62.4	The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.
63.	Planning and Design Code
63.1	The power pursuant to Clause 9(6)(a) of Schedule 8 of the PDI Act to apply to the Minister for approval to commence the process under Section 25 of the repealed Act.
64.	General Schemes
64.1	The power pursuant to Clause 30(3) of Schedule 8 of the PDI Act to request the Minister make a declaration under Clause 30(2) of Schedule 8 of the PDI Act in relation to a scheme.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (TRANSITIONAL
PROVISIONS) REGULATIONS 2017**

65.	Adoption of DPAs
65.1	The power pursuant to Regulation 8(1)(c) of the Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017 (the Transitional Provisions Regulations) to apply to the Minister under Regulation 8 of the Transitional Provisions Regulations in accordance with any requirement determined by the Minister.

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**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (FEES, CHARGES AND
CONTRIBUTIONS) REGULATIONS 2019**

66. Calculation or Assessment of Fees
66.1 The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal):
66.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and
66.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).
66.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.
66.3 The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of Regulations.
67. Waiver or Refund of Fee
67.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:
67.1.1 waive the payment of the fee, or the payment of part of the fee; or
67.1.2 refund the whole or a part of the fee.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL)
REGULATIONS 2017**

68. Underground Main Areas
68.1 The power pursuant to Regulation 78(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) if the delegate considers an area should be declared an underground mains area

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	to seek a report from the relevant electricity authority in relation to the matter.
68.2	The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area.
69.	Width of Roads and Thoroughfares
69.1	The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.
69.2	The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate.
69.3	The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road.
70.	Road Widening
70.1	The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area.
71.	Requirement as to Forming of Roads
71.1	The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.
71.2	The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road.
71.3	The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General

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	Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road.
71.4	The power pursuant to Regulation 83(5) of the General Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate.
71.5	The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.
72.	Construction of Roads, Bridges, Drains and Services
72.1	The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate.
73.	Supplementary Provisions
73.1	The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations.
73.2	The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the General Regulations to be carried out in a manner satisfactory to the delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work.
73.3	The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation are necessary and need to be laid under the surface of the proposed road, have been made.
74.	General Provisions
74.1	The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act.

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74.2	The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which:
74.2.1	evidences the consent of the Council to an encroachment by a building over other land; and
74.2.2	sets out: <ul style="list-style-type: none"> 74.2.2.1 the date on which any relevant building was erected (if known); and 74.2.2.2 the postal address of the site.
74.3	The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.
75. Notifications During Building Work	
75.1	The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.
75.2	The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on or before development approval is granted in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.
76. Essential Safety Provisions	
76.1	The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if:
76.1.1	the essential safety provisions were installed <ul style="list-style-type: none"> 76.1.1.1 under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or 76.1.1.2 as part of a performance solution under the Building Code; or
76.1.2	the building has been the subject of a notice under Section 157 of

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the PDI Act.	
77.	Classification of Buildings
77.1	The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by:
77.1.1	such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.
77.2	The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.
77.3	The power pursuant to Regulation 102(5) of the General Regulations, if an application under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).
77.4	The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act:
77.4.1	the maximum number of persons who may occupy the building (or part of the building); and
77.4.2	if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.
78.	Certificates of Occupancy
78.1	The power pursuant to Regulation 103(2) of the General Regulations to, require the following documentation:
78.1.1	if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the

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	conditions have been satisfied;
78.1.2	if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such evidence as the delegate may reasonably require to show:
78.1.2.1	in the case of a building more than 1 storey - that the requirements of any relevant Ministerial building standard have been complied with; or
78.1.2.2	in any other case - that the building is suitable for occupation.
78.2	The power pursuant to Regulation 103(3) of the General Regulations, to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under Regulation 103(2)(a) of the General Regulations if:
78.2.1	the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and
78.2.2	it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.
78.3	The power pursuant to Regulation 103(4) of the General Regulations if:
78.3.1	a building is:
78.3.1.1	to be equipped with a booster assembly for use by a fire authority; or
78.3.1.2	to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and
78.3.2	facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the PDI Act,
	to not grant a certificate of occupancy unless or until the delegate has sought a report from the fire authority as to whether those

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	facilities have been installed and operate satisfactorily and to seek such a report from the fire authority.
78.4	The power pursuant to Regulation 103(5) of the General Regulations if a report is not received from the fire authority within 15 business days, to presume that the fire authority does not desire to make a report.
78.5	The power pursuant to Regulation 103(6) of the General Regulations to have regard to any report received from a fire authority under Regulation 103(4) of the General Regulations before the delegate issues a certificate of occupancy.
78.6	The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy:
78.6.1	if:
78.6.1.1	there is a change in the use of the building; or
78.6.1.2	the classification of the building changes; or
78.6.1.3	building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m ² is about to commence, or is being or has been carried out; or
78.6.1.4	the building is about to undergo, or is undergoing or has undergone, major refurbishment,
	and the delegate considers that in the circumstances the certificate should be revoked and a new certificate sought; or
78.6.2	if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or
78.6.3	if a schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10) of the General Regulations; or
78.6.4	if the delegate considers:
78.6.4.1	that a condition attached to a relevant development authorisation has not been met, or has been contravened,

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	and that, in the circumstances, the certificate should be revoked; or
78.6.4.2	that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.
79.	Mining Production Tenements
79.1	The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement.
80.	Register of Land Management Agreements (Section 193)
80.1	The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act.
80.2	The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.
81.	Authorised Officers and Inspections
81.1	The power pursuant to Regulation 112(1) of the General Regulations to appoint at least 1 authorised officer under Section 210(1)(b) of the PDI Act:
81.1.1	who is an accredited professional who is:
81.1.1.1	an Accredited professional - building level 1; or
81.1.1.2	an Accredited professional - building level 2; or
81.1.1.3	an Accredited professional - building level 3; or
81.1.1.4	an Accredited professional - building level 4; or
81.1.2	who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or
81.1.3	who holds an approval from the Chief Executive.

INSTRUMENT B

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NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument. Refer to the Schedule of Conditions at the back of this document.
2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and or amended.

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

1.	Environment and Food Production Areas – Greater Adelaide
1.1	The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.
1.2	The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.
2.	Related Provisions
2.1	The power pursuant to Section 99(2)(b)(ii) of the PDI Act to, if appropriate, grant development approval in the case of Section 99(1)(d) of the PDI Act.
2.2	The power pursuant to Section 99(3) of the PDI Act where a proposed development is to be undertaken within the area of the Council, to, subject to the regulations, if appropriate, grant the final development approval after all elements of the development have been approved by one or more relevant authorities under Section 99 of the PDI Act.

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3.	Matters Against Which Development Must be Assessed
3.1	The power pursuant to Section 102(1) of the PDI Act to assess a development against and grant or refuse a consent in respect of the relevant provisions of the Building Rules (building consent).
3.2	The power pursuant to Section 102(8) of the PDI Act, when all relevant consents have been granted in relation to a development, to in accordance with the PDI Act, indicate that the development is approved.
4.	Building Consent
4.1	The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).
4.2	The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.
4.3	The power pursuant to Section 118(2) of the PDI Act, subject to Section 118(6) of the PDI Act, to grant a building consent to a development that is at variance with the Building Rules if:
4.3.1	the variance is with a part of the Building Rules other than the Building Code or a Ministerial building standard and the delegate determines that it is appropriate to grant the consent despite the variance on the basis that the delegate is satisfied:
4.3.1.1	that:
	(a) the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building work fails to conform with the Building Rules only in minor respects; and
	(b) the variance is justifiable having regard to the objects of the Planning and Design Code or the performance requirements of the Building Code or a Ministerial building standard (as the case may be) and would achieve the objects of this Act as effectively, or more effectively, than if the variance

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	were not to be allowed; or
4.3.1.2	in a case where the consent is being sought after the development has occurred - that the variance is justifiable in the circumstances of the particular case.
4.4	The power pursuant to Section 118(4) of the PDI Act, to at the request or with the agreement of the applicant, refer proposed building work to the Commission for an opinion on whether or not it complies with the performance requirements of the Building Code or a Ministerial building standard.
4.5	The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building rules consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.
4.6	The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard.
4.7	The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work complies with the Building Rules to the extent that:
4.7.1	such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or
4.7.2	such compliance is certified by a building certifier.
4.8	The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification
4.9	The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice

