



COUNCIL MINUTES

for the meeting

Tuesday 14 September 2021

in the Council Chamber,
Adelaide Town Hall



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

Acknowledgement of Country

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

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

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

Acknowledgement of Colonel William Light

The Lord Mayor stated:

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

Prayer

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

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

Memorial Silence

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

Apologies and Leave of Absence

Apology:

Councillor Mackie

Confirmation of Minutes

1. Item 6 - Confirmation of Minutes – 10/8/2021 & 11/8/2021 [C]

Moved by Councillor Martin,
Seconded by Councillor Abrahamzadeh -

That the Minutes of the meeting of the Council held on 10 August 2021 and the Special meeting held on 11 August 2021, be taken as read and be confirmed as an accurate record of proceedings.

Discussion ensued, during which Councillor Martin questioned the accuracy of the minutes of the Special meeting of Council held on 11 August 2021 and in response an undertaking was given to check the accuracy and report back to the next meeting of Council.

Deputations

2. Item 7 - Deputation – Mark Parnell – Climate Change & City of Adelaide's Carbon Neutral Adelaide Plan [C]

Mark Parnell addressed the Council:

- To speak in support of further action by Council on climate change and to promote the next iteration of a Carbon Neutral Adelaide Action Plan beyond 2021.

The Lord Mayor thanked Mark Parnell for his deputation.

3. Item 7 - Deputation – Tom Webster Arbizu - City of Adelaide's Carbon Neutral Adelaide Plan [C]

Tom Webster Arbizu addressed the Council:

- To speak in support of Councillor Snape's Motion on Notice on Climate Change and the Carbon Neutral Adelaide Action Plan 2016 - 2021.

The Lord Mayor thanked Tom Webster Arbizu for his deputation.

With support of the meeting and due to the public interest in the Item, the Lord Mayor advised that Item 17.5 - Councillor Snape – Motion on Notice – Climate Change would be brought forward to be considered prior to Item 9.1.

Motion on Notice

4. Item 17.5 - Councillor Snape – Motion on Notice – Climate Change [2021/01236] [C]

Moved by Councillor Snape,
Seconded by Councillor Moran -

That Council:

1. Acknowledges the findings of the United Nations Intergovernmental Panel on Climate Change 2021 report.
2. Acknowledges that in 2019 the City of Adelaide declared that climate change poses a serious risk to the people of Adelaide, and it should be treated as a national emergency.
3. Requests the administration to provide an update on implementation of the Carbon Neutral Adelaide Action Plan 2016-2021 and associated community emissions reduction programs before the end of 2021.
4. Requests the administration to commence engagement with the community, business and key stakeholders to inform a new climate action plan and prepare a draft plan for consideration by Council in 2022.

Discussion ensued, during which:

- With the consent of the mover, seconder and the meeting part 4 of the motion was varied to replace '2022' with 'December 2021'.
- With the consent of the mover, seconder and the meeting part 4 of the motion was varied again to replace 'December 2021' with 'March 2022'.

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

Adoption of Items En Bloc

5. Adoption of Items 9.2, 10.2, 10.4, 10.6, 10.7 En Bloc [C]

Discussion ensued

It was then -

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

'That the following Items 9.2, 10.2, 10.4, 10.6, 10.7 be adopted as presented, namely -

Item 9.2 - Recommendations of the Reconciliation Committee – 1 September 2021 [2018/04062] [C]

1. **Recommendation 1** - Stretch Reconciliation Action Plan - 2018 – 2021 Final Implementation Report
THAT COUNCIL
 1. Notes the report.
2. **Recommendation 2** - Stretch Reconciliation Action Plan - 2021 – 2024 Final Endorsement
THAT COUNCIL
 1. Notes the report.

3. **Recommendation 3 – APLA - Name of the Authority**

THAT COUNCIL

1. Notes that the Reconciliation Committee supports Adelaide Park Lands Authority to be known as Kadaltilla / Adelaide Park Lands Authority.

Item 10.2 - Traffic Signals Deed of Agreement [2021/01807] Presented to Committee on 7/9/2021 [C]

THAT COUNCIL

1. Authorises entering into the Deed of Agreement for Traffic Management Services between the City of Adelaide and the Department for Infrastructure and Transport contained in Attachment A to Item 10.2 on the Agenda for the meeting of the Council held on 14 September 2021.
2. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to execute the Deed of Agreement for Traffic Management Services as contained in Attachment A to Item 10.2 on the Agenda for the meeting of the Council held on 14 September 2021.

Item 10.4 - Safer City Action Plan Annual Report [2019/00184] Presented to Committee on 7/9/2021 [C]

THAT COUNCIL

1. Notes the report.

Item 10.6 - 2021/22 Black Spot Funding Deed [2020/01541] [C]

THAT COUNCIL

1. Notes the successful grant applications for the 2021/22 Commonwealth Infrastructure Investment Black Spot Program for safety upgrade works at the intersection of Angas Street and Pulteney St, Adelaide and for safety upgrade works at the intersection of Montefiore Road and Montefiore Hill, North Adelaide.
2. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the Funding Deed under the 2021/22 Commonwealth Infrastructure Investment Black Spot Program for safety upgrade works at the intersection of Angas Street and Pulteney St, Adelaide, as contained in Attachment A to Item 10.6 on the Agenda for the meeting of the Council held on 14 September 2021.
3. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to the Funding Deed under the 2021/22 Commonwealth Infrastructure Investment Black Spot Program for safety upgrade works at the intersection of Montefiore Road and Montefiore Hill, North Adelaide, as contained in Attachment B to Item 10.6 on the Agenda for the meeting of the Council held on 14 September 2021.

Item 10.7 - City Street Activation Review - Parklets [2021/00874] Presented to Committee on 7/9/2021 [C]

THAT COUNCIL

1. Approves an addition to the Temporary Use of Public Spaces Policy to include reference to the Parklet Operating Guidelines as contained in Attachment A to Item 10.7 on the Agenda for the meeting of the Council held on 14 September 2021.
2. Notes fees for parklets to be determined through the annual review of fees and charges.'

Carried

Advice from Adelaide Park Lands Authority

6. Item 9.1 - Advice of the Adelaide Park Lands Authority – 26 August 2021 [2018/04062] [C]

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

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

1. Advice 1 – SAPOL horse agistment in Bonython Park / Tulya Wardli (Park 27)

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL AND THE STATE GOVERNMENT:

That the Adelaide Park Lands Authority:

1. Recognises the significant cultural and historic values of both the:
 - 1.1. Olive Grove plantation in Bonython Park / Tulya Wardli (Park 27).
 - 1.2. Long term use of the Olive Grove and the adjacent Police Barracks by the SA Police Mounted Cadre and the community service provided by the officers and horses.

2. Recommends:
 - 2.1. The development of a comprehensive rehabilitation and maintenance program aimed at the long-term preservation of the Olive Grove plantation by SAPOL, including the following immediate measures:
 - 2.1.1. Removal of all internal fencing
 - 2.1.2. A reduction of at least 50% in the number of horses, commensurate with a stocking rate conducive to the long-term health and vitality of the trees
 - 2.1.3. Soil replenishment and aeration
 - 2.1.4. Care and pruning of individual trees particularly affected by the horses.
 - 2.2. State Heritage Listing of the Olive Grove be explored, based on its 1860s origins, its planting by prisoners of the adjacent Gaol and its contribution to the early economic development of Adelaide through the first commercial Olive Press in Australia.
3. Is conditionally supportive of the installation of a 2.4m high black tubular steel perimeter fence around the Olive Grove in Bonython Park to secure the SAPOL horses in recognition of the community service they provide, subject to:
 - 3.1. SAPOL's agreement to provide public access to the Olive Grove by arrangement, if requested, and
 - 3.2. There being no damage to the Olive trees or their root systems during the installation of the fence.
 - 3.3. The best alignment being agreed which limits visual impact but also permits some limited, controlled public observations of the horses.
 - 3.4. Heritage advice – not being contrary to progressing State Heritage listing.
4. Is supportive of the installation of the proposed cover to the horse training arena given that it is not fully enclosed and not externally visible.

2. **Advice 2 – APLA Charter & Board**

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That:

1. APLA supports that the Authority be known as Kadaltilla / Adelaide Park Lands Authority
2. APLA recommends that Council approves the name change to be incorporated in the Charter.

3. **Advice 3 – APLA Charter & Board**

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That:

1. APLA recommends to Council the appointment of a Board Deputy for the member representing Indigenous Culture and reconciliation.
2. The Chair of APLA work in consultation with the current member, Jessica Davies-Huynh and the CoA Reconciliation Officer to identify an appropriate deputy.

Discussion ensued

The motion was then put and carried

With leave of the meeting, the Lord Mayor advised that due to the consultant being present in the Chamber, Item 10.13 - Representation Review Report would be brought forward to be considered before Item 10.1 - Car Share Support.

