



# COUNCIL MINUTES

for the meeting

Tuesday 12 October 2021

in the Council Chamber,  
Adelaide Town Hall

COUNCIL  
Meeting Minutes, Tuesday 12 October 2021, at 5.30pm

Present - The Right Honourable the Lord Mayor, Sandy Verschoor (Presiding)

Deputy Lord Mayor, Councillor Couros

Councillors Abrahamzadeh, Donovan, Hou, Hyde, Khera, Knoll, Mackie, Martin, Moran and Snape.

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### Acknowledgement of Country

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

'Council acknowledges that we are meeting on traditional Country of the Kaurna 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 Kaurna people living today.'

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

### Acknowledgement of Colonel William Light

The Lord Mayor stated:

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

### Prayer

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

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

### Memorial Silence

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

### Apologies and Leave of Absence

Nil

### Confirmation of Minutes

#### 1. Item 6 - Confirmation of Minutes – 10/8/2021, 11/8/2021 & 14/9/2021 [C]

Discussion ensued, during which with the consent of the meeting, the Lord Mayor advised that the items for confirmation would be taken separately.

It was then -

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Knoll -

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

Carried

It was then -

Moved by Councillor Abrahamzadeh,  
Seconded by Councillor Knoll -

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

Carried

It was then -

Moved by Councillor Knoll,  
Seconded by Councillor Abrahamzadeh -

That the Minutes of the meetings of the Council held on 14 September 2021, be taken as read and be confirmed as an accurate record of proceedings.

Carried

### **Deputations**

#### **2. Item 7.1 - Deputation – Professor Doug McEvoy AM – Repair and Climate Proofing of Victoria Park [C]**

Professor Doug McEvoy AM addressed the Council:

- To speak in support of Councillor Mackie's Motion on Notice - Reimagining Victoria Park – Pakapakanthi.
- To table supporting information.

The Lord Mayor thanked Professor Doug McEvoy AM for his deputation.

#### **3. Item 7.2 - Deputation – Karen Kochergen, Head of Infrastructure & Assets, SAPOL - SAPOL Horse Agistment in Bonython Park/Tulya Wardli (Park 27) [C]**

Karen Kochergen addressed the Council:

- To speak regarding Item 10.7 - SAPOL Horse Agistment in Bonython Park/Tulya Wardli (Park 27), in particular the removal of internal fencing and the reduction of horse numbers.

The Lord Mayor thanked Karen Kochergen for her deputation.

The Lord Mayor advised the meeting that due to the interest from the public gallery in Item 17.3 - Councillor Mackie – Motion on Notice - Reimagining Victoria Park – Pakapakanthi, the item would be brought forward for consideration before the remaining items.

### **Motion on Notice**

#### **4. Item 17.3 - Councillor Mackie – Motion on Notice - Reimagining Victoria Park – Pakapakanthi [2018/04053] [C]**

Moved by Councillor Mackie,  
Seconded by Councillor Hyde -

### THAT COUNCIL

1. Recognises that Victoria Park / Pakapakanthi (Park 16) experiences considerable heat load arising from the lack of tree canopy and, in its northern section, from the considerable cement and bitumen surfaces that remain in place from the former Adelaide 500 circuit track and horse racing.
2. Requests a report be prepared for Council by December 2021 outlining the necessary steps toward development of a new landscaping proposal to achieve enhanced greening - in particular tree canopy for shade across Victoria Park – Pakapakanthi (Park 16), noting:
  - a) the consistent high level of use of Victoria Park, including the race track, by a number of active organised groups including pedal prix, cycling and soccer, and many informal activities including solar cars, walking, running and dog walking.
  - b) the significant heritage and cultural value of Victoria Park to South Australia's sporting history, including as a result of the Adelaide 500, Formula One Australian Grand Prix, the Australian Touring Car Championship and an American Le Mans Series race, as well as horse racing from 1846 until 2007, the ongoing International Australian 3 Day Event and ostrich racing in the 20th century.
3. Requests a separate report be prepared advising on the potential for the heritage listing of the section of the Adelaide Street Circuit within Victoria Park, in particular the Senna Chicane.
4. Requests these reports are provided to the Adelaide Park Lands Authority for discussion and considered as possible amendments to the Adelaide Park Lands Management Strategy which is currently under review.

Discussion ensued, during which:

- with the consent of the mover, seconder and the meeting the motion was varied to include an additional part 2 c) to read as follows:
  - 'c) as part of the revision of the Community Land Management Plan, on top of the open community consultation, requests the administration directly engage with the adjacent City of Adelaide residents and parties who have a lease, license or formal use of the space.'
- With the consent of the mover and seconder, the Lord Mayor advised that the motion would be taken in parts.