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	of the relevant authority's decision on the application for that consent, specify (in the notice or in an accompanying document):
4.9.1	the variance; and
4.9.2	the grounds on which the decision is being made.
5.	Application and Provision of Information
5.1	The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.
5.2	The power pursuant to Section 119(3) of the PDI Act to request an applicant:
5.2.1	to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;
5.2.2	to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;
5.2.3	to consult with an authority or body prescribed by the regulations;
5.2.4	to comply with any other requirement prescribed by the regulations.
5.3	The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.
5.4	The power pursuant to Section 119(9) of the PDI Act to:
5.4.1	permit an applicant:
5.4.1.1	to vary an application;
5.4.1.2	to vary any plans, drawings, specifications or other documents that accompanied an application,
	(provided that the essential nature of the proposed development is not changed);
5.4.2	permit an applicant to lodge an application without the provision of

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	any information or document required by the regulations;
5.4.3	to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);
5.4.4	if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.
5.5	The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.
5.6	The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.
5.7	The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.
6.	Outline Consent
6.1	The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.
6.2	The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to:
6.2.1	grant any consent contemplated by the outline consent; and
6.2.2	not impose a requirement that is inconsistent with the outline consent.
7.	Referrals to Other Authorities or Agencies
7.1	The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to

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	be assessed by a relevant authority, to:
7.1.1	refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and
7.1.2	not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made
	where the regulations so provide, subject to Section 122 of the PDI Act.
7.2	The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:
7.2.1	to refuse the application; or
7.2.2	consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body)
	where the regulations so provide.
7.3	The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.
7.4	The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.
8.	Proposed Development Involving Creation of Fortifications
8.1	The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).
8.2	The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to:
8.2.1	if the proposed development consists only of the creation of

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	fortifications – refuse the application;
8.2.2	in any other case – impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortification.
8.3	The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.
8.4	The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act, to apply to the Court to be joined as a party to the appeal.
9.	Determination of Application
9.1	The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).
9.2	The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.
10.	Conditions
10.1	The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.
10.2	The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.

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11. Variation of Authorisation
11.1 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.
12. Saving Provisions
12.1 The power pursuant to Section 133(3) of the PDI Act to, in order to avoid or reduce hardship, extend the limitation period referred to in Section 133(2) of the PDI Act.
13. Requirement to Up-grade
13.1 The power pursuant to Section 134(1) of the PDI Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition.
13.2 The power pursuant to Section 134(1) of the PDI Act, if:
13.2.1 an application for a building consent relates to:
13.2.1.1 building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or
13.2.1.2 a change of classification of a building; and
13.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition,
to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.
13.3 The power pursuant to Section 134(2) of the PDI Act, when imposing a requirement under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed.
13.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act:
13.4.1 subject to Section 134(3)(b) of the PDI Act - on the basis that the

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	relevant matters must be addressed as part of the application before the relevant authority will grant building consent; and
13.4.2	in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed
13.5	The power pursuant to Section 134(4) of the PDI Act if:
13.5.1	an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and
13.5.2	the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities,
	to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be).
13.6	The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act:
13.6.1	subject to Section 134(5)(b) of the PDI Act - on the basis that the building work or other measures to achieve compliance with the relevant performance requirements must be addressed before the relevant authority will grant building consent; and
13.6.2	in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed.
14.	Urgent Building Work
14.1	The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.
15.	Cancellation of Development Authorisation
15.1	The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development

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	authorisation previously given by the relevant authority.
15.2	The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.
16.	Professional Advice to be Obtained in Relation to Certain Matters
16.1	The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.
16.2	The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.
17.	Continuation of Processes
17.1	The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:
17.1.1	adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and
17.1.2	adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and
17.1.3	deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and
17.1.4	deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and
17.1.5	take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act.

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18. Accredited Professionals
18.1 The power pursuant to Regulation 25(7)(c) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the General Regulations.
19. Verification of Application
19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:
19.1.1 determine the nature of the development; and
19.1.2 if the application is for planning consent - determine:
19.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and
19.1.2.2 the category or categories of development that apply for the purposes of development assessment; and
19.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and
19.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):
19.1.4.1 check that the appropriate documents and information have been lodged with the application; and
19.1.4.2 confirm the fees required to be paid at that point under the

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	<i>Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019; and</i>
19.1.4.3	provide an appropriate notice via the SA planning portal; and
19.1.5	if the relevant authority is not the correct entity to assess the application (or any part of the application):
19.1.5.1	provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and
19.1.5.2	provide an appropriate notice via the SA planning portal.
20.	Amended Applications
20.1	The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.
20.2	The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.
21.	Withdrawing/Lapsing Applications
21.1	The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:
21.1.1	any agency to which the application has been referred under Division 2 of the General Regulations; and
21.1.2	any person who has made a representation in relation to the application under Division 3 of the General Regulations,

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	of the withdrawal.
21.2	The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations to:
21.2.1	take reasonable steps to notify the applicant of the action under consideration; and
21.2.2	allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.
22.	Court Proceedings
22.1	The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.
23.	Additional Information or Amended Plans
23.1	The power pursuant to Regulation 42(1) of the General Regulations if the relevant authority has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.
24.	Building Matters
24.1	The power pursuant to Regulation 45(1) of the General Regulations to, if, in assessing an application for building consent, the delegate considers that:
24.1.1	a proposed performance solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for the intervention of a fire authority; or
24.1.2	the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or
24.1.3	special problems for fire fighting could arise due to hazardous

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	conditions of a kind described in Section E of the Building Code,
	refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the relevant authority that a referral is not required.
24.2	The power pursuant to Regulation 45(2) of the General Regulations, if a report is not received from the fire authority on a referral under Regulation 45(1) of the General Regulations within 20 business days, to presume that the fire authority does not desire to make a report.
24.3	The power pursuant to Regulation 45(3) of the General Regulations to have regard to any report received from a fire authority under Regulation 45 of the General Regulations.
24.4	The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority:
24.4.1	recommends against the granting of building consent; or
24.4.2	concurs in the granting of consent on conditions specified in its report,
	but the delegate:
24.4.3	proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or
24.4.4	does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent,
	to:
24.4.5	refer the application to the Commission; and
24.4.6	not grant consent unless the Commission concurs in the granting of the consent.
24.5	The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under the PDI Act.

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25. Notice of Decision (Section 126(1))
25.1 The power pursuant to Regulation 57(4) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.
26. Consideration of Other Development Authorisations
26.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.
27. Certificate of Independent Technical Expert in Certain Cases
27.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.
28. Urgent Work
28.1 The power pursuant to Regulation 63(1) of the General Regulations to,
28.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and
28.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.
28.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.
28.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.
29. Variation of Authorisation (Section 128)
29.1 The power pursuant to Regulation 65(1) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act

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	(including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.
30. Plans for Building Work	
30.1	The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building if:
30.1.1	the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or
30.1.2	the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building,
	to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.

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31. Calculation or Assessment of Fees	
31.1	The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the Council under a related set of regulations (including via the SA planning portal):
31.1.1	to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and
31.1.2	to make any other determination for the purposes of the Fees

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	Regulations or a related set of regulations (even if the Council is not a relevant authority).
31.2	The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.
31.3	The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.
32.	Waiver or Refund of Fee
32.1	The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:
32.1.1	waive the payment of the fee, or the payment of part of the fee; or
32.1.2	refund the whole or a part of the fee.

National General Assembly of Local Government 2021

ITEM 10.7 09/03/2021
Council

Strategic Alignment - Enabling Priorities

Program Contact:

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Public

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Officer, Corporate Services

EXECUTIVE SUMMARY

The National General Assembly 2021 (NGA) will be held in Canberra from 20-23 June 2021 (subject to restrictions on gatherings).

The theme of the 2021 NGA is '*Working Together for Our Communities*'.

The Australian Local Government Association (ALGA) is now calling for Notices of Motions for inclusion in the NGA Business Papers and subsequent debate on the floor of the NGA.

Council approval is sought of proposed Motions on Notice and to appoint a Council representative as a voting delegate for the 2021 NGA.

Attendance at the 2021 NGA provides an opportunity for Council to influence the national policy agenda and how Local Governments can work in partnership with the Australian Government to address the challenges our communities face, or the opportunities that are arising.