Reports for Council (Chief Executive Officer's Reports)

7. **Item 10.13 - Representation Review Report [2018/04004] [C]**

Moved by Councillor Hyde,
Seconded by Councillor Abrahamzadeh –

That Council:

Requests the administration work with Holmes Dyer to draft a new Representation Review Report presenting the previous Report's Option 3, with direct election of the Lord Mayor, election of four area councillors and five ward councillors, for final community consultation, noting:

- A substantial majority of respondents wanted more than 2 area councillors.
- A substantial majority of respondents wanted a reduction of elected members.
- The importance 1 vote 1 value to the city's democracy and having fairest number of electors in wards over the longest period of time.
- Option 3 ensures that no ward or group of wards may hold a majority on the floor of council, in the same way the current council is composed.

Much discussion ensued

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

Councillor Martin requested that a division be taken on the motion

Division

For (5):

Councillors Abrahamzadeh, Hou, Hyde, Khera and Knoll.

Against (5):

Deputy Lord Mayor (Councillor Couros) and Councillors Donovan, Martin, Moran and Snape.

The division was declared in favour of the motion on the casting vote of the Lord Mayor

8. Item 10.1 - Car Share Support [2021/00966] Presented to Committee on 7/9/2021 [C]

Moved by Councillor Donovan,
Seconded by Councillor Hyde –

THAT COUNCIL

1. Notes the report.
2. Distributes information on all current carshare opportunities within the City of Adelaide to residents and businesses through multiple relevant and appropriate channels. This may include:
 - a. Social media
 - b. eNewsletters
 - c. City of Adelaide website
 - d. Through activities such as an information leaflet delivered in conjunction with the distribution of kitchen caddies
 - e. Relevant workshops/forums

Discussion ensued

The motion was then put and carried

9. Item 10.3 - E-Scooter Trial Evaluation [2019/00296] Presented to Committee on 7/9/2021 [C]

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

THAT COUNCIL

1. Notes the outcomes of the E-scooter trial and that the trial is considered to have been successful.
2. Approves the continuation of the E-scooter trial and the expansion of the boundary to include the shared path on the northern side of Wakefield Road to facilitate travel between the City of Adelaide and City of Norwood, Payneham and St. Peters.
3. Authorises the Lord Mayor to write to the Minister for Infrastructure and Transport noting the success of the trial, requesting approval to extend the trial for a further 12 months, and supporting the inclusion of E-scooters in the Australian Road Rules.
4. Notes that the Administration will review and amend the permit conditions as necessary to ensure E-scooters in the City of Adelaide are operated as safely and efficiently as possible, with a specific focus on delivering the appropriate placement of E-Scooters while not in use.

Discussion ensued, during which Councillor Knoll left the Council Chamber at 6.56 pm and re-entered at 6.58 pm.

Amendment –

Moved by Councillor Moran,
Seconded by Councillor Donovan –

'That part 4 of the motion be amended to include the words 'such as parking bays' after the word 'use'.

Discussion ensued, during which the amendment was varied to read 'such as designated e-scooter parking bays'.

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

Discussion continued

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

10. Item 10.5 - Adelaide Zero Project Partnership [2021/00738] Presented to Committee on 7/9/2021 [C]

Councillor Abrahamzadeh disclosed a material conflict of interest in Item 10.5 [Adelaide Zero Project Partnership], pursuant to Sections 73 & 74 of the *Local Government Act 1999* (SA), as one of the parties is his employer, withdrew his chair and left the Council Chamber at 7.12 pm.

It was then -

Moved by Councillor Martin,
Seconded by Councillor Hyde –

THAT COUNCIL

1. Authorises the Chief Executive Officer, contingent upon a budget allocation at the 2021/22 Quarter 1 review, to enter into a partnership with the Australian Alliance to End Homelessness to the value of \$183,000 for the backbone coordination of the Adelaide Zero Project (AZP), subject to the finalisation of a funding agreement between the AZP and the SA Housing Authority.
2. Notes the budget impact of \$183,000 will need to be considered at the 2021/22 Quarter 1 review.

Carried unanimously

Councillor Abrahamzadeh re-entered the Council Chamber at 7.13 pm.

11. Item 10.8 - Quarterly Forward Procurement Report Q2 2021/2022 [2020/00150] Presented to Committee on 7/9/2021 [C]

Discussion ensued

It was then -

Moved by Councillor Martin,
Seconded by Councillor Snape –

THAT COUNCIL

1. Notes the Procurements set out in Attachment A to Item 10.8 on the Agenda for the meeting of the Council held on 14 September 2021 which will be released to the market during Quarter 2 of the 2021/2022 financial year.
2. Calls in the City Bikeways infrastructure.

Discussion ensued

CEO Undertaking

In response to queries from Councillor Martin, the CEO gave an undertaking to provide Council Members with the following information:

- Clarity around 'calling in' of projects within the Procurement Policy.
- The procedure to restore the funding in the Budget and borrowings for the bikeways project that was removed on 13 April.

The motion was then put and lost

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

Division

For (3):

Councillors Martin, Moran and Snape.

Against (7):

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

The division was declared against the motion

It was then –

Moved by Councillor Hyde,
Seconded by Councillor Abrahamzadeh –

THAT COUNCIL

- Notes the Procurements set out in Attachment A to Item 10.8 on the Agenda for the meeting of the Council held on 14 September 2021 which will be released to the market during Quarter 2 of the 2021/2022 financial year.

Discussion ensued

The motion was then put and carried

Councillor Martin requested that a division be taken on the motion

Division

For (7):

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

Against (3):

Councillors Martin, Moran and Snape.

The division was declared in favour of the motion

12. Item 10.9 - Appointment of Councillors to the Adelaide Central Market Board Members Selection Panel [2015/02959] [C]

Moved by Councillor Moran,
Seconded by Councillor Abrahamzadeh –

THAT COUNCIL

- Appoints two Council Members to form part of the Board Member Selection Panel for the Adelaide Central Market Authority for the remainder of the 2018-2022 Council term.

Carried

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

Councillor Moran nominated Councillor Martin and Deputy Lord Mayor (Councillor Couros), who both accepted the nomination.

Councillor Hyde nominated Councillor Abrahamzadeh, who accepted the nomination.

With there being 3 nominations for 2 positions, a ballot was conducted, resulting in Deputy Lord Mayor (Councillor Couros) and Councillor Abrahamzadeh being appointed.

It was then –

Moved by Councillor Knoll,
Seconded by Councillor Hou –

That Council appoints Deputy Lord Mayor (Councillor Couros) and Councillor Abrahamzadeh to form part of the Board Member Selection Panel for the Adelaide Central Market Authority for the remainder of the 2018-2022 Council term.

Carried

Councillor Khera left the Council Chamber at 7.35 pm

13. Item 10.10 - APLA Charter Update – Adelaide Park Lands Authority Branding [2021/01668] [C]

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

THAT COUNCIL

- Notes the advice of the Adelaide Park Lands Authority and the City of Adelaide Reconciliation Committee to update the branding of the Adelaide Park Lands Authority to Kadaltilla / Park Lands Authority.

2. Approves amending clause 1.1 of the Adelaide Park Lands Authority Charter to reflect the inclusion of Kadaltilla / Park Lands Authority for the branding of the Authority and that this change will subsequently proceed to consultation with the Minister (along with the updates previously approved by Council on 13 July 2021).
3. Notes that should the update to the Adelaide Park Lands Authority Charter be approved by the Minister, the use of "Kadaltilla / Park Lands Authority" in internal and external reference and branding of the Adelaide Park Lands Authority will be implemented.

Discussion ensued, during which:

- Councillor Khera re-entered the Council Chamber at 7.36 pm
- Councillor Hou left the Council Chamber at 7.42 pm and re-entered at 7.46 pm

The motion was then put and carried

Councillor Abrahamzadeh requested that a division be taken on the motion

Division

For (7):

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

Against (3):

Councillors Hyde, Khera and Moran.

The division was declared in favour of the motion

14. Item 10.11 - 2020-21 Quarter 4 Commercial Operations Report [2021/00850] Presented to Committee on 7/9/2021 [C]

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

THAT COUNCIL

1. Notes the 2020-21 Quarter 4 commercial operations report as detailed in Attachment A to Item 10.11 on the Agenda for the meeting of the Council held on 14 September 2021.

Discussion ensued

CEO Undertaking

In response to queries from Councillor Martin, the CEO gave an undertaking to provide members with a further explanation of why the impact of Covid-19 has been reported as \$30m when the businesses have done so well and lost an average of \$5m a year over 2 years due to Covid-19.

The motion was then put and carried

15. Item 10.12 - Local Government Reform – Member Behaviour Framework [2019/01903] [C]

Moved by Councillor Hyde,
Seconded by Councillor Abrahamzadeh –

THAT COUNCIL

1. Notes the report.
2. Endorses the following submission to the Local Government Association of South Australia, 'That the City of Adelaide supports:
 - 2.1. The 'commence quickly' timeline proposed to put in place all elements of the Behavioural Management Framework to ensure it commences in June or July 2022 and is established in time for the 2022 periodic election.
 - 2.2. The 'Preferred Candidate' countback method to be used in the case of a casual vacancy occurring within 12 months of a council periodic election.'