Parts 1, 2 & 4 of the motion were then put and carried unanimously

Part 3 of the motion was then put and carried

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

**5. Item 9.1 - Advice of the Adelaide Park Lands Authority – 23/9/2021 [2018/04062] [C]**

Moved by Councillor Knoll,  
Seconded by Councillor Hyde –

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

**1. Advice 1 – Exemptions from EOI Process**

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Adelaide Park Lands Authority:

1. Supports the granting of an exemption to the requirements of Section 13 of the Adelaide Park Lands Leasing and Licensing Policy to select a new tenant by way of an Expression of Interest, to the following organisations:
  - 1.1. The Minister for Education – Adelaide High School
  - 1.2. South Terrace Croquet Club Inc
  - 1.3. Club de Petanque d'Adelaide Inc

**2. Advice 2 – Update on Riverbank Precinct projects**

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

That the Adelaide Park Lands Authority:

1. Reiterates its concern regarding the potential impact of further built form on the publicly-accessible open spaces provided by the Adelaide Park Lands.
2. Supports the City of Adelaide's request that the State Government urgently 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*.
3. Requests an independent valuation of each of the nominated parcels of land is undertaken and provided to the City of Adelaide for consideration
4. Recommends the proposed working group to be established by the City of Adelaide and the State Government informs the further planning of the proposed major projects in the Riverbank Precinct to minimise park lands encroachment, achieve maximum community benefit and facilitate investment into the Park Lands to offset open space losses.

Carried

**6. Item 9.2 - Advice/Recommendations of the Audit Committee – 15/9/2021 & 8/10/2021 [2018/04062] [C]**

Mr David Powell, Presiding Member of the Audit Committee addressed the Council to speak about the Council's audited financial statements.

It was then -

Moved by Councillor Hyde,  
Seconded by Councillor Abrahimzadeh –

**1. Report of the Audit Committee – 15 September 2021 & 8 October 2021**

**THAT COUNCIL**

1. Notes the report of the meetings of the Audit Committee held on 15 September & 8 October 2021.

**2. ACMA Financial Statements**

**THAT COUNCIL**

1. Notes the audited Adelaide Central Market Authority Financial Statements for 2020-21 as contained in Attachment A to Item 2.1 on the Agenda for the Special meeting of the Audit Committee held on 15 September 2021, have been audited. These financial results have been included in the Consolidated Financial Statements of the City of Adelaide and:

- 1.1. Considers the Financial Statements for 2020-21 present fairly the financial position of the Adelaide Central Market Authority subject to minor amendments as highlighted by the Audit Committee:
  - 1.1.1. Note 11 – correction to total
  - 1.1.2. Note 16 – inclusion of a paragraph regarding the key management personnel relationship with the City of Adelaide.
- 1.2. Notes the representation letter requested by the external auditor of the Adelaide Central Market Authority, contained in Attachment B to Item 2.1 on the Agenda for the Special meeting of the Audit Committee held on 15 September 2021, is signed by management.
- 1.3. Notes the Certification of Auditor Independence in relation to Adelaide Central Market Authority, contained in Attachment C to Item 2.1 on the Agenda for the Special meeting of the Audit Committee held on 15 September 2021 is signed by the Chief Executive Officer and the Presiding Member of the Audit Committee.
- 1.4. Notes the 2020-21 Report on the financial results for the Adelaide Central Market Authority, contained in Attachment D to Item 2.1 on the Agenda for the Special meeting of the Audit Committee held on 15 September 2021.
- 1.5. Notes the Annual Report in relation to Adelaide Central Market Authority, contained in Attachment E to Item 2.1 on the Agenda for the Special meeting of the Audit Committee held on 15 September 2021 is signed by the Chief Executive Officer and the Presiding Member of the Audit Committee.
- 1.6. Notes the representation letter requested by the external auditor of the Central Market Marketing Fund, contained in Attachment F to Item 2.1 on the Agenda for the Special meeting of the Audit Committee held on 15 September 2021, is signed by management.
- 1.7. Notes the audited Central Market Marketing Fund (CMMF) Financial Statements for 2020-21 as contained in Attachment G to Item 2.1 on the Agenda for the Special meeting of the Audit Committee held on 15 September 2021, have been audited and present fairly the position of the CMMF.

### **3. Audited Financial Statements 2020-21**

#### THAT COUNCIL

1. Considers that the Consolidated Financial Statements present fairly the financial position of the City of Adelaide, having reviewed the Consolidated Financial Statements for 2020-21, contained in Attachment A to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021.
2. Receives the City of Adelaide's Consolidated Financial Statements for 2020-21, contained in Attachment A to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021, subject to minor administrative changes and subsequent balance date event adjustments, to be certified by the Chief Executive Officer and the Lord Mayor.
3. Notes the Audit Committee acknowledgement of the significant effort of the Administration in delivering this turnaround in the financial result with a final operating deficit of \$6.9m during a difficult and challenging year.
4. Considers it is appropriate that the representation letter requested by the external auditor, contained in Attachment B to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021, is signed by management.
5. Notes the Certification of Auditor Independence contained in Attachment C to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021 by the Chief Executive Officer and the Presiding Member of the Audit Committee.
6. Notes the Adelaide Economic Development Agency Financial Statements for 2020-21, contained in Attachment D to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021, have been reviewed by the Adelaide Economic Development Agency Board out of session, and certified by the Chair of the Board. These financial results are included in the Consolidated Financial Statements of the City of Adelaide, and
  - 6.1. Considers the Financial Statements for 2020-21 present fairly the financial position of the Adelaide Economic Development Agency.