RECOMMENDATION

THAT COUNCIL

1. Notes that the National General Assembly 2021 is scheduled for 20-23 June 2021.
2. Appoints a Council representative as a voting delegate for the National General Assembly 2021 from 20-23 June 2021.
3. Notes that motions to be considered at the National General Assembly 2021 must be confirmed through Council resolution and submitted to the Australia Local Government Association no later than 11:59pm on Friday 26 March 2021.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities This report contributes to Council's 2020-2024 Strategic Plan as participation in the National General Assembly of Local Government will enable Council to work with other Local Government entities to shape the future of the city and the sector.
Policy	Not as a result of this report
Consultation	Council Members were engaged via E-news articles dated 19 January 2021 and 1 February 2021 inviting proposals (to be considered by Council) for Motions on Notice for debate at the National General Assembly 2021. Council Members were also informed of the opportunity to attend the Meeting, and to nominate as a voting delegate. No motions have been proposed nor expressions of interest received from Council Members.
Resource	Administrative support will be provided to Council Member/s attending.
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Submission of Motions on Notice to and attendance at the NGA provides Council with the opportunity to shape the future of local government in South Australia.
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	Not as a result of this report
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

DISCUSSION

1. The National General Assembly 2021 (NGA) '*Working together for Our Communities*' will be held in Canberra from 20-23 June 2021 (subject to restrictions on gatherings).
2. The NGA provides opportunities for attendees to discuss the national policy agenda and hear from influential leaders and policy and decision makers.
3. The program for this year's NGA, themed '*Working Together for Our Communities*' will be provided to Council Members via E-news once released.

Appointment of Council's Voting Delegate and Cost of Attendance

4. Council's consideration of appointing a voting delegate is sought.
5. At the time of writing this report there are no nominees for voting or deputy delegate.
6. Registration fees are \$989 (early bird rate). Registration and payment must occur by 7 May 2021 to secure the early bird rate.
7. Economy flights cost between \$140 and \$385 each way.
8. Registration and three nights' accommodation are anticipated to cost between \$1,469 - \$2114 per delegate (approximately).
9. Costs associated with the attendance of two delegates at the NGA can be met from within existing budget allocations.

Motions on Notice

10. The NGA represents an important opportunity for Council to influence the national policy agenda.
11. Councils have been asked to identify motions for debate by the NGA that address the Assembly theme.
12. To be eligible for inclusion in the NGA Business Papers motions must:
 - 12.1. Be relevant to the work of local government nationally
 - 12.2. Be consistent with the themes of the NGA
 - 12.3. Complement or build on the policy objectives of your state and territory local government association
 - 12.4. Be from a council which is a financial member of their state or territory local government association
 - 12.5. Propose a clear action and outcome
 - 12.6. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
13. Consistent with the process used in preparation for previous Assemblies, Council members were invited by E-News on 19 January 2021 and 1 February 2021 to submit Motions on Notice for consideration of Council. Administration support was offered to Council members interested in developing proposed items.
14. At the time of writing this report no motions have been proposed by a Council Member for submission to ALGA for debate at the NGA.
15. The agenda papers for the NGA including all Motions on Notice for debate at the Assembly will be shared with Council once released.

ATTACHMENTS

Nil

- END OF REPORT -

Appointment of Traders Advisory Group Chair to Adelaide Central Market Authority Board

ITEM 10.8 09/03/2021
Council

Strategic Alignment - Strong Economies

2015/02959

Public

Approving Officer:
Tom McCready, Acting Director
City Shaping

EXECUTIVE SUMMARY

Council at its meeting on 29 March 2019 appointed Mr Ivan Oulianoff, Chair of the Traders Advisory Group (TAG), to the Adelaide Central Market Authority (ACMA) Board for a two-year term.

Mr Oulianoff's term as Chair of the TAG expired in February 2021.

Following an election held in accordance with the Terms of Reference for the TAG to appoint its new Chair for a two-year term, Mr Ivan Oulianoff was subsequently re-elected.

In accordance with Section 2.3.2 of the ACMA Charter, "one Board Member must be the Chair of the Traders Advisory Group".

RECOMMENDATION

THAT COUNCIL

1. Notes Mr Ivan Oulianoff was recently appointed as the new Chair for the Traders Advisory Group.
 2. Notes the Adelaide Central Market Authority Charter (ACMA) is currently being reviewed and will be presented to Council for consideration.
 3. Appoints Mr Ivan Oulianoff as the representative of the Traders Advisory Group to the ACMA Board for a term commencing 10 March 2021 for a period of two years, or until such time as Council approves any changes to the ACMA Charter in terms of representation and the amended Charter is subsequently gazetted.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies This report contributes to Council’s 2020-2024 Strategic Plan by supporting the activities of the Adelaide Central Market Authority.
Policy	The Adelaide Central Market Authority (ACMA) Charter 2014 (the Charter) outlines the role and term of members of the ACMA Board and has informed the selection process.
Consultation	Mr Oulianoff was elected as Chair of Traders Advisory Group (TAG) by the traders of the Adelaide Central Market, following a nomination and voting process.
Resource	Not as a result of this report
Risk / Legal / Legislative	Clause 2.3.2 of the Charter states: “One Board Member must be a Council Member and one Board Member must be the Chair of the Traders Advisory Group, unless the Chair of the Traders Advisory Group refuses or is unable to act as a Board Member, in which case the Council may appoint another person to be a Board Member in place of the Chair of the Traders Advisory Group.” A review currently being undertaken of the ACMA Charter may result in amending the Board and / or TAG membership.
Opportunities	Not as a result of this report
20/21 Budget Allocation	Not as a result of this report
Proposed 21/22 Budget Allocation	Consistent with current operating budget - \$15,450 (\$92,700 for six Board Members, excluding Chairperson).
Life of Project, Service, Initiative or (Expectancy of) Asset	This report seeks an appointment to the ACMA Board Member subject to any amendments to the ACMA Charter that that may result in amending the Board and / or TAG membership.
20/21 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Board sitting fees and reimbursement of expenses.
Other Funding Sources	Not as a result of this report

DISCUSSION

1. On 28 February 2021, Mr Ivan Oulianoff's term as Chair of the TAG for the Adelaide Central Market expired. Subsequently his position as Board Member of the Adelaide Central Market Authority (ACMA) also expired.
2. On 19 February 2021, the ACMA General Manager, Jodie Kannane, advised that Mr Ivan Oulianoff was re-appointed as the Chair of TAG for the Adelaide Central Market effective 1 March 2021 and expiring on 28 February 2023. Mr Oulianoff is the current lease holder of Central Organics (Stall 72) in the Adelaide Central Market.
3. Council is now required to appoint the new Chair of TAG as a Board Member of the Adelaide Central Market Authority.
4. Section 2.3.2 of the ACMA Charter states that, "One Board Member must be a Council Member and one Board Member must be the Chair of the Traders Advisory Group, unless the Chair of the Traders Advisory Group refuses or is unable to act as a Board Member, in which case the Council may appoint another person to be a Board Member in place of the Chair of the Traders Advisory Group."
5. At the request of the ACMA Board, the current ACMA Charter is currently being reviewed.
6. The draft Charter will require Council endorsement and Council may seek to review or revise the roles and terms of the ACMA Board or indeed the role and representation of the TAG representative on the ACMA Board.
7. This report recommends that Mr Ivan Oulianoff as Chair of the TAG be appointed as an ACMA Board for a term commencing 10 March 2021 for a period of two years, or until such time as Council approves any changes to the ACMA Charter in terms of representation and the amended Charter is subsequently gazetted.

ATTACHMENTS

Nil

- END OF REPORT -

Exclusion of the Public

ITEM 11.1 09/03/2021
Council

Program Contact:
Kerry Loughhead, Acting
Manager Governance 8203
7014

Approving Officer:
Clare Mockler, Acting Chief
Executive Officer

2018/04291
Public

EXECUTIVE SUMMARY

Section 90(2) of the *Local Government Act 1999 (SA)* (the Act), states that a Council may order that the public be excluded from attendance at a meeting if the Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.

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

For the following Report of the Adelaide Park Lands Authority seeking consideration in confidence

- 12.1.1** Advice 1 - Expression of Interest Results – Rowing Club Building – Red Gum Park / Karrawirra Park 12 [section 90(3) (b) of the Act]

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

- 12.2.1.** Cultural Investigation Report [s 90(3) (a), (g) & (h)]

The Order to Exclude for Items 12.1.1 and 12.2.1

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

ORDER TO EXCLUDE FOR ITEM 12.1.1

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (b) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 9 March 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 [Advice 1 - Expression of Interest Results – Rowing Club Building – Red Gum Park / Karrawirra Park 12] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which may prejudice the ability to undertake/participate in future negotiations on the proposal and prejudice the Council's commercial position and opportunity for Council to participate in future like considerations or discussions.

Public Interest

The Board is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in release of information prior to the finalisation of 'commercial in confidence' negotiation with the proponent and because the disclosure of Council's commercial position may severely prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 9 March 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 [Advice 1 - Expression of Interest Results – Rowing Club Building – Red Gum Park / Karrawirra Park 12] 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) (b) of the Act.

ORDER TO EXCLUDE FOR ITEM 12.2.1

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (a), (g) & (h) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 9 March 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 12.2.1 [Cultural Investigation Report] listed on the Agenda.

Grounds and Basis

This Item is confidential as it contains matters that must be considered in confidence in order to ensure that the Council does not breach any law, any duty of confidence, or other legal obligation or duty, and preserves legal privilege.