Discussion ensued, during which:

- Councillor Abrahamzadeh left the Council Chamber at 8.00 pm and re-entered at 8.02 pm
- Councillor Moran left the Council Chamber at 8.01 pm.

The motion was then put and carried

16. Item 10.14 - Riverbank Precinct Projects [2021/01631] [C]

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Knoll –

THAT COUNCIL

1. Notes the report and proposed next steps.
2. Endorses the Lord Mayor urgently write to the Premier of South Australia to request that:
 - 2.1. The relevant State Government Minister or Department refer the proposed Women's and Children's Hospital project, Riverbank Precinct Code Amendment and proposed Riverbank Arena, to the Australian Government's Minister for the Environment for consideration as actions which may affect the National Heritage Listing of the Adelaide Park Lands and City Layout as per requirements of Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.
 - 2.2. The State Government to form a working group with the City of Adelaide to inform the delivery of the proposed major projects in the Riverbank Precinct to achieve maximum community benefit.

Discussion ensued, during which:

- Councillor Moran re-entered the Council Chamber at 8.07 pm and left at 8.23 pm
- Councillor Donovan left the Council Chamber at 8.17 pm and re-entered at 8.19 pm

The motion was then put and carried

Councillor Martin requested that a division be taken on the motion

Division**For (7):**

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

Against (2):

Councillors Martin and Snape.

The division was declared in favour of the motion

17. Item 10.15 - Code of Conduct [2017/03262] [C]

Councillor Martin disclosed a material conflict of interest in Item 10.15 [Code of Conduct], pursuant to Sections 73 & 74 of the *Local Government Act 1999* (SA), as he was the subject of investigation in the matter with respect to a breach of the code of conduct, withdrew his chair and left the Council Chamber at 8.24 pm

Deputy Lord Mayor (Councillor Couros) disclosed a material conflict of interest in Item 10.15 [Code of Conduct], pursuant to Sections 73 & 74 of the *Local Government Act 1999* (SA), as she was the complainant with respect to a breach of the code of conduct, withdrew her chair and left the Council Chamber at 8.24 pm.

The Lord Mayor disclosed a perceived conflict of interest in Item 10.15 [Code of Conduct], pursuant to Sections 75 & 75A of the *Local Government Act 1999* (SA), as she was named in the matter with respect to a breach of the code of conduct, and advised the meeting of the Council of her intention to remain in the Council Chamber to preside but not participate in the debate.

It was then -

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Hyde –

THAT COUNCIL

1. Notes the report.
2. Notes that following an investigation into alleged breaches of the Code of Conduct for Council Members, it has been found the actions of Cr Martin have, collectively, resulted in a breach of the following clauses of the Code:
 - 2.3 *Act in a reasonable, just, respectful and non-discriminatory way when dealing with people;*
 - 2.4 *Show respect for others if making comments publicly;*
 - 2.9 *Endeavour to establish and maintain a respectful relationship with all Council members, regardless of differences of views and opinions.*

3. Determines that Cr Martin make an apology at a public meeting of the Council for any offence or embarrassment caused by his comments and behaviours, subject of this Report, to the Complainant, the Lord Mayor and the Chief Executive Officer, with such apology to be made within two ordinary meetings of the Council's receipt of this Report.

Discussion ensued

Amendment –

Moved by Councillor Snape,
Seconded by Councillor Donovan –

'That the motion be amended to delete part 3.'

Discussion ensued

The amendment was then put and lost

Councillor Hyde requested that a division be taken on the amendment

Division

For (1):

Councillor Snape.

Against (6):

Councillors Abrahamzadeh, Donovan, Hou, Hyde, Khera and Knoll.

The division was declared against the amendment

Discussion continued

The motion was then put and carried

Councillor Abrahamzadeh requested that a division be taken on the motion

Division

For (6):

Councillors Abrahamzadeh, Donovan, Hou, Hyde, Khera and Knoll.

Against (1):

Councillor Snape.

The division was declared in favour of the motion

The meeting **adjourned at 8.35 pm** for a 25-minute break **and reconvened at 9.00 pm** with the following Council Members -

Present: The Right Honourable the Lord Mayor, Sandy Verschoor (Presiding), Deputy Lord Mayor (Councillor Couros) and Councillors Donovan, Khera, Knoll, Martin, Moran and Snape.

Exclusion of the Public

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

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

12.1.1. Advocacy and Funding Opportunities [s 90(3) (b) & (j)]

12.1.2 2020-21 Quarter 4 Confidential Commercial Operations Report [s 90(3) (b)]

12.1.3 Strategic Property Review and Investigations (Status Update) [s 90(3) (b) & (d)]

ORDER TO EXCLUDE FOR ITEM 12.1.1

Moved by Councillor Knoll,
Seconded by Councillor Khera –

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (j) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14 September 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 [Advocacy and Funding Opportunities] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

Disclosure of the confidential funding strategies and associated information could reasonably prejudice the commercial position of Council in its negotiations with its funding partners, which, on balance, would be contrary to the public interest as it would likely implicate the optimisation of funding opportunities council may be able to secure through its funding negotiations.

The City Access Strategy is currently Cabinet in Confidence and is unable to be made public until approved by Capital City Committee.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may confer a commercial advantage on a third party and severely prejudice the Council's ability to influence proposals for the benefit of the Council and the community in this matter.

The City Access Strategy is currently Cabinet in Confidence and is unable to be made public until approved by Capital City Committee.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 14 September 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 [Advocacy and Funding Opportunities] 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) & (j) of the Act.

Discussion ensued, during which Councillor Abrahamzadeh re-entered the Council Chamber at 9.02 pm

The motion was then put and carried

ORDER TO EXCLUDE FOR ITEM 12.1.2

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Knoll –

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 14 September 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.1.2 [2020-21 Quarter 4 Confidential Commercial Operations Report] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item is confidential as it includes commercial information of a confidential nature where confidence consideration is sought to protect the commercial position of the council and the operating position of Council's business entities operating in a competitive market place prior to the effective date of 31 March 2021.

The disclosure of information in this report to competitors in advance may be to Council's commercial detriment.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information to competitors in advance may be to Council's commercial detriment.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 14 September 2021 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 12.1.2 [2020-21 Quarter 4 Confidential Commercial Operations Report] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) of the Act.

Carried

ORDER TO EXCLUDE FOR ITEM 12.1.3

Moved by Councillor Knoll,
Seconded by Councillor Abrahamzadeh –

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 14 September 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.1.3 [Strategic Property Review and Investigations (Status Update)] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item contains certain information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business, prejudice the commercial position of the council and prejudice the commercial position of the person who supplied the information and confer a commercial advantage to a third party.

The disclosure of information in this report could reasonably prejudice the commercial position of the Council including its future commercial dealings given that it contains financial information and future direction with regard to Council assets and strategic land holdings.

Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances given that the information in this report, including certain financial information and further direction, may prejudice its future commercial dealings with regard to its assets and strategic land holdings. On this basis, the disclosure of such information may severely prejudice the City of Adelaide's ability to influence the proposal for the benefit of the City of Adelaide and the community in this matter.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 14 September 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 12.1.3 [Strategic Property Review and Investigations (Status Update)] 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) & (d) of the Act.

Discussion ensued

The motion was then put and carried

Councillor Hyde re-entered the Council Chamber at 9.04 pm

There were no members of the public present, members of Corporation staff not directly involved with Items 12.1.1, 12.1.2 & 12.1.3 left the Council Chamber at 9.04 pm.

Confidential Item 12.1.1
Advocacy and Funding Opportunities
Section 90 (3) (b) & (j) of the *Local Government Act 1999* (SA)
Page 13

Confidential Item 12.1.2
2020-21 Quarter 4 Confidential Commercial Operations Report
Section 90 (3) (b) of the *Local Government Act 1999* (SA)
Page 13

Confidential Item 12.1.3
Strategic Property Review and Investigations (Status Update)
Section 90 (3) (b) & (d) of the *Local Government Act 1999* (SA)
Page 14

The meeting re-opened to the public at 9.10 pm

Confidentiality Orders

Minute 19 - Item 12.1.1 - Advocacy and Funding Opportunities

Resolution & Confidentiality Order

THAT COUNCIL

1. Notes the previous decision of Council to approve 2020-21 Partnership Proposals that continue to be used to advocate for partnership opportunities with the State and Federal Government.
2. Endorses the City of Adelaide 2021-22 Partnership Proposals as shown in Attachment A to Item 12.1.1 on the Agenda for the meeting of the Council held on 14 September 2021, as additional partnership opportunities to advocate for with the State and Federal Government.
3. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.1.1 [Advocacy and Funding Opportunities] listed on the Agenda for the meeting of Council held on 14 September 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (j) of the *Local Government Act 1999 (SA)*, this meeting of Council does order that:
 - 3.1. The resolution, the report (excluding paragraph 6, 6.1 and 6.2 and Attachment A) become public information and included in the Minutes of the meeting.
 - 3.2. Paragraph 6, 6.1, 6.2 and Attachment A of the report, the discussion, and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not for public inspection until 31 December 2028.
 - 3.3. The confidentiality of the matter be reviewed in December 2022.
 - 3.4. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

The report (excluding paragraph 6, 6.1 and 6.2 and Attachment A) released from confidentiality can be found at the conclusion of the minutes for information.