- 6.2. Notes the Certification of Auditor Independence in relation to Adelaide Economic Development Agency, contained in Attachment E to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021 is signed by the Chief Executive Officer and the Presiding Member of the Audit Committee.
- 6.3. Notes the representation letter requested by the external auditor of the Adelaide Economic Development Agency, contained in Attachment F to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021, is signed by management.
- 7. Notes the Rundle Mall Management Authority Financial Statements for 2020-21, contained in Attachment G to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021, have been reviewed by the Adelaide Economic Development Agency Board out of session, and certified by the Chair of the Board. These financial results are included in the Consolidated Financial Statements of the City of Adelaide, and
  - 7.1. Considers the Financial Statements for 2020-21 present fairly the financial position of the Rundle Mall Management Authority.
  - 7.2. Notes the Certification of Auditor Independence in relation to Rundle Mall Management Authority, contained in Attachment H to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021 is signed by the Chief Executive Officer and the Presiding Member of the Audit Committee.
  - 7.3. Notes the representation letter requested by the external auditor of the Rundle Mall Management Authority, contained in Attachment I to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021, is signed by management.
- 8. Notes the Adelaide Park Lands Authority Financial Statements for 2020-21, contained in Attachment J to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021, are included in the Consolidated Financial Statements of the City of Adelaide, and
  - 8.1. Considers the Financial Statements for 2020-21 present fairly the financial position of the Adelaide Park Lands Authority and can be certified by the Lord Mayor as Chair of Adelaide Park Lands Authority.
  - 8.2. Considers it is appropriate that the representation letter requested by the external auditor of the Adelaide Park Lands Authority, contained in Attachment K to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021, is signed by management.
  - 8.3. Notes the Certification of Auditor Independence in relation to the Adelaide Park Lands Authority, contained in Attachment L to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021, and considers it is appropriate to be signed by the Chief Executive Officer and the Presiding Member of the Audit Committee.
- 9. Notes the Brown Hill and Keswick Creeks Stormwater Board's Financial Statements for 2020-21 as contained in Attachment M to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021. Council's equity interest of 8% is included in the Consolidated Financial Statements of the City of Adelaide.
- 10. Recommends the 2020-21 Consolidated Financial Statements of the City of Adelaide, and the Financial Statements of the Rundle Mall Management Authority, Adelaide Park Lands Authority, Adelaide Central Market Authority (as presented to the Audit Committee on 15 September 2021 and since amended), Brown Hill and Keswick Creeks Stormwater Board and Council Solutions Regional Authority be presented to Council for noting on 12 October 2021.
- 11. Notes the 2020-21 Report on the financial results for the City of Adelaide and its subsidiaries, contained in Attachments N, O and P to Item 4.2 on the Agenda for the meeting of the Audit Committee held on 8 October 2021.

Discussion ensued

The motion was then put and carried

#### **Adoption of Items En Bloc**

#### **7. Adoption of Items En Bloc - 10.1, 10.3, 10.5, 10.8, 10.10 & 10.11 [C]**

Discussion ensued

It was then -

Moved by Councillor Knoll,  
Seconded by Councillor Abrahimzadeh –

'That the following Items 10.1, 10.3, 10.5, 10.8, 10.10 & 10.11 be adopted as presented, namely -

**Item 10.1 - Exemptions from EOI Process [2012/00565] Presented to Committee on 5/10/2021 [C]****THAT COUNCIL**

1. Approves the granting of an exemption to the requirements of Section 13 of the Adelaide Park Lands Leasing and Licensing Policy to select a new tenant by way of an Expression of Interest, to the following organisations:

11. The Minister for Education – Adelaide High School
12. South Terrace Croquet Club Inc
13. Club de Petanque d'Adelaide Inc

**Item 10.3 - Disability Access and Inclusion Plan 2019-2022 Annual Report [2018/00440] Presented to Committee on 5/10/2021 [C]****THAT COUNCIL**

1. Notes that this report and the City of Adelaide Disability Access and Inclusion Plan 2020-2021 Action Progress List provided in Attachment A to Item 10.3 on the Agenda for the meeting of the Council held on 12 October 2021, will inform the City of Adelaide's legislative requirements to submit an annual progress report to the State Government regarding the plan's implementation during the period of 2020-2021.

**Item 10.5 - Paxton's Walk [2012/00206-2] Presented to Committee on 5/10/2021 [C]****THAT COUNCIL**

1. Authorises the Chief Executive Officer to negotiate the terms of a Deed with Community Corporation No. 23945 that will require:
  - 1.1 Community Corporation No. 23945 to transfer to Council the parcel of land coloured yellow on Attachment A to Item 10.5 on the Agenda for the meeting of the Council on 12 October 2021.
  - 1.2 Community Corporation No. 23945 to grant a Right of Way to Council over the land coloured blue on Attachment A to Item 10.5 on the Agenda for the meeting of the Council on 12 October 2021.
  - 1.3 Community Corporation No. 23945 to accept an encumbrance over the land coloured red on Attachment A to Item 10.5 on the Agenda for the meeting of the Council on 12 October 2021 which will ensure sightlines are not obstructed on that land.
  - 1.4 Council to complete the Paxton's Walk Revitalisation project (for which Council has noted the requirement for a procurement activity over the Chief Executive Officer's delegation through the Quarterly Forward Procurement Report).
2. Authorises the Lord Mayor and Chief Executive Officer to affix the Common Seal of the Council to:
  - 2.1 A Deed with Community Corporation No. 23945
  - 2.2 Land transfer documents
  - 2.3 Grant of easement documents
  - 2.4 Encumbrance documents
 or any other document to give effect to Council's resolution.
3. Notes that the procurement for the Paxton's Walk Revitalisation project, as presented within the Quarterly Forward Procurement Report, will exceed \$1m.
4. Authorises the Chief Executive Officer (or authorised representative) to approve the award of the contract and approve variations (financial and non-financial) to the contract as appropriate until the contract is concluded.