The disclosure of this report would waive legal privilege and involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

The disclosure of information in this report could reasonably prejudice the identity of the persons named in the report and would prejudice the ability of the Chief Executive Officer to act as required by law. By maintaining the confidentiality of this report, procedural fairness will be observed.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 9 March 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 12.2.1 [Cultural Investigation Report] 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) (a), (g) & (h) of the Act.

DISCUSSION

1. Section 90(1) of the *Local Government Act 1999 (SA)* (the Act) directs that a meeting of Council must be conducted in a place open to the public.
2. Section 90(2) of the Act, states that a Council may order that the public be excluded from attendance at a meeting if Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.
3. Section 90(3) of the Act prescribes the information and matters that a Council may order that the public be excluded from.
4. Section 90(4) of the Act, advises that in considering whether an order should be made to exclude the public under section 90(2) of the Act, it is irrelevant that discussion of a matter in public may -
 - (a) *cause embarrassment to the council or council committee concerned, or to members or employees of the council; or*
 - (b) *cause a loss of confidence in the council or council committee; or*
 - (c) *involve discussion of a matter that is controversial within the council area; or*
 - (d) *make the council susceptible to adverse criticism.'*
5. Section 90(7) of the Act requires that an order to exclude the public:
 - 5.1 Identify the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
 - 5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
 - 5.3 In addition identify for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.
6. Section 83(5) of the Act has been utilised to identify in the Agenda and on the Report for the meeting, that the following report is submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 12.1.1 – Advice 1 - Expression of Interest Results – Rowing Club Building – Red Gum Park / Karrawirra Park 12
 - 6.1.1 Is subject to an Existing Confidentiality Order 25/2/2021.
 - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (b) of the Act
 - (b) information the disclosure of which—
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest
 - 6.2 Information contained in Item 12.2.1 – Cultural Investigation Report
 - 6.2.1 Is not subject to an Existing Confidentiality Order.
 - 6.2.2 The grounds utilised to request consideration in confidence is section 90(3) (a), (g) & (h) of the Act
 - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
 - (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty
 - (h) legal advice

ATTACHMENTS

Nil

- END OF REPORT -

Confidential Item 12.1.1

Advice of the Adelaide Park Lands Authority in Confidence – 25 February 2021

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

Pages 185 to 186

Confidential Item 12.2.1

Cultural Investigation Report

Section 90 (3) (a), (g) & (h) of the *Local Government Act 1999 (SA)*

Pages 187 to 195

Reports from Council Members

ITEM 14.1 09/03/2021
Council

Strategic Alignment - Enabling Priorities

Program Contact:
Kerry Loughhead, A/Manager
Governance 8203 7014

2018/04064
Public

Approving Officer:
Justin Lynch, Chief Operating
Officer, Corporate Services

EXECUTIVE SUMMARY

This report is presented to:

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

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

RECOMMENDATION

THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 14.1 on the Agenda for the meeting of the Council held on 9 March 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 9 March 2021).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 9 March 2021 be included in the Minutes of the meeting.

ATTACHMENTS

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

Attachment B - Summary of meeting attendance

- END OF REPORT -

FUNCTIONS ATTENDED ON BEHALF OF THE LORD MAYOR: 4 February 2021 - 3 March 2021			
COUNCIL MEMBER	DATE	EVENT TITLE	EVENT DETAILS
Councillor Couros (Deputy Lord Mayor)	6/02/2021	Australian Asian Chamber of Commerce 2021 Cellar Door Dinner	2021 Chinese New Year Celebration and the launch of "I Love SA" initiative
Councillor Couros (Deputy Lord Mayor)	8/02/2021	Official Launch of the Freemasons Centre for Male Health & Wellbeing	Opening of new research alliance between Uni Adel, SAMHRI, Menzies School of Research & Masonic Charity
Councillor Knoll	20/02/2021	Exhibition: New Land, New Hope	Commemorating thirty years of settlement by refugees from the Horn of Africa
Councillor Mackie	25/02/2021	Launch LGBTQIA+ Rainbow Directory - Catalyst Foundation	Rainbow Directory', an online database of services for LGBTQIA+ communities
Councillor Donovan	26/02/2021	IAASA Mela Festival 2021	Festival of food, song, dance, and music relating to India
Councillor Knoll	26/02/2021	Latin American Society of South Australia	Attendance at First Annual General Meeting
COUNCIL MEMBER MEETINGS ATTENDED : 4 February 2021 - 3 March 2021			
COUNCIL MEMBER	DATE	EVENT TITLE	EVENT DETAILS
Councillor Hyde	17/02/2021	StudyAdelaide Board Meeting	Attended as Adelaide Council Representative
Councillor Hyde	18/02/2021	Adelaide Central Market Board Meeting	Attended as Adelaide Council Representative
Councillor Donovan	18/02/2021	Stormwater Management Authority Board Meeting	Attended as Adelaide Council Representative
Councillor Donovan	23/02/2021	State Records Council Meeting	Attended as Adelaide Council Representative
Councillor Couros	11/02/2021	Adelaide Convention Bureau Finance Committee	Attended as Adelaide Council Representative
Councillor Couros	18/02/2021	Adelaide Convention Bureau Board Meeting	Attended as Adelaide Council Representative
Councillor Martin	18/02/2021	Adelaide Airport Consultative Committee	Attended as Adelaide Council Representative
Councillor Hou	10/02/2021	Australia Day Council South Australia Board Meeting	Attended as Adelaide Council Representative

Meeting attendance

	Audit Committee 5 February 2021	Council 9 February 2021	The Committee 16 February 2021	Council Assessment Panel 22 February 2021	The Committee 23 February 2021	Reconciliation Committee 24 February 2021	Adelaide Park Lands Authority 25 February 2021	Council - Special Meeting 2 March 2021	The Committee 2 March 2021	Meetings held	Meetings attended
Lord Mayor Sandy Verschoor	✓	✓	✓		✓	✓	✓	✓	✓	8	8
Councillor Arman Abrahamzadeh		✓	✓	✓	✓		✓	✓	✓	7	6
Councillor Mary Couros (Deputy Lord Mayor)		✓	✓		✓	✓		✓	✓	6	6
Councillor Helen Donovan		✓			✓			✓	✓	6	4
Councillor Simon Hou		✓	✓		✓			✓	✓	5	5
Councillor Alex Hyde	✓	✓	✓					✓	✓	7	5
Councillor Jessy Khera		✓	✓		✓			✓	✓	5	5
Councillor Franz Knoll		✓	✓		✓	✓		✓	✓	6	6
Councillor Greg Mackie		✓	✓		✓			✓	✓	5	5
Councillor Phillip Martin		✓	✓		✓			✓	✓	5	5
Councillor Anne Moran		✓	✓		✓			✓	✓	5	5
Councillor Robert Simms		✓	✓		✓			✓	✓	5	5
# in Attendance	2	12	11	1	11	3	2	11	12		

Key:

	Apology
	Leave
	Not a Member
	Proxy Member

Sale of City Assets

ITEM 15.1 09/03/2021
Council

Council Member
Councillor Martin

Public

Contact Officer:
Tom McCready, Acting
Director City Shaping

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could the Administration advise in respect of the sale of the Pirie Street UPark and associated tenancies reported by The Advertiser on 17 January 2021:

1. What the ROI was for the last non Covid financial year, 2018/19?
2. Has the loss of income from the Pirie Street UPark and associated tenancies been factored into the long-term Financial Year and, if so, from which year?
3. What is the total of the income lost from the proposed sale of approximately 60 million dollars in City assets shown in the published QF2 report and has that total been factored into the long-term Financial Plan?'

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

- END OF REPORT -

Fun Tea Gouger Street

ITEM 15.2 09/03/2021
Council

Council Member
Councillor Martin

Public

Contact Officer:
Justin Lynch, Chief Operating
Officer

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Could the Administration advise if the Fun Tea Shop in Gouger Street which is at the centre of a wage theft controversy;

1. Received, as a tenant of the City of Adelaide, rent relief and, if so, was it 10%, 50% or 100% and for what period?
2. Has applied for and received approval for any other financial assistance from the City of Adelaide?'

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

- END OF REPORT -

COVID 19 Financial Impact

ITEM 15.3 09/03/2021

Council

Council Member
Councillor Martin

Public

Contact Officer:
Justin Lynch, Chief Operating
Officer

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'One of the documents presented to a Committee meeting on 23 February 2019 reported the budgetary position of the City of Adelaide had been affected by "COVID-19 and a loss of other income, predominately parking and rent in the order of \$20m in 2020." The Administration told Elected Members the \$20 million was spread over two financial years.