Minute 20 - Item 12.1.2 - 2020-21 Quarter 4 Confidential Commercial Operations Report

Confidentiality Order

In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.1.2 [2020-21 Quarter 4 Commercial Operations Report] listed on the Agenda for the meeting of the Council held on 14 September 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (b) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:

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

Minute 21 - Item 12.1.3 - Strategic Property Review and Investigations (Status Update)

Resolution & Confidentiality Order

THAT COUNCIL

1. Notes the Confidential Strategic Property Review Status Update – September 2021 provided at Attachment A to Item 12.1.3 on the Agenda for the meeting of the Council held on 14 September 2021.
2. Approves that site redevelopment investigations as detailed within Attachment A be undertaken for the Dunn Street car park in support of housing outcomes, including consideration of key worker / affordable housing together with precinct car parking, and that the outcomes of the investigation be presented to Council.
3. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 12.1.3 [Strategic Property Review and Investigations (Status Update)] listed on the Agenda for the meeting of the Council held on 14 September 2021 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (d) of the *Local Government Act 1999 (SA)*, the meeting of Council do order that:
 - 3.1. The report (excluding attachments and links) and the resolution become public information and included in the Minutes of the meeting.

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

The report (excluding attachments and links) released from confidentiality can be found at the conclusion of the minutes for information.

Lord Mayor's Reports

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

The Lord Mayor addressed the meeting as follows:

'This month the Reignite Adelaide, #GoToTown and Spring Weekends campaigns launched to attract people to the CBD and North Adelaide and support city businesses.

It's fantastic to see how many businesses have embraced Council's pop-up parklets and had parking bays transformed into new outdoor dining spaces. This has been very well received by businesses and the wider community. I have received feedback that this is significantly increasing capacity at hospitality businesses. DayJob Café on Halifax Street said their capacity has doubled as a result. The addition of planter boxes in the new dining spaces is also improving amenity, brightening streets and increasing greening.

As part of Reignite Adelaide, we are offering free parking on weekends and evenings in Council-owned UParks during September.

We celebrated Queen Adelaide's Birthday on 13 August and instead of our traditional civic reception, this year we had a hybrid in-person/online event due to COVID-19 restrictions limiting the number of guests we could have in the Queen Adelaide Room.

For the first time, we held an online competition to find a little girl called Adelaide to attend the event in person and be crowned princess for the day and we were absolutely inundated with entries from Adelaide's near and far.

Adelaide Pretorius was chosen and with her family, joined me and the President of the Queen Adelaide Society, Sue Fraser-Chitticks, as well as their guest and youngest member, 10-month-old Adelaide Lockwood, for morning tea. It was a lovely event with another 50 guests including students from Fulham Gardens Primary School joining us virtually.

On 17 August, I attended the investiture of our new Councillor Keiran Snape. Tonight, is his first meeting as a councillor and I'm looking forward to working with him to achieve outcomes for the city.

I held a civic ceremony on Afghan Independence Day (19 August) and welcomed our local Afghan community to the Adelaide Town Hall. I, along with Councillor Abrahamzadeh, expressed the City of Adelaide's support in light of the events that have taken place in Afghanistan over the past month.

The City of Adelaide is a supporting partner of Wasteland Renewed - an exhibition created using recovered plastic and marine debris from the Great Barrier Reef and recycled orange peel. I attended the launch at the Adelaide Convention Centre on 25 August and spoke about the City of Adelaide's commitment to a circular economy and our zero food-waste to landfill target.

On 26 August, I celebrated International Dog Day with a special visit from my border collie Scout, which I suspect some in my office were very excited about.

I announced 11 new cycling projects jointly funded with the State Government with Transport Minister Corey Wingard and the Member for Adelaide, Child Protection Minister Rachel Sanderson, on 28 August. These projects will make it easier and safer for people to access the city via the Park Lands. The first project, to install enhanced signalised crossing facilities for people walking and riding bikes across North Terrace at George Street, is set to start construction later this year.

I'd like to thank Deputy Lord Mayor Mary Couros for stepping in as Acting Lord Mayor from the 30th of August until 10th of September.

Deputy Lord Mayor Couros represented me at the #GoToTown launch in Victoria Square on 2 September as well as the SALA Awards Night on 8 September and VIEW Conference on 10 September.'

During the discussion, Councillor Hou re-entered the Council Chamber at 9.10 pm

It was then -

Moved by Councillor Hyde,
Seconded by Councillor Knoll -

THAT COUNCIL:

1. Receives and notes the Lord Mayor's verbal report.

Carried unanimously

Councillors' Reports

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

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Knoll -

THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 14.1 on the Agenda for the meeting of the Council held on 14 September 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 14 September 2021).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 14 September 2021 be included in the Minutes of the meeting.

Discussion ensued, during which:

- Councillor Abrahamzadeh addressed the meeting regarding the Afghan Independence Day event, support given to the Stand with Afghanistan march and other events and fundraisers.
- Councillor Donovan addressed the meeting regarding September 15th being the Heart Foundation's, Give with Heart Day with any donation to the Heart Foundation being doubled for the day.

The motion was then put and carried

Questions on Notice

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

- 15.1. Councillor Knoll – Question on Notice – Reignite Adelaide
- 15.2. Councillor Hyde – Question on Notice – Events
- 15.3. Councillor Martin – Question on Notice – ICAC Report on Council Kickbacks
- 15.4. Councillor Martin – Question on Notice – Provision of Outdoor Dining Furniture
- 15.5. Councillor Martin – Question on Notice – Parking Spaces 88 O'Connell Street Development
- 15.6. Councillor Martin – Question on Notice – Extension of Dry Zones
- 15.7. Councillor Hyde – Question on Notice - Employee Work from Home Arrangements

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

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

Questions without Notice

Discussion ensued, during which Councillor Kherra left the Council Chamber at 9.28 pm and re-entered at 9.31 pm.

CEO Undertaking

In response to queries from Councillor Hyde, the CEO gave the following undertakings to provide Council Members with further details on the following:

- Sturt Street students being advised by SAPOL not to use the Princess Elizabeth playground and were the administration aware of a student being pricked by a needle at that playground?
- Whether the recent death of an indigenous person at the Princess Elizabeth playground, involved alcohol or alcohol fueled violence?

Motions on Notice

25. Item 17.1 - Councillor Moran – Motion on Notice – Local Government Association Membership [2018/04054] [C]

Moved by Councillor Moran,
Seconded by Councillor Hyde -

That Council:

Cease membership of the Local Government Association.

Discussion ensued

Amendment –

Moved by Councillor Martin,
Seconded by Councillor Snape -

That the motion be amended to read as follows:

‘That the matter be deferred to a future Council meeting.’

Discussion ensued

The amendment was then put and carried

It was then –

Moved by Councillor Martin,
Seconded by Councillor Moran -

That in recognition of the safety and welfare of staff, the meeting be adjourned to a future date and time to be determined by the CEO and Lord Mayor.

Discussion ensued

The motion was then put and lost

Councillor Martin requested that a division be taken on the motion

Division

For (4):

Councillors Donovan, Martin, Moran and Snape.

Against (6):

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

The division was declared against the motion

26. Item 17.2 - Councillor Moran – Motion on Notice – Afghan Community Assistance [2020/01167] [C]

Moved by Councillor Moran,
Seconded by Councillor Abrahamzadeh -

That the administration develops a strategy to identify opportunities to help the Afghan community by hosting a roundtable with relevant stakeholders and organisations (ie SAMEAC, MCCSA, MYSA) and South Australian Afghan community groups (including community groups that represent Afghan women and minority groups).

Discussion ensued, during which Councillor Hyde left the Council Chamber at 10.03 pm

The motion was then put and carried

Councillor Hyde re-entered the Council Chamber and Councillor Khera left at 10.05 pm

27. Item 17.3 - Councillor Moran – Motion on Notice – Footpath Directions [2018/04053] [C]

Moved by Councillor Moran,
Seconded by Councillor Snape -

That Council:

Requests the Administration stencil “Keep Left” signage on wide footpaths of busy pedestrian main streets, eg. King William St and wide pedestrian crossings... to help direct pedestrian movement.

Discussion ensued, during which Councillor Khera re-entered the Council Chamber at 10.07 pm

The motion was then put and lost

Councillor Moran requested that a division be taken on the motion

Division

For (4):

Councillors Hyde, Martin, Moran and Snape.