**Item 10.8 - Progress of Motions by Elected Members [2018/04074] [C]****THAT COUNCIL**

1. Notes the report.

**Item 10.10 - Audit & Risk Committee Terms of Reference [2019/02483] Presented to Committee on 5/10/2021 [C]****THAT COUNCIL**

1. Adopts the Terms of Reference as contained in Attachment A to Item 10.10 on the Agenda for the meeting of the Council held on 12 October 2021.

2. Notes the change in name from 'Audit Committee' to 'Audit and Risk Committee' in accordance with updated legislative provisions of section 126 of the *Local Government Act 1999 (SA)*.

**Item 10.11 - Local Government Reform – Feedback on the proposed Community Engagement Charter [2019/01903] [C]**

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 the proposed Community Engagement Charter (Consultation version September 2021) acknowledging both the Category A inclusions and means of giving public notice are appropriate and support Council in providing a flexible and expanded approach to engaging with our community.'

Carried

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

**8. Item 10.2 - Weeknight Parking Controls [2021/00566] Presented to Committee on 5/10/2021 [C]**

Moved by Councillor Hyde,  
Seconded by Councillor Abrahimzadeh –

THAT COUNCIL

1. Notes the report.

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 Abrahimzadeh, Donovan, Hou, Khera, Knoll and Mackie.

**Against (4):**

Councillors Hyde, Martin, Moran and Snape.

The division was declared in favour of the motion

**9. Item 10.4 - Adelaide Aquatic Centre – Feasibility Study Update [VS2021/1480] Presented to Committee on 5/10/2021 [C]**

Moved by Councillor Hyde,  
Seconded by Councillor Abrahimzadeh –

THAT COUNCIL

1. Notes the report titled 'Regional Community Aquatic and Wellbeing Centre Feasibility Study - Final Report – September 2021 - City of Adelaide' as shown in Attachment A to Item 10.4 on the Agenda for the meeting of the Council held on 12 October 2021.
2. Authorises Administration to progress funding discussions for a new Adelaide Aquatics and Wellbeing Centre which includes an indoor 50m pool and a sizeable leasable area to accommodate allied health professionals providing holistic health and wellbeing services to the community. The incorporation of these elements will assist in progressing towards an operational surplus and allow for optimum use of the centre all year round with the goal to enhance community wellbeing.

Much discussion ensued

CEO Undertaking – Adelaide Aquatic Centre – Feasibility Study Update [C]

In response to queries from Councillor Khera, the CEO gave an undertaking to schedule a workshop to discuss the current legal requirements for Council around competition in commercial businesses and a way forward with future reports to build in a standard analysis for each case.

The motion was then put and carried

Councillor Hyde requested that a division be taken on the motion

**Division**

**For (8):**

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

**Against (3):**

Councillors Martin, Moran and Snape.

The division was declared in favour of the motion

Councillors Mackie and Moran left the Council Chamber at 7.04pm

**10. Item 10.6 - Adelaide Town Hall Operational Model [2020/02250] Presented to Committee on 5/10/2021 [C]**

Moved by Councillor Martin,  
Seconded by Councillor Snape –

**THAT COUNCIL**

1. Notes the proposed operating model including the City of Adelaide managing all bookings at the Adelaide Town Hall venue to allow greater community use and activation whilst meeting revenue targets and maintaining it as a prestigious venue in Adelaide.
2. Approves the administration entering into discussions for UNESCO City of Music 'home companies' to be located within the Adelaide Town Hall and subsequently seeking the endorsement of Council.
3. Approves the removal of venue hire fees for the Mankurri-api Kuu / Reconciliation Room, which will be a focus for the celebration of Aboriginal and Torres Strait Islander cultures and reconciliation initiatives.

Discussion ensued, during which:

- Councillor Mackie re-entered the Council Chamber at 7.08pm
- Councillor Moran re-entered the Council Chamber at 7.09pm

The motion was then put and lost

Councillor Moran requested that a division be taken on the motion

**Division**

**For (5):**

Councillors Donovan, Mackie, 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

It was then -

Moved by Councillor Hyde,  
Seconded by Councillor Abrahamzadeh –

**THAT COUNCIL**

1. Notes the proposed operating model including the City of Adelaide managing all bookings at the Adelaide Town Hall venue to allow greater community use and activation whilst meeting revenue targets and maintaining it as a prestigious venue in Adelaide.
2. Approves entering into agreements for UNESCO City of Music 'home companies' to be located within the Adelaide Town Hall.
3. Approves the removal of venue hire fees for the Mankurri-api Kuu / Reconciliation Room, which will be a focus for the celebration of Aboriginal and Torres Strait Islander cultures and reconciliation initiatives.

Discussion ensued

The motion was then put and carried

Councillor Martin requested that a division be taken on the motion

**Division**

**For (9):**

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

**Against (2):**

Councillors Martin and Moran.