Could the Administration advise what was amount for each of the 2019/20 and (so far for) the 2020/21 financial years and what were each of the components of that \$20 million?'

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

- END OF REPORT -

Purchase of Carbon Credits

ITEM 15.4 09/03/2021
Council

Council Member
Councillor Martin

Public

Contact Officer:
Tom McCready, Acting Director
City Shaping

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'On 4 February 2021, the City of Adelaide announced to Elected Members that it had received carbon neutral certification making it carbon neutral.

Could the Administration advise:

1. The cost and dates of purchase of the carbon credits acquired to assist the City to achieve certification in the current financial year.
2. The percentage that these credits made up of the whole of variables addressed towards achieving that carbon neutral status.
3. The number and cost of carbon credits purchased, and the dates of purchase, in the financial years 2017-18, 2018-19, and 2019-20.
4. The percentage that these credits in each of these periods made up of the whole of variables addressed towards achieving carbon neutral status.
5. The total cost to the City of Adelaide of purchases of carbon credits from the financial year 2017-18 to March 2021.
6. The geographic location of every carbon credit purchase.'

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

- END OF REPORT -

Increased Electricity Consumption

ITEM 15.5 09/03/2021
Council

Council Member
Councillor Martin

Public

Contact Officer:
Tom McCready, Acting Director
City Shaping

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'The minutes of the November meeting of Council contain an undertaking by the CEO to provide an explanation for a 5.5% increase in the Council's Electricity Consumption to the elected body. Could the Administration advise if and when that explanation will be provided?'

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

- END OF REPORT -

Risk

ITEM 15.6 09/03/2021
Council

Council Member
Councillor Martin

Public

Contact Officer:
Tom McCready, Acting Director
City Shaping

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Noting that the Prudential Report into the possible development of 88 O'Connell Street, the land for which Council will own throughout construction, was completed last year, has the Administration considered whether there is any new risk to the City's substantial investment following the announcement of the purchase of the land directly opposite known as the North Adelaide Village by Sydney based developer REVELOP which could itself redevelop and, if any risks have been identified, what are they and can they be mitigated?'

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

- END OF REPORT -

Staffing Matters

ITEM 15.5 09/03/2021
Council

Council Member
Councillor Hyde

Public

Contact Officer:
Justin Lynch, Chief Operating
Officer

QUESTION ON NOTICE

Councillor Hyde will ask the following Question on Notice:

'Could the administration please advise whether any City of Adelaide employee positions attract a final yearly salary, including other benefits, that are above the award rate for the respective professions?

If so, could the Administration please advise how many job categories are attracting a salary and benefits that higher than the award, and also how many FTE this affects? Could the Administration also advise on the total monetary difference between the actual salaries and benefits, and respective awards, across the organisation and all relevant positions for one year?

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

- END OF REPORT -

Adelaide Aquatic Centre

ITEM 15.8 09/03/2021
Council

Council Member
Councillor Hyde

Public

Contact Officer:
Justin Lynch, Chief Operating
Officer

QUESTION ON NOTICE

Councillor Hyde will ask the following Question on Notice:

'Could the Administration please advise the precise capital expenditure that is forecast on the Adelaide Aquatic Centre, when it is expected to be expended by and what the expenditure is for - to replace, repair or purchase?

Could the Administration please advise what the effects to Aquatic Centre Services would be if the City resolved to not expend those funds?'

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

- END OF REPORT -

Staffing Numbers

ITEM 15.9 09/03/2021
Council

Council Member
Councillor Hyde

Public

Contact Officer:
Justin Lynch, Chief Operating
Officer

QUESTION ON NOTICE

Councillor Hyde will ask the following Question on Notice:

'Noting that in the most recent update on staffing numbers within the City of Adelaide highlighted 51 vacant FTE positions, could the administration please advise:

- The number of these positions that are still vacant?
- The role description/profession of each vacancy, including whether they are a front-line service or corporate service?
- When the Administration expects to fill these positions by?
- Whether wage expenditure on these positions is factored into the City's operating expenditure projections for the remainder of this financial year, the upcoming financial year and all subsequent years in the Long-Term Financial Plan?'

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

- END OF REPORT -

Reinstatements within the City of Adelaide

ITEM 15.10 09/03/2021
Council

Council Member
Councillor Hyde

Public

Contact Officer:
Klinton Devenish, Director
Services, Infrastructure &
Services

QUESTION ON NOTICE

Councillor Hyde will ask the following Question on Notice:

- '1. Noting the current management approach for reinstatements in the City of Adelaide is not meeting expectation, can the Administration advise how resources may be better allocated to achieve a better standard and faster reinstatement program?
2. Can the administration provide the estimated number of current reinstatements across Adelaide and North Adelaide that must be undertaken, including a breakdown of which utilities companies have caused reinstatements, how many they have caused and when?

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

- END OF REPORT -

Cultural Report

ITEM 15.11 09/03/2021
Council

Council Member
Deputy Lord Mayor, Councillor
Courous

Contact Officer:
Clare Mockler, Acting Chief
Executive Officer

Public

QUESTION ON NOTICE

Deputy Lord Mayor, Councillor Courous will ask the following Question on Notice:

'Noting recent media reports regarding the motion for a Cultural Report that was unanimously agreed in April 2020 investigating the culture between elected members and administration. Can the CEO please advise the status of the report and when it will be made public?'

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

- END OF REPORT -

External Paid Board Positions

ITEM 17.1 09/03/2021
Council

Council Member
Councillor Moran

2018/04053
Public

Contact Officer:
Naomi Marsh, Office of the Lord
Mayor

MOTION ON NOTICE

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

'That Council:

Requests Councillors who are on paid external boards, representing the City of Adelaide, consider following the Lord Mayor's excellent example and donate or hand back the remuneration received for being on that board.'

ADMINISTRATION COMMENT

1. There is nothing currently in the Standing Orders that stipulates how Council Members who are appointed by Council to paid external boards or committees should treat remuneration.
2. It would be up to individual Councillors to consider the request.

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	4 hours

- END OF REPORT -

General Post Office (GPO)

ITEM 17.2 09/03/2021
Council

Council Member
Councillor Moran

2018/04053
Public

Contact Officer:
Klinton Devenish, Director
Services, Infrastructure &
Operations

MOTION ON NOTICE

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

'That Council:

Is immediately informed of the results from SCAP re the GPO development. If the delay with the redevelopment is indefinite, that Council instigates discussion with the State Government and the Developer to determine how the landmark heritage building can be maintained and possibly used in the many years before the development commences.'

ADMINISTRATION COMMENT

1. Administration recently obtained an update from SCAP regarding the status of the GPO development.
2. The development was previously conditioned to have commenced by May 2021.
3. On 22 February 2021 SCAP granted approval for 'Variation 2', which included:
 - 3.1. *'amendments to the staging of the development (Stages 1, 2A and 2) and to extend the overall development timeframe to allow for Stage 1 (hotel) to be occupied first and for subsequent works to occur later; ...'*
4. The variation extended the timeframes, however SCAP confirmed that all stages of the development are still timebound.
5. The timeframes below refer to all stages of the development, and are stipulated in the approval issued to the developer:
 - 5.1. *'The approved development must be substantially commenced within 24 months of the date of Development Plan Consent (being February 2023) and completed within 5 years from the date of this Development Plan Consent (18 February 2026), unless this period has been extended by the relevant authority'*
6. If this Motion is supported, Administration can contact the owner of the property, developer and other relevant agencies to encourage maintenance or use of the premises, noting Council would not have authority to mandate such a request, and alternate uses may require relevant approvals be obtained.

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
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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	4.5 hours

- END OF REPORT -

Motions

ITEM 17.3 09/03/2021
Council

Council Member
Councillor Simms

2018/04053
Public

Contact Officer:
Justin Lynch, Chief Operating
Officer, Corporate Services

MOTION ON NOTICE

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

'That Council:

Requests that Administration publish the following material on the City of Adelaide website:

1. A list of motions on notice from elected members and the outcomes of these from this term of Council to date.
2. A monthly summary of motions on notice and the outcomes of these, from this meeting onwards.'