Against (6):

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

The division was declared against the motion

28. Item 17.4 - Councillor Hyde – Motion on Notice – National Park City [2021/01236] [C]

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

That Council:

1. Shows public support for Adelaide becoming a National Park City, through signing the Adelaide National Park City Charter.
2. Administration explores opportunities to reference Adelaide National Park City in relevant City of Adelaide communications when promoting current programs which align to the Adelaide National Park City Charter.
3. Considers including clear links to Adelaide National Park City in relevant future City of Adelaide strategic, policy and planning documents.

Discussion ensued

Amendment –

Moved by Councillor Snape,
Seconded by Councillor Moran -

‘That part 1 of the motion be amended to include the words ‘once the State Government commits to cease further building on the Park Lands including the Riverbank Precinct’ after the word ‘Charter’.’

Discussion ensued

The amendment was then put and lost

Councillor Martin requested that a division be taken on the amendment

Division

For (3):

Councillors Martin, Moran and Snape.

Against (7):

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

The division was declared against the amendment

Discussion continued

The motion was then put and carried

29. Item 17.6 - Councillor Martin – Motion on Notice – Support Business SA Trading Hours Policy [2021/01236] [C]

Moved by Councillor Martin,
Seconded by Councillor Snape -

That Council:

1. Write to Business SA in support of their opposition to the complete deregulation of shop trading hours in South Australia, supporting their policy to “expand shop trading hours to enable an appropriate balance between serving consumer needs, supporting locally owned businesses and maintaining a competitive retail environment”.

2. Advocate for State Government to extend shop trading hours in the City of Adelaide on Saturdays to 6:00 pm, bringing forward Sunday openings to 9:00 am, and introducing of normal trading hours for Boxing Day.

Discussion ensued, during which:

- Councillor Hyde left the Council Chamber at 10.23 pm
- Councillor Moran left the Council Chamber at 10.25 pm and re-entered at 10.30 pm
- With the consent of the mover, seconder and the meeting part 1 of the motion was varied to delete the words 'their policy to "expand shop trading hours to enable'.
- With the consent of the mover and seconder, the Lord Mayor advised that the motion would be taken in parts.

Part 1 of the motion, as varied, was then put and carried

Part 2 of the motion was then put and carried

30. Item 17.7 - Councillor Martin – Motion on Notice - City Laneway Safety Audit [2018/04053] [C]

Deputy Lord Mayor (Councillor Couros) left the meeting at 10.39 pm

It was then -

Moved by Councillor Martin,
Seconded by Councillor Moran -

That Council:

Noting the recent fire in the laneway near Vaughan Place and Council's success in persuading businesses to take action and significantly improve the cleanliness of the area while reducing the risk of fire, asks the Administration:

1. To conduct an audit of all City Laneways to identify locations where there are health or safety issues, including the potential for fire.
2. To work proactively with business owners and any other parties identified who are able to assist in eradicating or ameliorating risks.
3. To report to Council by January 2022 on locations where risks were identified and whether those risks can or have been addressed.
4. To provide a proposal by January 2022 for a formal process for the periodic inspection of all at risk City of Adelaide Laneways.

Discussion ensued, during which Councillor Hyde re-entered the Council Chamber at 10.39 pm

The motion was then put and carried

31. Item 17.8 - Councillor Martin – Motion on Notice - Variation to Development at 69 – 71 Melbourne Street (DA 020/A097/18) [2018/04053] [C]

Moved by Councillor Martin,
Seconded by Councillor Snape -

Notes that the developers of 69-71 Melbourne Street have asked for a further increase in height for the development from 7 to 8 storeys, and asks the Administration to advise the Planning Commission that a resolution of the elected body has acknowledged local objections and resident concerns to the original application approval for an increased height from 6 to 7 storeys, that:

1. to vary parking and the density of accommodation, with another increase in height is considered unreasonable;
2. a two storey increase in height should have been flagged as part of the original development application so that residents understood the whole proposal from the start, along with changes to windows, garage door width, street canopy and the brick balustrade on the northern elevation;
3. the further impact on the heritage values of the surrounding area which boasts numerous blue plaques marking the architectural history of South Australia dating back to the 1842 Kingston Map of Adelaide is unreasonable; and
4. the light and privacy of the surrounding homes will be compromised by the proposed changes to the development which they believe will drive down property values.

Discussion ensued

The motion was then put and carried

Discussion ensued, during which Councillor Moran left the meeting at 10.56 pm.

Closure

The meeting closed at 10.59 pm

Clare Mockler,
Chief Executive Officer

Sandy Verschoor,
Lord Mayor

Documents Attached for Reference

Minute 19 – Item 12.1.1 - Advocacy and Funding Opportunities, released from confidentiality

Minute 21 – Item 12.1.3 - Strategic Property Review and Investigations (Status Update), released from confidentiality

Minute 24 – Item 15.1 – 15.7 – Question on Notice Replies, distributed separately

State and Federal Partnership Opportunities 2021-22

ITEM 12.1.1 14/09/2021
Council

Strategic Alignment - Thriving Communities

2020/00536

Confidential - s 90(3) (b) commercial advantage/prejudice commercial position of council

Confidential - s 90(3) (j) information provided in confidence with a request for consideration in confidence

Approving Officer:

Klinton Devenish, Director
Services, Infrastructure &
Operations

EXECUTIVE SUMMARY

Council is asked to consider the attached submissions to the State and Federal Governments seeking funding and partnerships throughout 2021-22, in order to facilitate key strategic projects which, the City of Adelaide would not otherwise be able to progress or deliver to the desired extent.

Consideration in confidence is sought because the disclosure of proposed funding strategies and associated information including anticipated cost of works and projects could reasonably undermine Council's funding negotiations and prejudice the commercial position of Council. The City Access Strategy is currently Cabinet in Confidence and is unable to be made public until approved by Capital City Committee.

If projects achieve funding contributions, then it is likely that the allocations will be treated confidentially until such time as funding announcements are released.

RECOMMENDATION

THAT COUNCIL

1. Notes the previous decision of Council to approve 2020-21 Partnership Proposals that continue to be used to advocate for partnership opportunities with the State and Federal Government.
2. Endorses the City of Adelaide 2021-22 Partnership Proposals as shown in Attachment A to Item 12.1.1 on the Agenda for the meeting of the Council held on 14 September 2021, as additional partnership opportunities to advocate for with the State and Federal Government.
3. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and because Item 12.1.1 [Advocacy and Funding Opportunities] listed on the Agenda for the meeting of Council held on 14 September 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (j) of the *Local Government Act 1999 (SA)*, this meeting of Council does order that:
 - 3.1. The resolution, the report (excluding paragraph 6, 6.1 and 6.2 and Attachment A) become public information and included in the Minutes of the meeting.
 - 3.2. Paragraph 6, 6.1, 6.2 and Attachment A of the report, the discussion, and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not for public inspection until 31 December 2028.
 - 3.3. The confidentiality of the matter be reviewed in December 2022.
 - 3.4. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	All pillars of the City of Adelaide Strategic Plan 2020-2024 are covered by various project.
Policy	Projects proposed align to key City of Adelaide (CoA) policies, including: Adelaide Design Manual, Our Market District Plan, and Adelaide Park Lands Management Strategy 2015-2025.
Consultation	Consultation applied as required under legislation and through the CoA own Community Consultation Policy.
Resource	Resources will be required from across Council including, Events and Activations, Place Coordinators, Infrastructure, City Operations. Exact requirements will be identified as projects progress.
Risk / Legal / Legislative	Not as a result of this report
Opportunities	There is a significant opportunity to advocate for the City of Adelaide to receive funding to support the delivery of key strategic projects.
21/22 Budget Allocation	We will be submitting for 100% funding for projects where possible. If a budget allocation is required, we will return with a Council report.
Proposed 22/23 Budget Allocation	We will be submitting for 100% funding for projects where possible. If a budget allocation is required, we will return with a Council report.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	As projects progress, detailed design will identify ongoing maintenance commitments for the City of Adelaide, which will need to be considered through future maintenance budgets.
Other Funding Sources	Not as a result of this report.

GROUNDS AND BASIS FOR CONSIDERATION IN CONFIDENCE

Grounds

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

- (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

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

- (j) information the disclosure of which—
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest

Basis

Disclosure of the confidential funding strategies and associated information could reasonably prejudice the commercial position of Council in its negotiations with its funding partners, which, on balance, would be contrary to the public interest as it would likely implicate the optimisation of funding opportunities council may be able to secure through its funding negotiations.

The City Access Strategy is currently Cabinet in Confidence and is unable to be made public until approved by Capital City Committee.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may confer a commercial advantage on a third party and severely prejudice the Council's ability to influence proposals for the benefit of the Council and the community in this matter.

The City Access Strategy is currently Cabinet in Confidence and is unable to be made public until approved by Capital City Committee.