The division was declared in favour of the motion

**11. Item 10.7 - SAPOL Horse Agistment in Bonython Park/Tulya Wardli (Park 27) [2021/00291] Presented to Committee on 5/10/2021 [C]**

Moved by Councillor Hyde,  
Seconded by Councillor Moran –

**THAT COUNCIL**

1. Notes the significant cultural and historic values of both the:
  - 1.1. Olive Plantation in Bonython Park / Tulya Wardli (Park 27).
  - 1.2. Long term use of the Olive Plantation and the adjacent Police Barracks by the SA Police Mounted Cadre and the community service provided by the officers and horses.
2. Approves:
  - 2.1. The development of a comprehensive rehabilitation and maintenance program aimed at the long-term preservation of the Olive Plantation by SAPOL, including the following immediate measures:
    - 2.1.1. Removal of all internal fencing.
    - 2.1.2. Soil replenishment and aeration.
    - 2.1.3. Care and pruning of individual trees particularly affected by the horses.
  - 2.2. Exploring the opportunity to seek the State Heritage Listing of the Olive Plantation 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.
  - 2.3. The installation of a 2.4m high black tubular steel perimeter fence around the Olive Plantation in Bonython Park to secure the SAPOL horses in recognition of the community service they provide, subject to:
    - 2.3.1. SAPOL's agreement to provide public access to the Olive Plantation by arrangement, if requested.
    - 2.3.2. There being no damage to the Olive trees or their root systems during the installation of the fence.
    - 2.3.3. Consideration being given to locating the fence further into the Olive Plantation to reduce external visibility and possibly provide some increased public visibility of the horses.
    - 2.3.4. Such fencing not being an impediment to State Heritage Listing of the Olive Plantation.
  - 2.4. The installation of the proposed cover to the horse training arena given that it is not fully enclosed and has limited external visibility.

Discussion ensued, during which Councillor Hou left the Council Chamber at 7.30pm and re-entered at 7.32pm.

The motion was then put and carried

Councillor Martin requested that a division be taken on the motion

**Division**

**For (8):**

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

**Against (3):**

Councillors Martin, Moran and Snape.

The division was declared in favour of the motion

**12. Item 10.9 - City of Adelaide Annual Report 2020-21 [2021/01467] Presented to Committee on 5/10/2021 [C]**

Moved by Councillor Hyde,  
Seconded by Councillor Moran –

THAT COUNCIL

1. Adopts the City of Adelaide Annual Report 2020-21 as included in Attachment A to Item 10.9 on the Agenda for the meeting of the Council held on 12 October 2021.
2. Authorises the Chief Executive Officer to make any necessary amendments of a minor nature to the adopted Annual Report that do not change the substantive tone or message of the adopted report.

Carried

**13. Item 10.12 - Report on Financial Results 2020-21 [2021/00122] [C]**

Moved by Councillor Hyde,  
Seconded by Councillor Abrahimzadeh –

THAT COUNCIL

1. Notes the 2020-21 Report on the financial results for the City of Adelaide and its subsidiaries, contained in Attachments A, B, C and D to Item 10.12 on the Agenda for the meeting of the Council held on 12 October 2021.

Carried

**Exclusion of the Public**

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

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

**12.1.1.** Contract Award - Adelaide Free Wi-Fi [s 90(3) (d)]

**12.1.2** Audit and Risk Committee – Appointment of Independent Members [s 90(3) (a)]

**ORDER TO EXCLUDE FOR ITEM 12.1.1**

Moved by Councillor Knoll,  
Seconded by Councillor Hyde –

THAT COUNCIL

1. Having taken into account the relevant consideration contained in section 90(3) (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 12 October 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 12.1.1 [Contract Award - Adelaide Free Wi-Fi] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

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

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information will result in release of contractor commercial pricing and methodology information, a competitor receiving the information to the detriment of the interested parties and the person who supplied the information at this point in time (and for approximately three years from the date of this report) and because the disclosure of Council's commercial position may severely prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 12 October 2021 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 12.1.1 [Contract Award - Adelaide Free Wi-Fi] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (d) of the Act.

Discussion ensued, during which Councillor Abrahimzadeh left the Council Chamber at 7.37pm.

The motion was then put and carried

**ORDER TO EXCLUDE FOR ITEM 12.1.2**

Moved by Councillor Hyde,  
Seconded by Councillor Knoll –

**THAT COUNCIL**

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 12 October 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public for the consideration of Item 12.1.2 [Audit and Risk Committee – Appointment of Independent Members] listed on the Agenda.

**Grounds and Basis**

This Item is confidential as it contains information concerning the personal affairs of the applicants, in particular the information provided on the expression of interest.

The disclosure of information in this report could reasonably provide information concerning the personal affairs of the applicants.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 12 October 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 [Audit and Risk Committee – Appointment of Independent Members] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (a) of the Act.

Carried

Councillor Hyde requested that a division be taken on the motion

**Division**

**For (7):**

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

**Against (3):**

Councillors Martin, Moran and Snape.

The division was declared in favour of the motion

Members of the public and members of Corporation staff not directly involved with Items 12.1.1 & 12.1.2 left the Council Chamber at 7.38 pm.

.....

**Confidential Item 12.1.1**  
**Contract Award - Adelaide Free Wi-Fi**  
**Section 90 (3) (d) of the *Local Government Act 1999 (SA)***  
**Page 12**

.....