ADMINISTRATION COMMENT

1. As is legislatively required, all motions on notice are listed in the published agenda of each meeting and the outcomes recorded in the minutes, both of which are publicly available on the City of Adelaide website.
2. In addition, a report is presented to Council at every second meeting on the progress of decisions arising from Council Member motions. This report is presented in public (where appropriate) and included in the published agenda of Council.
3. If this motion is carried a list will be created in a similar format to the current Register of Motions and Questions. This information can then be added to the City of Adelaide website and updated following each Council meeting. Noting the time to prepare the information prior to January 2020, Administration will endeavour to provide this prior to the April ordinary meeting of 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	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	The time to prepare the information requested in part 1 of the motion would be approximately 3 hours as all agendas and minutes for meetings will need to be reviewed.
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 -

Supporting Community

ITEM 17.4 09/03/2021
Council

Council Member
Councillor Mackie

2021/00600
Public

Contact Officer:
Justin Lynch, Chief Operating
Officer, Corporate Services

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

1. Recognises and models best practice community leadership and the fostering of a culture for philanthropy by advocating and promoting community and cultural volunteering and financial giving.
2. Recognising that many Elected Members choose to support community through financial giving and non-financial memberships of charity and community and cultural benefit organisations, suggest Members promote this information on their social media sites in an appropriate way.
3. Requests Administration consider ways that similar information could be added to the City of Adelaide website and social media platforms to demonstrate community leadership and promote a philanthropy culture.'

ADMINISTRATION COMMENT

1. Should the motion be supported, a forward and ongoing communications plan will be developed and integrated with the current schedule, which celebrates and promotes the culture for philanthropy and community leadership as demonstrated by the Elected Members and Administration, through City of Adelaide's various channels and media opportunities as appropriate.
 - 1.1. Content for Elected Members to share on their own social media sites can be provided through the most appropriate approach, for example, possible re-sharing of CoA social media and website content, or copy and paste content.
2. The Customer and Marketing Team will work closely with the City Culture Team, Finance and Procurement Team, the Adelaide Economic Development Agency and the Elected Members, to ensure ongoing opportunities for promotion are captured for timely and future sharing.

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	This undertaking will be integrated in with the current forward communications plan
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 -

Business Class Air Travel

ITEM 17.5 09/03/2021
Council

Council Member
Councillor Simms

2018/04064
Public

Contact Officer:
Clare Mockler, Acting Chief
Executive Officer

MOTION ON NOTICE

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

'That Council:

Adopts a policy position prohibiting the booking of business class air travel for Elected Members and Administration while on official City of Adelaide business.'

ADMINISTRATION COMMENT

1. Council does not currently have a policy position in the Standing Orders on class of travel for Elected Members.
2. The Employee Corporate Travel Operating Guideline includes:
 - 2.1. *All CoA employees, excluding the CEO, must ensure bookings and air travel are made in economy class seating, at the most reasonable fare for the required flight. The relevant Approval Authority may grant approval for the employee to upgrade the class of seating or purchase a flexible fare. Consideration will be given to the time travel is required, total travel time (over 9 hours), work commitments on arrival, and special needs of employees, to ensure any relevant WHS issues are managed.*
 - 2.2. *The CEO may travel business class.*
 - 2.3. *In instances where employees accompany the Lord Mayor, Councillors or the Chief Executive Officer on business related air travel, the relevant Approval Authority may consider granting approval for those employees to upgrade their class of seating if the person they are accompanying is flying business class.*
 - 2.4. *All overseas travel must be approved by the Chief Executive Officer.*
3. Should this motion be adopted, the Standing Orders will be amended to reflect the new policy position of travel class for Elected Members.
4. Should this motion be adopted, the Employee Corporate Travel Operating Guideline will be amended to reflect the new policy position of travel class for staff, while giving due consideration to any relevant WHS issues (responsibility of the CEO) when staff are required to travel for Council business.

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 -

Funding for New Year's Eve and Christmas

ITEM 17.6 09/03/2021
Council

Council Member
Deputy Lord Mayor, Councillor
Courous

2020/01167
Public

Contact Officer:
Tom McCready, Acting Director
City Shaping

MOTION ON NOTICE

Deputy Lord Mayor, Councillor Courous will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

1. Notes that New Year's Eve celebrations and Christmas in the City are much loved annual attractions for the City of Adelaide.
2. Requests the Lord Mayor write to the Premier to seek support for these activations to create greater opportunities for tourism and economic benefit for the City of Adelaide.'

ADMINISTRATION COMMENT

1. If this Motion on Notice is carried, correspondence will be prepared for the Lord Mayor to send to the Premier on Council's behalf requesting support for Christmas in the City and New Year's Eve.
2. This may include a request for matched funding, which will enable these activities to grow with the objective to increase visitation to the City and ensure strong economic outcomes.
3. Information on other State Governments' funding commitments to their Capital City Christmas and New Year Eve events can be obtained and included as part of the correspondence.

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 -

Support for Business

ITEM 17.7 09/03/2021
Council

Council Member
Councillor Abrahamzadeh

Public

Contact Officer:
Justin Lynch, Chief Operating
Officer

MOTION ON NOTICE

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

'That Council:

1. Notes the:
 - 1.1. City of Adelaide's \$4m city support package announced in March 2020 and Small Business Taskforce formed in collaboration with Business SA.
 - 1.2. Federal Government's assistance in the form of "job keeper" payments to businesses, due to finish by end of March 2021 and the State Government's \$4 billion assistance in the form of small business grants.
 - 1.3. Continuing hardship on businesses based within the City of Adelaide.
2. Advocates for targeted business support for City of Adelaide businesses through Commonwealth, State and Local Government programs.
3. Provides targeted support to stimulate the City of Adelaide through City of Adelaide and Adelaide Economic Development Agency programs, as part of the 2021/22 Business Plan and Budget.'

ADMINISTRATION COMMENT

To be distributed separately

- END OF REPORT -

Unsolicited Proposals

ITEM 17.8 09/03/2021
Council

Council Member
Councillor Simms

2017/01176
Public

Contact Officer:
Justin Lynch, Chief Operating
Officer

MOTION ON NOTICE

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

'That Council:

1. Excludes the Park Lands from the City of Adelaide's Unsolicited Proposals Guideline.
2. Notes that any proposals of which Council are notified in relation to development in the Park Lands, are considered by APLA prior to The Committee and Council and included on the published agendas.'

ADMINISTRATION COMMENT

1. Council's Unsolicited Proposals Guideline is currently suspended following a resolution of Council on 14 April 2020.
2. Following the workshop held on 16 February 2021 to discuss the future of the Unsolicited Proposal Guideline, it was clear Council would like a revised way of processing unsolicited proposals.
3. An opportunity exists to incorporate a policy position on unsolicited proposals within the Procurement Policy, which will be presented to Council in April.
4. If this motion is carried, any proposals in relation to development in the Park Lands would be included on APLA's agenda for 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	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 -

Credit Card Investigation

ITEM 17.9 09/03/2021
Council

Council Member
Councillor Martin

2021/36506
Public

Contact Officer:
Justin Lynch, Chief Operating
Officer, Corporate Services

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 community concern about credit card expenditure in Local Government Areas, commissions an external review by an auditor not currently associated with Council to review all credit card expenditure in the current term of Council by or on behalf of Elected Members, the CEO, Directors, Associate Directors and employees on behalf of Elected Members, the CEO, Directors and Associate Directors to:

1. Identify any inappropriate use of cards or card benefits and/or expenditure on travel and accommodation (intrastate, interstate and overseas), food, beverages or any other charges that do not meet accepted Council or public standards.
2. Recommend any changes to policies for the management of such cards to avoid Council exposure to financial and reputational risk.

ADMINISTRATION COMMENT

1. Subsequent to the Auditor General Audit on the Efficiency and Effectiveness of Credit Cards in Local Government, Councils internal audit function had taken the recommendations from this independent, external audit and implemented changes where relevant. The result of these changes includes but not limited to:
 - 1.1. Reduction in number of cards held by staff from 93 to 41 cards.
 - 1.2. Diversion of spend from credit cards to open market procurement contracts
 - 1.3. Improved policies and guidelines.
2. The implementation of the relevant recommendations based on the Auditor General Audit was also reported to Councils' Audit Committee.
3. In 2018-19, KPMG conducted an internal audit on credit card compliance at a cost of \$19,248.
4. The scope of this internal audit project included:
 - 4.1. Understanding the current processes, policies and controls in place to manage credit cards and petty cash reimbursements as well as credit card information available on the CoA public website
 - 4.2. Assessment of the overall compliance with relevant policies, procedures and guidelines, based on sample testing and data analytics procedures

- 4.3. Understanding the planned changes to the process and policies to identify any additional improvement opportunities
- 4.4. Review of the actions taken to address the recommendations arising from the 2015 audit.
- 4.5. It is noted that the scope of this review included the CoA's subsidiaries, including the Rundle Mall Management Authority and the Adelaide Central Market Authority.
5. All recommendations from this audit have been fully implemented and operating effectively.
6. As an ongoing internal audit function, spend analysis are performed on a regular basis to ensure expenditure aligns with current approved Council policies and operating guidelines.
7. Council also publishes corporate credit card transaction on our public website, <https://www.cityofadelaide.com.au/freedom-of-information/>
8. Should this motion be supported, an external audit of credit card spend will incur a cost similar to that of previous audits, approximately \$20,000.
9. External audits also require extensive input from internal staff and the hours attributable to that would be difficult to quantify at this time.
10. Results from this audit will be included in Councils' internal audit program into the future which would include regular policy review to mitigate future risks.