DISCUSSION

Background

1. As we strive to achieve our vision to become the world's most liveable city, it is important that we leverage our strategic partnerships with all levels of government to deliver key strategic priorities. The process and advocacy to get strategic projects funded is significant and ongoing. Annually we report to Council new opportunities to advocate for strategic projects.
2. In 2020-21 Council endorsed the following projects:
 - 2.1. Contemporary Adelaide Visitor Experience Centre
 - 2.2. Connected Adelaide.
 - 2.3. Adelaide Aquatic Centre – Strategic Options
 - 2.4. City of Adelaide Food-Waste Free Program
 - 2.5. Karrawirra Wetlands and Urban Nature Space
 - 2.6. Grenfell Street Transport Boulevard Upgrade
 - 2.7. Hindley Street Improvement Project
 - 2.8. Rymill Park Master Plan Implementation
 - 2.9. Target funding to priority actions in new City Access Strategy
 - 2.10. Housing and Homelessness
 - 2.11. Social Housing Investment
 - 2.12. City of Adelaide Food-Waste Free Program.

2021-22 Priority Projects

3. While we continue to progress the above opportunities, we have identified the following additional projects to advocate for:
 - 3.1. City Activation
 - 3.1.1. Activations within the city encourage the community to visit the city and experience all there is to see and do. Activations generate foot traffic and increase patronage for city businesses. Our main streets offer unique dining and shopping experiences and are economic hubs of their precincts. Activations along our main streets encourage people to linger longer, explore the precinct and spend at our city businesses.
 - 3.1.2. Key projects include:
 - 3.1.2.1. Reignite Adelaide
 - 3.1.2.2. Melbourne Street Fashion Activation
 - 3.2. Riverbank Precinct
 - 3.2.1. The Adelaide Riverbank, known to the Kaurna as Karrawirra Pari – the Redgum Forest River – is the geographic and spiritual heart of Adelaide. Over the past decade, Karrawirra Pari has seen unprecedented levels of development with more than \$7 billion of public and private investment, primarily in the sectors of tourism, entertainment, healthcare, education and the knowledge economy. This submission enables the advocacy for further improvements to City of Adelaide Infrastructure for an important part of the City's identity.
 - 3.3. Key Projects include
 - 3.3.1. Karrawirra Wetlands and Urban Nature Space
 - 3.3.2. Adelaide Bridge
 - 3.3.3. Torrens Weir
 - 3.3.4. Riverbank Shared Use Paths
 - 3.4. Heritage Lighting
 - 3.4.1. Decorative lighting program to highlight existing heritage buildings and heritage features on Melbourne, Hutt and O'Connell Streets.

3.5. Safer Streets in Adelaide

3.5.1. Making Pedestrian Improvements throughout the City of Adelaide

- 3.5.1.1. Melbourne Street Wombat Crossing
- 3.5.1.2. Mackinnon Parade Pedestrian Refuge
- 3.5.1.3. Brougham Place Pedestrian Facilities

Updates to previous years projects

4. As some of these major infrastructure projects have evolved there have been some changes worth noting to last years endorsed position.
5. Adelaide Aquatic & Wellbeing Centre
 - 5.1. The Adelaide Aquatic Centre – Strategic Options has been developed into an Adelaide Aquatic & Wellbeing Centre proposal. This Proposal continues to assist in funding advocacy to key stakeholders in both State and Federal Government.
 - 5.2. The Adelaide Aquatic Centre Feasibility Study is scheduled to be presented to Council for consideration on 12 October 2021.
6. ..
 - 6.1. ..
 - 6.2. ..
 - 6.2.1. ..
 - 6.2.2. ..
 - 6.2.3. ..
 - 6.2.4. ..
7. The submissions will be used by the Lord Mayor and / or the Chief Executive Officer in discussions about State and Federal election commitments and budgets for 2021-22 and beyond.

ATTACHMENTS

Attachment A – City of Adelaide Partnership Proposals 2021-22

- END OF REPORT -

Strategic Property Review and Investigations (Status Update)

ITEM 12.1.3 14/09/2021
Council

Strategic Alignment - Enabling Priorities

Program Contact:

Shaun Coulls, Acting Associate Director, Strategic Property and Commercial 8203 7036

2017/04450

Confidential - s 90(3) (b) & (d) commercial advantage/prejudice commercial position of council/commercial information of a confidential nature

Approving Officer:

Tom McCready, Acting Director City Shaping

EXECUTIVE SUMMARY

On 14 April 2020 Council received the Confidential Strategic Property Review Action Plan and approved the identified asset and city shaping opportunities.

A further review of the assets forming part of the Strategic Property Review has now been completed considering updated valuation, rental, expenditure, and other available information. As a result of this review, it is recommended that the Dunn Street car park be incorporated as a city shaping opportunity with site investigations to explore housing outcomes including key worker/ affordable housing opportunities together with precinct car parking.

Early sales are progressing for key assets including James Place Public Toilets and existing commercial tenancies together with the recent release of the 211 Pirie Street site and Pirie Flinders UPark by way of an open Expression of Interest (EOI). This EOI calls for the sale of the 211 Pirie Street site as the core strategic development opportunity with consideration to the adjoining Pirie Flinders UPark as a value-add opportunity where a compelling rationale can be demonstrated. The EOI evaluation outcomes will be presented to Council in late 2021.

Priority actions have been identified as part of the status update and Council will receive for its consideration during late 2021 the outcomes of these investigations, in addition to the EOI outcomes for the 211 Pirie Street site and Pirie Flinders UPark, as well as a revised Acquisition and Disposal of Land and Assets Policy.

This will be followed by Council consideration of the preliminary investigations associated with a redevelopment of the former Bus Station site in early 2022.

The status update identifies a secondary pipeline of activities to be reported back to Council during 2022.

These priority actions and secondary pipeline activities will assist to optimise and leverage Council's property portfolio enabling the creation of new city shaping projects.

Consideration in confidence is sought because the information contained within **Attachment A** and associated links, include certain financial information and further direction, which may prejudice the City of Adelaide's future commercial dealings with regard to its asset and strategic land holdings.

RECOMMENDATION

THAT COUNCIL

1. Notes the Confidential Strategic Property Review Status Update – September 2021 provided at Attachment A to Item 12.1.3 on the Agenda for the meeting of the Council held on 14 September 2021.
2. Approves that site redevelopment investigations as detailed within Attachment A be undertaken for the Dunn Street car park in support of housing outcomes, including consideration of key worker / affordable housing together with precinct car parking, and that the outcomes of the investigation be presented to Council.

3. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 12.1.3 [Strategic Property Review and Investigations (Status Update)] listed on the Agenda for the meeting of the Council held on 14 September 2021 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (d) of the *Local Government Act 1999 (SA)*, the meeting of Council do order that:
 - 3.1. The report (excluding attachments and links) and the resolution become public information and included in the Minutes of the meeting.
 - 3.2. The attachments and links to the report, the discussion and any other associated information submitted to this meeting and the Minutes of the meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2028.
 - 3.3. The confidentiality of the matter be reviewed in December 2022.
 - 3.4. The Chief Executive be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Item 12.1.3 - Published in Confidence and Released to the Public

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities 5.04 Implement the Strategic Property Review.
Policy	The Strategic Property Review supports the Acquisition and Disposal of Land and Infrastructure Assets Policy which requires Council to regularly review its assets ensuring value for money and growth in community wealth.
Consultation	The Strategic Property Review was informed by engagement across the Administration's portfolios and programs.
Resource	The next steps as contained within this report will be undertaken by the Strategic Property & Commercial Program.
Risk / Legal / Legislative	The Strategic Property Review supports the <i>Local Government Act 1999 (SA)</i> ensuring that Council's resources are used fairly, effectively, and efficiently.
Opportunities	The Strategic Property Review identifies and provides a forward program of strategic property activities enabling the creation of new public value.
21/22 Budget Allocation	The Strategic Property & Commercial Program's 2021/22 budget incorporates \$100,000 to undertake further investigations for opportunities identified by the Strategic Property Review.
Proposed 22/23 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
21/22 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	Identified opportunities will be the subject of further investigations including partnering approaches to leverage public value from Council's assets.

GROUNDS AND BASIS FOR CONSIDERATION IN CONFIDENCE

Grounds

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

- (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 prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest;
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which-
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.

Basis

This Item contains certain information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business, prejudice the commercial position of the council and prejudice the commercial position of the person who supplied the information and confer a commercial advantage to a third party.

The disclosure of information in this report could reasonably prejudice the commercial position of the Council including its future commercial dealings given that it contains financial information and future direction with regard to Council assets and strategic land holdings.

Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances given that the information in this report, including certain financial information and further direction, may prejudice its future commercial dealings with regard to its assets and strategic land holdings. On this basis, the disclosure of such information may severely prejudice the City of Adelaide's ability to influence the proposal for the benefit of the City of Adelaide and the community in this matter.