**Confidential Item 12.1.2**  
**Audit and Risk Committee – Appointment of Independent Members**  
**Section 90 (3) (a) of the *Local Government Act 1999 (SA)***  
**Pages 12 - 13**

.....

The meeting re-opened to the public at 7.51 pm

### **Confidentiality Orders**

#### **Minute 15 - Item 12.1.1 - Contract Award - Adelaide Free Wi-Fi**

##### **Confidentiality Order**

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 12.1.1 [Contract Award - Adelaide Free Wi-Fi] listed on the Agenda for the meeting of the Council held on 12 October 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (d) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:

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

#### **Minute 16 - Item 12.1.2 - Audit and Risk Committee – Appointment of Independent Members**

##### **Resolution & Confidentiality Order**

##### **THAT COUNCIL**

1. Appoints the following persons as external independent members to the City of Adelaide Audit and Risk Committee from 13 October 2021 to 30 September 2025:
  - 1.1. Simon Rodger
  - 1.2. John Oliver
2. In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 12.1.2 [Audit and Risk Committee – Appointment of Independent Members] listed on the Agenda for the meeting of the Council held on 12 October 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (a) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:
  - 2.1 The resolution and report (excluding Link 1) become public information and included in the Minutes of this meeting.
  - 2.2 Link 1, 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.
  - 2.3 The confidentiality of the matter be reviewed in December 2022.
  - 2.4 The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

The report (excluding Link 1), is attached for information at the conclusion of the minutes.

The meeting **adjourned at 7.51pm** for a 20-minute break **and reconvened at 8.11pm** with the following Council Members -

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

### **Lord Mayor's Reports**

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

The Lord Mayor addressed the meeting as follows:

‘The display suite and apartment at Eighty Eight O’Connell is now complete and open to the public. It looks stunning and its completion is another important milestone as work on the project continues at pace.

I announced the opening at a joint press conference with Commercial and General Executive Chairman Jamie McClurg on Wednesday (6 October). Journalists were taken through the apartment and I gave a tour on my social media ahead of the official opening.

The launch event on Thursday (7 October) was well attended. Sales are officially underway with 20% already sold – many to local residents. There is tremendous excitement about this \$250 million project, which will bring 400 new residents and create 500 jobs once complete.

For the first time since 1975, Council celebrated Flower Day on 23 September. More than 3000 flowers sourced from CBD florists were given out at locations including Rundle Mall, Adelaide Town Hall, Hutt Street Library, O'Connell Street, Melbourne Street, Hurtle Square, Adelaide Railway Station and North Adelaide, Gilles Street and Sturt Street Primary Schools. It was a lovely event that brought joy and colour to the city.

Through the Adelaide Economic Development Agency, we launched Wellfest celebrating health and wellbeing in the City of Adelaide during October with community events and activities including yoga, cooking demonstrations and gardening.

AEDA also brought Vogue Festival back to Rundle Mall for three fashion-filled days between October 8- 10. I spoke at the launch at 2KW alongside AEDA chair Nikki Govan and Vogue editor Edwina McCann, who appeared via video as she was unable to join us in person due to being in lockdown in Sydney.

We are so fortunate to have some of the world's best designers in Adelaide including Paul Vasileff of Paolo Sebastian and Cristina Tridente of Couture Love Madness. I had the pleasure of attending Cristina's show on 8 October at the Mayfair Hotel to mark Couture Love Madness's tenth anniversary and view Paul Vasileff's collection on display in Rundle Mall.

The Deputy Lord Mayor joined me for the Myer Fashion Parade on Saturday (9 October) in support of Adelaide's incredible fashion and retail industries and it was full of people enjoying some retail therapy.

Throughout the month, we've had FOMO Fridays, #GoToTown and Reignite Adelaide bring street parties, music and festivities to the city. The campaigns are designed to attract people to the CBD and North Adelaide and support city traders particularly on a Friday, a day when people are choosing to still work from home.

I continue to receive positive feedback from city businesses about Council's pop-up parklets which are transforming underutilised parking bays into outdoor dining areas. Businesses including Chicken and Pig, Abbotts and Kinney, A Mother's Milk and Bean and Leaf Café have had new outdoor dining areas created and this is boosting capacity, improving amenity, brightening streets and increasing greening.

On 15 September, I attended the Australian of the Year Breakfast featuring the extraordinary Grace Tame and on 16 September, I had the privilege of welcoming new Australian citizens at a Citizenship Ceremony, followed by a reception in the Queen Adelaide Room, to mark Australian Citizenship Day.

I gave an address on leadership at the AmCham Academy, attended the Grote Street Traders AGM and spoke at the North Adelaide Precinct AGM on 29 September to provide an update on the work Council has completed during the past year including COVID-19 recovery support for business, Light Up O'Connell and Eighty Eight O'Connell.

Last but not least, on 26 September, I bowled the first bowl of the season at the Adelaide Bowling Club in my role as patron at their opening day event.'

During the discussion:

- Councillor Donovan re-entered the Council Chamber at 8.11pm
- Councillor Abrahamzadeh re-entered the Council Chamber at 8.13pm

It was then -

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

THAT COUNCIL:

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

Carried

**Councillors' Reports**

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

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

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 12 October 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 12 October 2021).