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	Given this motion would initiate an audit regarding risk, involvement of Councils audit committee would be necessary.
Legal advice / litigation (eg contract breach)	Not Applicable
Impacts on existing projects	Not Applicable
Budget reallocation	The internal audit program holds a minor budget to cover outsourced audits which could be used to fund this request. However the 20/21 budget is already exhausted and 21/22 budget has been set to deliver PCI Compliance, as such the estimated cost of \$20,000 would have to be an additional budget request.
Capital investment	Not Applicable
Staff time in preparing the workshop / report requested in the motion	The audit require extensive input from internal staff and the hours attributable to that would be difficult to quantify at this time.
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 -

Elected Member Oversight of Businesses

ITEM 17.10 09/03/2021
Council

Council Member
Councillor Martin

Contact Officer:
Justin Lynch, Chief Operating
Officer, Corporate Services

Public

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:

Notes that the Administration has not provided Elected Members with reports detailing the financial performance and forecasts for all Council businesses (such as UParks) for either Quarter 1 or Quarter 2 of the current financial year and requests:

1. The QF3 Report provides such information for that quarter and for the previous QF 1 and QF 2 periods
2. Ensures such information is furnished to Council so that Elected Members have reasonable oversight of Council's financial affairs.'

ADMINISTRATION COMMENT

1. Based on Elected Member feedback a report (public) will be presented as part of the QF3 report and ongoing (quarterly).
2. This report will be refreshed to reflect the performance of Council Businesses which can be shared publicly.
3. Any matters that could unduly impact the business operation and / or direction due to disclosure will be presented to Council in Confidence.
4. Should this motion be carried, the QF3 report will include retrospective information for QF1 and QF2.

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	All reports will be publicly available via published Council agendas.
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	Reports on the operations of Councils commercial businesses already occurs, as such the impact on staff time would be minimal.
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 -

Smart Parking Melbourne Street

ITEM 17.11 09/03/2021
Council

Council Member
Councillor Martin

2018/04053
Public

Contact Officer:
Tom McCready, Acting Director
City Shaping

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:

1. Notes that the document presented to Committee on 16 February 2021 entitled “Main Street Action Plans – What Can Be Expected On Our Main Streets In The Next 6 Months” foreshadowed under “Improvements” for Melbourne Street the introduction of Smart Parking.
2. Resolves not to introduce to Melbourne Street Smart Parking and the associated Smart Parking App which facilitates, among other features, paid parking.
3. Reaffirms Council’s policy of continuing to offer free, timed parking in Melbourne Street.’

ADMINISTRATION COMMENT

1. Council’s On-Street Parking Policy and Operating Guidelines outline the principles that guide decision making regarding on-street parking controls. The policy does not call out any specific roads as being paid or unpaid as a policy principle.
2. During the 16 February 2021 workshop, a range of potential initiatives were outlined, many of which were high level possibilities rather than projects that were committed to be delivered.
3. The “Main Street Action Plans – What Can Be Expected On Our Main Streets In The Next 6 Months” gave a number of examples of what can be achieved within the Precinct, one being Smart Parking. These examples talked to potential opportunities within the Precinct, however there are currently no plans in place to extend the Smart Parking technology, or indeed paid parking, into Melbourne Street.
4. Installing Smart Parking technology and associated sensors is not directly linked to paid parking. Installation of Smart Parking facilitates live availability to be displayed via the Smart Parking App and optionally enables paid parking, if present in that location, via the app. The City of Adelaide has locations where Smart Parking is installed in unpaid zones.
5. If supported this motion would remove Councils’ ability to leverage the technology in Melbourne Street for its core purpose which is improved customer experience, reduced traffic congestion and an enhanced understanding of parking behaviour and occupancy.

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	4.5 hours

- END OF REPORT -

Parklets

ITEM 17.12 09/03/2021
Council

Council Member
Deputy Lord Mayor, Councillor
Courous

2018/04053
Public

Contact Officer:
Klinton Devenish, Director,
Services, Infrastructure &
Operations

MOTION ON NOTICE

Deputy Lord Mayor, Councillor Courous will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

- Notes the impacts of COVID-19 on the hospitality sector, and the need to increase patronage & activation to support businesses.
- Notes the recent application submitted by The Golden Wattle to install a structure within an on-street parking bay in Pirie Street for outdoor dining.
- Notes Council's Parklet Program has ended; however, Operating Guidelines still exist.
- Requests Administration review and update the Parklet Operating Guidelines to facilitate businesses applying for new and/or increased outdoor dining space using on-street parking bays.
- Requests a report detailing updated Guidelines be brought to Council for endorsement.
- Following endorsement of reviewed Guidelines:
 - Promote & rebrand the opportunity for businesses to apply for outdoor dining within on-street parking bays, to encourage activation and vibrancy.
 - Engage with The Golden Wattle to progress their proposal in line with the updated Guidelines.
- Notes any impacts to public infrastructure or use of fixed elements are to be removed and returned to previous condition when no longer operational – at no cost to Council.
- Notes such use of public space should provide for other public value outcomes, such as bike facilities, greening and/or public art displays.'

ADMINISTRATION COMMENT

1. We acknowledge the need to support businesses, activation and vibrancy, particularly following COVID-19 and social distancing.
2. Council has previously implemented Parklet Programs, for which Operating Guidelines were developed (Link 1 view [here](#)).
3. Council has not actively called for applications since 2015/16.
4. Of the initial 18 Parklets implemented, three remain in operation.

5. More recently, additional 'parklet' type offerings have been facilitated through Outdoor Dining permits, despite no program or policy position being in place. This has often been from a direct Council decision (e.g. Penny University in Union Street, and Will & Pascoe in Wyatt Street) and/or on shared use roadways.
6. We receive requests from businesses to extend their outdoor dining area into other areas of the footpath, and into on-street parking bays.
7. The range and quality of proposals for outdoor dining within on-street parking bays differs greatly – from temporary 'light touch' furniture options to solid fixed structures.
8. Council's Outdoor Dining Guidelines provide guidance for footpath use, however they are silent on the use of on-street parking bays.
9. Although the Outdoor Dining Guidelines do not support fixed furniture, delivering quality experiences within on-street parking bays may require a different approach, due to the potential need for increased protection for diners from traffic, and given the camber of most roads, the need for decking or some form of fixed flooring to make the ground level for use.
10. It is considered that enabling the use of on-street parking bays for outdoor dining could complement other Council objectives, such as additional greening and/or public art outcomes.
11. If this motion is supported, we will review the Guidelines and present to Council, providing a framework for us to work with businesses who register an interest in offering outdoor dining in on-street parking bays.
12. To encourage activation, once revised Guidelines are endorsed the opportunity would be promoted externally and rebranded as a different offering to previous parklet programs.

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	Public consultation is not anticipated to be required by legislation for this work, however it may be considered in developing new guidelines
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	Not applicable
Impacts on existing projects	Use the of on-street parking bays for outdoor dining will need to link closely with the Outdoor Dining Guidelines, noting Council has an approved Outdoor Dining Transition Plan to remove legacy fixed furniture from outdoor dining settings.
Budget reallocation	Not applicable
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	70
Other	Not applicable
Staff time in receiving and preparing this administration comment	5.5 hours

- END OF REPORT -

Toxic Culture Allegations

ITEM 17.13 09/03/2021
Council

Council Member
Councillor Mackie

Public

Contact Officer:
Justin Lynch, Chief Operating
Officer, Corporate Services

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:

1. Noting the public controversy about the "toxic culture" in Federal and State Parliament, asks the Administration to provide a report to the next Council meeting on:
 - 1.1 Whether there have been any allegations of sexual assault, sexual harassment, assault and/or discriminatory behaviour lodged by or against Council employees, volunteers and contractors since March 2011, and if so, how many.
 - 1.2 How many allegations were investigated, either by internal or external investigators, and what action did the Administration subsequently take in each case.
 - 1.3 A copy of the organisation's policies and information on training programs conducted to deal with such issues.'

ADMINISTRATION COMMENT

To be distributed separately

- END OF REPORT -

E Scooter Trial

ITEM 17.14 09/03/2021
Council

Council Member
Councillor Abrahamzadeh

2018/04053
Public

Contact Officer:
Klinton Devenish, Director
Services, Infrastructure &
Services

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:

- Notes the City of Unley recently endorsed an E-Scooter Trial in the City of Unley subject to Minister extending Gazetted area from South Terrace to Greenhill Road.
- Requests the Lord Mayor write to the Minister for Infrastructure & Transport to request that the boundary of the current City of Adelaide E-Scooter trial, currently in place until 31 October 2021, be extended to the Greenhill Road edge of the South Park Lands to complement the proposed City of Unley trial.'