DISCUSSION

1. The City of Adelaide's (CoA) property portfolio is one of the most powerful transformational levers to shape and accelerate city liveability, growth and investment.
2. A Strategic Property Review was undertaken during 2019/20 incorporating a detailed assessment of the CoA's property portfolio in order to:
 - 2.1. Optimise the performance of the property portfolio.
 - 2.2. Provide a strategic approach to Council's property activities.
 - 2.3. Leverage existing holdings aligned to city wide initiatives and city shaping projects.
 - 2.4. Create new revenue opportunities providing funds for community benefits.
3. The review responded to requirements within the *Local Government Act 1999 (SA)*, Council's Acquisition and Disposal of Land and Infrastructure Assets Policy and the Strategic Plan 2020-2024 action to 'Implement the Strategic Property Review'.
4. The Confidential Strategic Property Review and associated Action Plan as prepared by Jones Lang LaSalle (JLL) incorporated a structured assessment of 29 Council owned assets identified within the maps available at Link 1 view here.
5. Council received the Confidential Action Plan at its meeting of 14 April 2020 and resolved in part to:
 - 5.1. Approve the asset and city shaping opportunities identified within the Action Plan.
 - 5.2. Approve in principle the sale of under-performing assets estimated in the order of \$25 million to \$30 million with net sale proceeds to mitigate Council's Long-Term Financial Plan by way of a reinvestment of funds into city shaping and income generating opportunities.
 - 5.3. Note that identified opportunities will be the subject of detailed investigations which will be brought back to Council on a case-by-case basis for its consideration.
 - 5.4. Request that the Administration review Council assets every six months and present a report on their performance to Council.
6. The key asset and city shaping opportunities as approved by Council at its meeting of 14 April 2020 are available at Link 2 view here.
7. A confidential status update on the Strategic Property Review and Action Plan was presented to Council on 15 December 2020 with Council resolving in part to authorise the Chief Executive Officer to initiate an EOI for the sale and redevelopment of the 211 Pirie Street site as the core opportunity with the Pirie Flinders UPark to be offered as an additional value add.
8. Council approved at the above meeting the commencement of the community land revocation process for the Pirie Street Volleyball Courts Land (211 Pirie Street Land). It is noted that this land has since been formally revoked following public consultation and approvals by the Minister for Planning & Local Government and Council.
9. On 13 July 2021 Council considered a purchase offer from the tenant of the Whitmore Square commercial tenancy with Council resolving to authorise the Chief Executive Officer to negotiate and execute an agreement for the sale of the property and associated car park space.

Strategic Property Review Status Update

10. In accordance with Council's decision of 14 April 2020 requesting regular reporting to Council, a Confidential Strategic Property Review Status Update – September 2021 is provided at **Attachment A**.
11. The status update has been prepared on the basis of a review of Council's assets in order to determine whether any additional actions should be undertaken. This review has considered updated valuation, rental, expenditure and other available information.
12. One-page summaries for the assets forming the basis of the Strategic Property Review incorporating updated data and assessments are available at Link 3 view here.
13. It is noted that the above one-page summaries exclude existing city shaping projects and activities (ie Central Market Arcade Redevelopment (CMAR)/Market Square, 88 O'Connell, Adelaide Aquatic Centre and Golf Links) as well as those properties which have sold or are under contract.

14. The review has identified the addition of the Dunn Street car park as a city shaping redevelopment opportunity for housing outcomes including key worker / affordable housing, together with precinct car parking. It is recommended that site redevelopment investigations be undertaken for the Dunn Street car park as set out within the Confidential Strategic Property Review Status Update.
15. The Confidential Strategic Property Review Status Update incorporates additional information including:
 - 15.1. Current city shaping projects (status update) – CMAR/ Market Square and 88 O'Connell.
 - 15.2. Existing asset sales.
 - 15.3. Current redevelopment investigations and market engagement.
 - 15.4. Emerging opportunities.
 - 15.5. Land and asset acquisition opportunities.
16. The above matters have been categorised into priority actions and secondary pipeline activities with indicative timings set out within the Confidential Strategic Property Review Status Update.
17. The next Confidential Strategic Property Review Status Update will be presented to Council in the second quarter of 2022.

DATA AND SUPPORTING INFORMATION

Link 1 – Asset Portfolio Maps

Link 2 – Asset and City Shaping Opportunities

Link 3 – One Page Asset Assessment Summaries

ATTACHMENTS

Attachment A - Strategic Property Review Status Update – September 2021

- END OF REPORT -

Council Member
Councillor Knoll2018/04053
Public**Contact Officer:**
Amanda McIlroy, Chief
Operating Officer

QUESTION ON NOTICE

Councillor Knoll will ask the following Question on Notice:

'Can the Administration advise what complimentary events, activities or business offers the City of Adelaide and AEDA are promoting to coincide with the one-month free evening and weekend parking initiative within all Council owned off-street UParks (excluding the Adelaide Central Market UPark), as endorsed by Council on 10 August 2021, as part of Reignite Adelaide?'

REPLY

1. The City of Adelaide and AEDA are currently cross promoting with the following campaigns and events, through various formats and channels:
 - 1.1. South Australian Tourism Commission (SATC) Go To Town promotion, in association with the Adelaide Economic Development Agency
 - 1.2. SATC FOMO Fridays (17/9, 24/9, 1/10, 8/10)
 - 1.3. Adelaide Film Festival Youth (25 Aug to 16 Sept)
 - 1.4. South Australian Living Artists Festival (extended until 17 Sept)
 - 1.5. Nature Festival of South Australia (25 Sept to 4 Oct)
 - 1.6. City of Adelaide's Birds in the City (coincides with Nature Festival)
 - 1.7. City of Adelaide's Spring Weekends (3 Sept to 2 Oct)
 - 1.8. Great State Vouchers – round 5
 - 1.9. Umbrella Festival (7 Sept to 17 Oct)
 - 1.10. Riesling Riot (9 Sept)
 - 1.11. Spooky Plant Tour (29 Sept)
 - 1.12. Our Mob (through to Sept 24)
2. City Businesses and Precinct Groups were provided images that showcase the Upark offer, to promote through their own social media channels and website.

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

ITEM 15.2 14/09/2021

Council

Council Member
Councillor Hyde

2020/01841
Public

Contact Officer:
Clare Mockler, Chief Executive
Officer

QUESTION ON NOTICE

Councillor Hyde will ask the following Question on Notice:

'Following on from the decision of Council on 15 December 2020 to approve \$1 million in expenditure to assist existing city-based events to expand and \$1 million to increase the Event & Sponsorship Program to sponsor new major events in the city, with funding to be split 50/50 over the 2021-22 and 2022-23 financial years, can the Adelaide Economic Development Agency update Council on the plan for this funding, including what events are being targeted or considered and any allocation to date?'

REPLY

1. Following Council's decision on 15 December 2020 to provide funding for new events and expand existing events, and following Council's decision on 10 August 2021 to extend the Quick Response Program from September, the Adelaide Economic Development Agency (AEDA) has launched the new Events Recovery Fund comprising:
 - 1.1. Quick Response – up to \$10,000 to support events with costs associated with disruption caused by the impacts of COVID-19.
 - 1.2. Expansion of Existing Events – up to \$50,000 to help existing events expand, enhance or activate additional areas of the City of Adelaide.
 - 1.3. New Events – up to \$200,000 to support new and exciting events within the city.
2. AEDA is working with event organisers about potential funding assistance for new and the expansion of existing events in 2022. The organisers have been contacted directly with details of newly launched Events Recovery Fund and encouraged to submit an application for funding that best suits their requirements.
3. With ongoing restrictions for interstate and international visitors and maximum event attendance numbers due to COVID-19, major events including the Australian 3 Day International Event, Royal Adelaide Show and The Ultimate Event have been cancelled.
4. This week AEDA will announce a new wellbeing festival for 2 weeks and 3 weekends in October. Planned events within this festival will activate various locations across the city in a COVID-19 safe format. The festival will leverage the City of Adelaide's Wellbeing Month.

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

ICAC Report on Council Kickbacks

ITEM 15.3 14/09/2021
Council

Council Member
Councillor Martin

2018/ 04053
Public

Contact Officer:
Amanda McIlroy, Chief
Operating Officer

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Noting that the Independent Commissioner Against Corruption, in her report *Facilities Maintenance in Local Government*, has found "improper conduct" in unnamed councils in South Australia occurring in maintenance practices and procurement, can the Administration advise:

1. Is the City of Adelaide one of the unnamed councils referred to in the report?
2. What are the measures the City of Adelaide has in place to prevent such improper conduct, such as the illegal practice of receiving "kickbacks" for awarding contracts and identifying price collusion by suppliers?'

REPLY

1. The City of Adelaide (CoA) was not a part of the Independent Commissioner Against Corruption (ICAC) evaluation into *Facilities Maintenance in Local Government* (the Report).
2. The Report sets out general observations arising from previous investigations (not involving the CoA) undertaken by ICAC to assist councils and public officers working in facilities management to better identify and assess risks in their systems and practices.
3. Council's Procurement Policy (updated 8 June 2021) has various mitigations in place to address the items raised in the report regarding improper conduct by council officers. These mitigations all support a strong probity process based on transparency and fairness. These include, but are not limited to:
 - 3.1. The use of evaluation panels for decision making rather than an officer.
 - 3.2. Open market approaches for all procurement over \$150,000.
 - 3.3. Consistent timeframes for market approach.
4. Additionally, CoA ensures probity, accountability and transparency through:
 - 4.1. Conduct in line with Council Members and CoA Code of Conduct for Employees provisions created pursuant to the City of Adelaide Act 1998 (SA) and the Local Government Act 1999 (SA).
 - 4.2. Conduct in line with CoA's Gifts and Benefits Operating Guideline i.e. Council Officers will decline gifts, favours, gratuities or any other benefits from Tenderers or Suppliers which may, or could be deemed to influence equity or impartiality.