3. Notes that reports from Council Members tabled at the meeting of the Council held on 12 October 2021 be included in the Minutes of the meeting.

Carried

#### Questions on Notice

**19. Item 15.1 to Item 15.5 – Questions on Notice [C]**

- 15.1.** Councillor Knoll – Question on Notice – City Shed
- 15.2.** Deputy Lord Mayor (Councillor Couros) – Question on Notice – Kingston Terrace
- 15.3.** Councillor Abrahamzadeh – Question on Notice – Rates for Co-working Spaces
- 15.4.** Deputy Lord Mayor (Councillor Couros) – Question on Notice – Jeffcott Street
- 15.5.** Councillor Martin – Question on Notice – Central Market Arcade Development

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

The tabled Replies for Items 15.1 – 15.5 are attached for reference at the end of the Minutes of this meeting.

#### Questions without Notice

Discussion ensued, during which Councillor Hyde re-entered the Council Chamber at 8.16pm.

**CEO Undertaking – Park Lands Death [C]**

In response to queries from Councillor Hyde, an undertaking was given by the CEO to request further information from SAPOL, on the recent death in the Park Lands.

#### Motions on Notice

**20. Item 17.1 - Deputy Lord Mayor (Councillor Couros) – Motion on Notice – Flower Day Annual Event [2020/01167] [C]**

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

That Council

1. Notes the success of the recent Flower Day with the community.
2. Endorses the continuation of Flower Day to be an annual event.
3. Allocates appropriate funding to support Flower Day to be considered in the 2022/23 Business Plan & Budget.

Discussion ensued, during which:

- With the consent of the mover, seconder and the meeting the motion was varied twice to include two additional parts 4 & 5 to read as follows:
  - ‘4. Explores sponsorship opportunities for future events.
  - 5. Utilise City of Adelaide florists to source flowers through our procurement process.’

The motion, as varied, was then put and carried

Councillor Hyde requested that a division be taken on the motion

**Division**

**For (8):**

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

**Against (1):**

Councillor Donovan.

The division was declared in favour of the motion

**21. Item 17.2 - Councillor Hou - Motion on Notice – Liquor Licensing [2018/04053] [C]**

Moved by Councillor Hou,  
Seconded by Councillor Hyde -

That Council:

1. Notes its previous opposition to the introduction of increases to the reform of liquor licensing laws in 2019.
2. Acknowledges the ongoing negative impacts of the new fee structure on city businesses, particularly on those businesses whose operations have not traditionally been high-risk, but who have seen unfair increases in their licensing fees due to the 'risk-based annual licensing fee' being introduced.
3. Requests the Lord Mayor write to the Attorney-General highlighting the unfairness and negative impacts this reform has had on city businesses, including how the pandemic has compounded these impacts, and advocates for:
  - 3.1. A reduction in the risk-based licensing fee, and/or
  - 3.2. A revision of the licensing fee model that would see those businesses with less risk (including those that are open for fewer days) pay a lesser liquor licensing fee.

Discussion ensued

The motion was then put and carried

**22. Item 17.4 - Deputy Lord Mayor (Councillor Couros) – Motion on Notice – Mainstreets Revitalisation Fund [2021/0060] [C]**

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

That Council:

1. Commends the Administration on their work to date in working on three of the City's mainstreets, creating an effective model for the improvement of our mainstreets as commercial, cultural and community hubs.
2. Defines Premier Precincts per the Strategic Asset Management Plan as the mainstreets of Hindley Street, Hutt Street, Rundle Street, Melbourne Street and O'Connell Street – including Gouger and Grote as per the Market Precinct development plan.
3. Investigates the establishment of, and flags its commitment to establish, a '*Mainstreet Revitalisation Fund*' to operate from 2022-23 Financial year with clearly identified capital and renewal expenditure and public realm enhancements in areas identified as Premier Precincts per the new Strategic Asset Management Plan and requests projects to be delivered in line with the above be included in the 2022-23 business plan and budget.
4. Requests the framework for the operation of the fund is brought to Council by the end of January 2022 for approval, in order to allow the relevant teams to begin working on projects to be delivered by the fund starting in 2022-23, and requests the framework outlines a plan to provide for all the aforementioned precincts to have substantial public realm enhancements completed by the end of 2024-25 financial year.
5. Requests the establishment of this fund be placed on the Agenda for the next Capital City Committee meeting in November 2021 in order to explore co-funding opportunities.
6. Requests the Administration make preparations and schedule a workshop to update the Adelaide Design Manual generally, and with a view to including specific provisions for the City's mainstreets, ensuring they are able to maintain a distinct identity that remains unique to these streets, but complementary to the rest of the City.

Discussion ensued

The motion was then put and carried unanimously

**23. Item 17.5 - Councillor Abrahimzadeh – Motion on Notice - Adaptive Reuse Trial [2018/04053] [C]**

Moved by Councillor Abrahimzadeh,  
Seconded by Councillor Hyde -

That Council:

1. Notes the number of dilapidated vacant buildings within the City of Adelaide.
2. Notes the challenges in converting such buildings and spaces for residential use.
3. Investigates different adaptive reuse options and potential reduction in red tape to allow for a "adaptive reuse trial" within the City of Adelaide.
4. Reports its findings and potential options for a trial back to Council.