ADMINISTRATION COMMENT

1. The City of Unley (CoU) has been investigating the feasibility of undertaking an e-scooter trial in their council area. On 27 January 2021 Unley Council endorsed "*an e-scooter trial in the City of Unley area, subject to the City of Adelaide approval to include the South Park Lands in the City of Unley Use Case submission and the Minister for Infrastructure and Transport gazetta*".
2. The intent of CoU's trial and their request to include the southern Park Lands is to improve connectivity between the City of Unley and the City of Adelaide (CoA), with e-scooter users able to travel uninterrupted between both council areas. This will be facilitated by CoU choosing Beam and Neuron, which currently operate in CoA, as their preferred operators.
3. We are in regular contact with the Department for Infrastructure and Transport regarding the safe and efficient operation of the e-scooter trial and they do not anticipate any significant issues with the extension of the CoA trial area. The Minister for Infrastructure and Transport will have final approval for the boundary extension.
4. The boundary extension will not affect the contracts between CoA and the e-scooter operators. Limits on the number of e-scooters permitted in the city and all existing conditions of operation within the boundary will remain unchanged.
5. If this Motion is successful, we will write to the Minister for Infrastructure & Transport requesting that the boundary of the current City of Adelaide E-Scooter Trial be extended to the Greenhill Road edge of the South Park Lands. We will also work with CoU and DIT to facilitate the operation of both trials.
6. Information on the impacts of CoU's introduction of e-scooters and cross-council e-scooter travel on CoA will be included in the end of trial report to be presented to Council later this year.

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 4.5 hours

- END OF REPORT -

Living within our means

ITEM 17.15 09/03/2021
Council

Council Member
Councillor Hyde

2018/04053
Public

Contact Officer:
Klinton Devenish, Director
Services, Infrastructure &
Services

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. Notes that many large infrastructure enhancement projects have strained the City's ability to adequately maintain other critical infrastructure.
2. Notes advice from the City's Audit Committee that we should not be undertaking infrastructure enhancement projects without a Cost Benefit Analysis.
3. Resolves to postpone non-critical infrastructure enhancements that do not have a Cost Benefit Analysis and that do not have contracts locked in until the City has returned to an operating surplus.'

ADMINISTRATION COMMENT

1. The Infrastructure Program was prioritised based on condition audit and risk assessment as per the Council recovery principle, which meant that the only New/Upgrade projects identified for Council approval in 20/21 were those that were retimed from the previous financial year, or those which were subject to a Council Decision or new Funding deed.
2. If this motion is successful, the projects that meet the criteria and can be postponed include:
 - 2020-21 projects:
 - 2.1. Hindley Street Improvements - \$180,000
 - 2.2. Hutt Street Enhancements - \$325,000
 - 2.3. City Greening - \$130,000
 - 2.4. Wattle Grove Memorial - \$40,000
 - 2.5. South West Community Centre - \$1,500,000
 - 2021-22 projects:
 - 2.6. Christmas in the City - \$350,000
 - 2.7. ACMA Enhancements - \$380,000
3. Investigation, design work and community engagement has commenced on some of these projects. There will be a requirement to 'wind down' these projects and close them out that may require some cost and resource to complete.

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	Public Consultation will be required to inform the community projects are being cancelled
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	Major Projects are subject to external funding deeds and are unable to be postponed without approval from funding partner.
Impacts on existing projects	The following projects will be postponed: Hindley Street Improvements - \$180,000 Hutt Street Enhancements - \$325,000 City Greening - \$130,000 Wattle Grove Memorial - \$40,000 South West Community Centre - \$1,500,00 Christmas in the City - \$350,000 ACMA Enhancements - \$380,000
Budget reallocation	\$2,175,000 will be offered as carry forward to the 2021/22 financial year or projects cancelled and offered as savings. \$730,000 will not be included in the 2021/22 budget.
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 -

Water Infrastructure

ITEM 17.16 09/03/2021
Council

Council Member
Councillor Hyde

2018/04053
Public

Contact Officer:
Klinton Devenish, Director
Services, Infrastructure &
Services

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. Notes consistent complaints from residents across the City and North Adelaide regarding irrigation issues that have been occurring in the Park Lands and within the City's streets.
2. Requests the Administration conducts a comprehensive investigation to deduce why the City might be experiencing issues with regard to water infrastructure and that the investigation considers whether relevant infrastructure has been funded adequately in recent years and what might be required to remedy the situation.'

ADMINISTRATION COMMENT

1. CoA's Irrigation network includes over 15,000 sprinkler heads, 5000 irrigation valves and kilometres of drip lines within our Park Lands and streetscapes.
2. Over the past 2 years there have been approximately 150 complaints per annum raised via our Pathway system that refer to issues relating to Council's irrigation systems. These complaints originate from a range of issues including such things as:
 - 2.1. SA Water integration issues
 - 2.2. Vandalism
 - 2.3. Maintenance issues (leaks / cracked pipes / sprinkler arcs etc.)
 - 2.4. Dry areas identified within the Park Lands
3. Annually we have had approximately \$25,000 of funding allocated in our Operations budget for irrigation auditing which enables us to understand condition and maintenance requirements throughout the network. Areas of the network that are investigated is guided by the age, location, or the number of complaints. We currently have audited 50% of the Parks and 80% of the Streetscape irrigation systems.
4. The condition audits also inform the capital renewal requirements for the following year. Irrigation capital expenditure in 2019/20 renewals was \$385,000.
5. Council has \$2.7m in the 2020/21 Operations budget allocated for irrigation expenses dealing with issues such as maintenance, repair, and water allocation.

6. We currently have \$3m proposed in the 2021/2022 Operations budget for water allocations and to mitigate issues within our irrigation network.
7. We will assess the historical complaints to determine root cause and improve strategies to proactively manage or eliminate issues where possible. Improvements to the management of irrigation will be incorporated into the Asset Management Plans, Maintenance Management Plans and horticulture guidelines.

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	5.5 hours

- END OF REPORT -

Cycling Network Facilities

ITEM 17.17 09/03/2021
Council

Council Member
Councillor Knoll

2018/04053
Public

Contact Officer:
Klinton Devenish, Director
Services, Infrastructure &
Services

MOTION ON NOTICE

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

'That Council:

1. Notes that the State Government's online Cycle Instead Journey Planner provides detailed information on cycling routes and route planning capabilities for people riding bikes within the City and wider metropolitan area.
2. Requests Administration to develop a map of the City and surrounding Park Lands to be included on Council's website which shows:
 - cycling routes
 - end-of-trip facilities such as bike parking and changing facilities
 - other infrastructure that supports people riding bikes, such as drinking water bubblers, bicycle maintenance facilities and pumps (public and private).'

ADMINISTRATION COMMENT

1. If endorsed, we will prepare a map for the CoA website that includes the following information for the City and Park Lands:
 - 1.1. cycling routes (consistent with the information provided on the State Government's Cycle Instead website)
 - 1.2. end-of-trip facilities (bike parking, change rooms, showers etc)
 - 1.3. other infrastructure that supports cycling
2. Publicly available infrastructure, such as cycling routes, bike parking, bike maintenance stations and pumps will be included on the map.
3. Information on infrastructure that is not available to the public, such as bike end-of-trip facilities in office buildings, will be sourced and included on the map where this information is readily available.

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 -

Carshare

ITEM 17.18 09/03/2021
Council

Council Member
Councillor Donovan

2018/04053
Public

Contact Officer:
Klinton Devenish, Director
Services, Infrastructure &
Services

MOTION ON NOTICE

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

'That Council:

1. Notes the recent announcement of GoGet to withdraw carshare services from Adelaide.
2. Notes the benefits of carshare to city businesses and residents.
3. Requests Administration prepare a brief report on opportunities to support carshare in the future.'

ADMINISTRATION COMMENT

1. GoGet formally advised Council they will be withdrawing all vehicles from the street on 16 April 2021.
2. Following the notification from GoGet, we have begun to consider options and have been contacted by other potential service providers that have expressed an interest in entering the Adelaide market.
3. A provider is anticipated to be in place by 16 April 2021.
4. Carshare will form part of the City of Adelaide's Shared Mobility Policy, which is currently under development.
5. If this motion is supported, a report will be brought to Council outlining opportunities for future carshare arrangements.

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	7 hours
Other	Not applicable
Staff time in receiving and preparing this administration comment	4 hours

- END OF REPORT -