- 4.3. Awareness of the requirements contained within the Freedom of Information Act 1991 (SA) and the Independent Commissioner Against Corruption Act 2012 (SA).
- 4.4. Risk escalation to the Executive Strategic Risk and Internal Audit Group or confidential risk escalation to a 'responsible officer' as appointed under the Public Interest Disclosure Act 2018.
- 4.5. The internal audit program with oversight by Council's Audit Committee.
5. Any breach of these policies or guidelines may result in a breach of CoA's legislative requirements and disciplinary actions, including dismissal. All serious breaches or non-adherence to policy or guidelines will be reported to the CoA's CEO as soon as practicable after the breach has been discovered. The CEO may refer the matter to its external audit committee.
6. It is noted that this report should be considered and used to inform the continuous improvement of practices to test their effectiveness and efficiency.
7. The Report will be discussed at the Executive Strategic Risk and Internal Audit Group meeting on 15 September 2021 to identify where the observations provided in the Report can improve CoA policy settings, procedures, and behaviours with the aim of further minimising our risk to potentially corrupt practices.

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

Provision of Outdoor Dining Furniture

ITEM 15.4 14/09/2021
Council

Council Member
Councillor Martin

2020/01167
Public

Contact Officer:
Tom McCready, Acting Director
City Shaping

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'In the 2020/21 financial year and prior to the launch of Reignite Adelaide, the City of Adelaide provided free outdoor dining furniture for businesses in North Adelaide. Could the Administration advise how many businesses in O'Connell Street benefitted from the project in 2020/21 and whether they continue to enjoy free City of Adelaide outdoor furniture?'

REPLY

1. In 2020/21 financial year, Council did not provide free outdoor dining furniture for use by specific businesses in O'Connell Street.
2. There have been a number of trials and initiatives to encourage activation, including the provision of outdoor picnic tables for use by anyone in the community, including but not limited to customers of nearby businesses.
3. It is unclear how many businesses have benefitted from this as we have not recorded where users of the furniture are coming from. However anecdotal feedback indicates they are being used more as general community seating, rather than for diners of nearby businesses/restaurants.

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

Parking Spaces 88 O'Connell Street Development

ITEM 15.5 14/09/2021

Council

Council Member
Councillor Martin

2018/02324
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 how many car spaces will be provided in the development in which it is partnering with 88 O'Connell Pty Ltd (formerly C and G):

1. In total?
2. For residential apartments?
3. For commercial owners, tenants and staff, including for professional suites?
4. For discrete visitors to residential apartments and clients of professional suites?
5. For patrons of commercial businesses, not including professional suites?
6. For members of the public seeking to park on the site as a patron of a business on site or as a visitor to North Adelaide?

REPLY

1. The project will comprise a total of 381 car parks.
2. 173 car parks have been allocated to the residential apartments.
3. 92 car parks have been allocated to the commercial and retail tenants
4. 116 car parks will be publicly accessible and available to discrete visitors to residential apartments and clients of professional suites; patrons of commercial businesses; and members of the public seeking to park on the site as a patron of a business on site or as a visitor to North Adelaide.

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

Extension of Dry Zones

ITEM 15.6 14/09/2021
Council

Council Member
Councillor Martin

2021/01236
Public

Contact Officer:
Tom McCready, Acting Director
City Shaping

QUESTION ON NOTICE

Councillor Martin will ask the following Question on Notice:

'Elected Members were advised by email this month that Council had applied to the Attorney-General's Department on 5 July 2021 and received approval on 19 August 2021 to extend the term of Park Lands Dry Zones from their expiry in September 2021 for a further 2 years until 2023. Could the Administration advise:

1. Why was the matter not presented to, or endorsed by, elected members in open Council as has occurred previously?
2. Under what specific CEO delegation was the decision made to contact the State Government without referral to the elected body?
3. Why did the City of Adelaide not conduct a public consultation on this matter ahead of the determination to seek State Government approval for the extension, as has happened previously?
4. Was there any participation or formal documentation or verbal advice presented to the City of Adelaide Reconciliation Committee about the Administration decision and, if so, could any minutes or documents be provided?
5. Was the Lord Mayor consulted in advance of the decision to seek the extension?'

REPLY

1. As part of ongoing regular discussions with the Commissioner for Consumer Affairs, Liquor and Gambling and the SA Police, it was agreed that in the absence of an appropriate set of measures to deal with the complexity of excessive consumption of alcohol and associate behaviours in public places, it was considered that maintaining the continuity of the status quo is appropriate so as to enable focus to be maintained on delivering positive outcomes for remote visitors and the city community through the Safety and Wellbeing Taskforce process.
 - 1.1 The Premier established the Safety and Wellbeing Taskforce of senior Government executives and representatives from the City of Adelaide and City of Port Adelaide Enfield in March 2021, in response to a request by the City of Adelaide.
 - 1.2 The Taskforce was developed in response to increased safety and wellbeing issues to vulnerable people and the broader community due to the mobility of Aboriginal people into the City and suburbs with no appropriate accommodation to access during their stay.
 - 1.3 The Taskforce is committed to implementing new and effective initiatives that are culturally informed and address the immediate and long term need for safe support and accommodation for Aboriginal people who need to be in Adelaide and away from their home communities.

- 1.4 A more holistic response will be recommended by the Taskforce that will include cultural support, accommodation and policy and regulation conditions including consideration of liquor conditions.
2. Subsequently, the City of Adelaide's CEO wrote to the Commissioner for Consumer Affairs, Liquor and Gambling requesting the extension of the Park Lands Dry Area regulations. The Attorney General approved this request on 19 August 2021 for a period of two years.
3. Council will be informed of the outcomes of the Taskforce and advice will be provided about Council's role and appropriate decisions it might make in implementing culturally appropriate and long-term strategies for the City of Adelaide.
4. Advice was not provided to the City of Adelaide Reconciliation Committee; however, the Lord Mayor was informed of the intention to maintain the status quo and the rationale for doing so, given the current work underway of the Taskforce. The Lord Mayor was informed of the outcome of the request for the extension at the same time as Council Members through the E-News that was distributed on Thursday 2 September 2021.

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

Employee Work from Home Arrangements

ITEM 15.7 14/09/2021
Council

Council Member
Councillor Hyde

2021/00600
Public

Contact Officer:
Amanda McIlroy, Chief
Operating Officer

QUESTION ON NOTICE

Councillor Hyde will ask the following Question on Notice:

'That the Administration:

Please confirm whether all City of Adelaide employees working in the CBD and North Adelaide have returned to their offices, or whether there are still employees working from home and how many are still working from home?

If there are employees working from home, why is this the case?

To what extent, if any, have Unions influenced policies regarding employees returning to their normal workplace in the City?'

REPLY

1. In the context of the current pandemic we implemented a suite of measures designed to respond to a constantly evolving corporate and public safety environment, while at the same time ensuring consistent delivery of City of Adelaide (CoA) services and infrastructure projects.
2. One mechanism implemented was to direct our personnel to work from home where possible, in response to advice and direction (in the case of state lockdowns) issued by the State Emergency Coordinator. Council are kept informed of staffing arrangements during these periods via CEO Briefings and/or regular updates from our Council Incident Management Team.
3. While work-from-home arrangements were already a feature of the modern employment environment before the pandemic, based on best available advice the CoA broadened the measure to enable us to maintain our productivity while helping to keep staff and the broader community safe during the pandemic.
4. It is confirmed since the state lockdown direction in July 2021 that all City of Adelaide employees have returned to their pre-direction work arrangements.
5. The CoA has a Flexible Work Arrangements operating guideline and as an employer acknowledges the benefits that can be obtained through flexible work arrangements that provide employees with the opportunity to balance their personal commitments whilst also ensuring the continuing provision of high levels of service which support the goals and objectives of Council.
6. The CoA Flexible Work Arrangements guideline includes principles for considering whether flexible work arrangements are appropriate for our employees, and the process for approving such arrangements. Any assessment of a flexible working arrangement must take into consideration that we are ambassadors for the City and have a leadership role to play in supporting the City and promoting its vibrancy.

7. Unions have not influenced the return to the office or our normal flexible work arrangements for our people.
8. The Chief Executive Officer regularly monitors and receives advice about changing circumstances in the public health landscape, and where a change in strategy is deemed appropriate or necessary, will inform the Council and provide the necessary advice about decisions made.
9. Decisions in relation to this matter are made by the CEO in accordance the responsibilities and authority provided under section 103 of the *Local Government Act 1999*.

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