Discussion ensued

The motion was then put and carried

**24. Item 17.6 - Deputy Lord Mayor (Councillor Couros) – Motion on Notice – Dunn Street Carparking [2017/04450] [C]**

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

That Council:

1. Notes that the Dunn Street carpark is identified through the City of Adelaide's Strategic Property Review as an asset to be investigated.
2. Ensures that any future improvements or developments to the site retain public carpark to the same amount or greater than is currently available.

Discussion ensued

The motion was then put and carried

Councillor Hyde requested that a division be taken on the motion

**Division**

**For (7):**

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

**Against (2):**

Councillors Donovan and Snape.

The division was declared in favour of the motion

**25. Item 17.7 - Councillor Moran – Motion on Notice – Aquatic Centre [VS2020/3134] [C]**

The motion was withdrawn from consideration in the absence of Councillor Moran.

**Closure**

The meeting closed at 9.08 pm

Clare Mockler,

Chief Executive Officer

Sandy Verschoor,

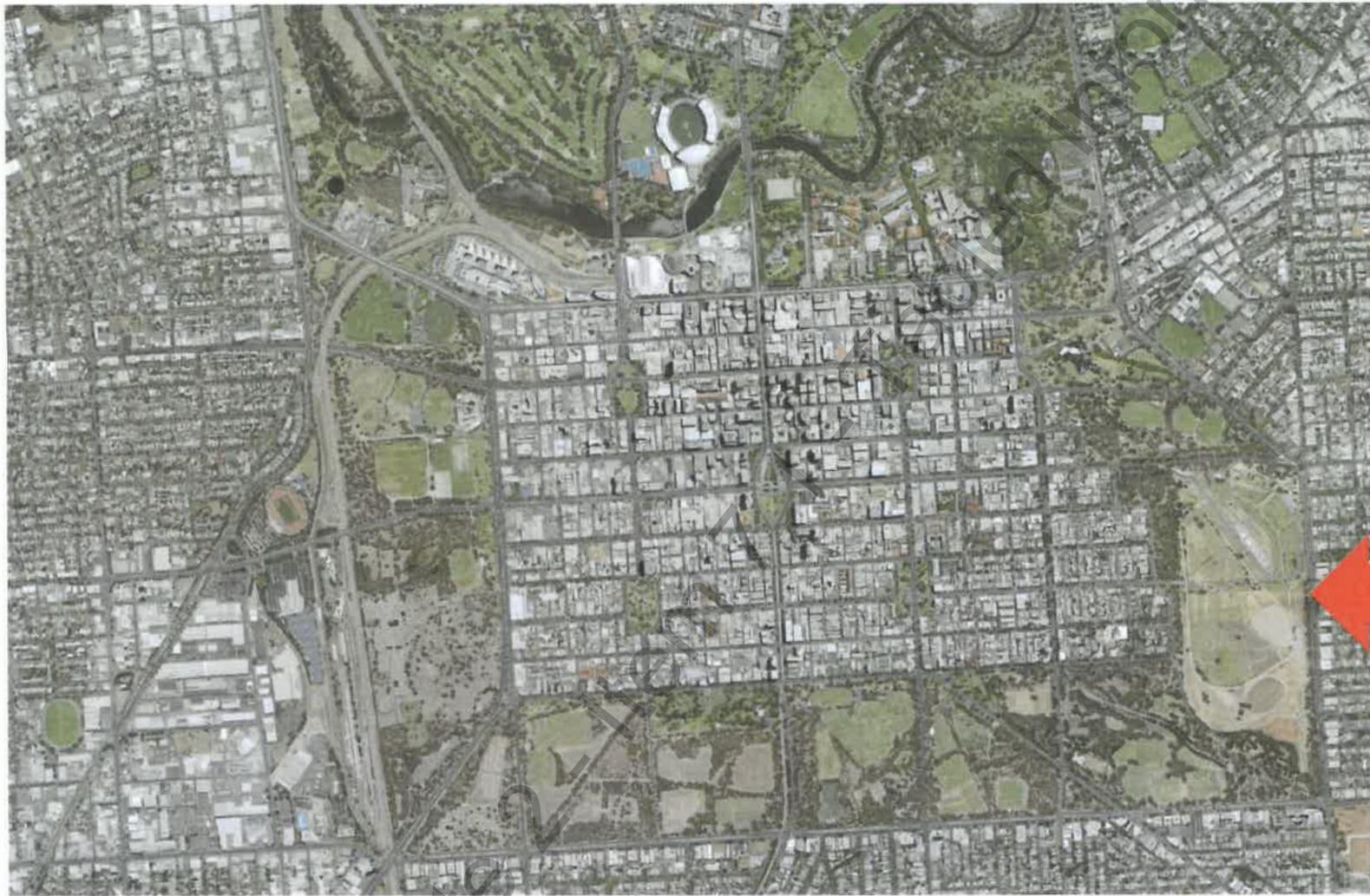
Lord Mayor

**Documents Attached for Reference**

Minute 2 – Item 7.1 - Deputation – Professor Doug McEvoy AM – Tabled Information

Minute 16 – Item 12.1.2 (Excluding Link 1), Published in confidence and released to the public

Minute 19 – Item 15.1 – 15.5 – Question on Notice Replies, distributed separately



**PICTURE #1**

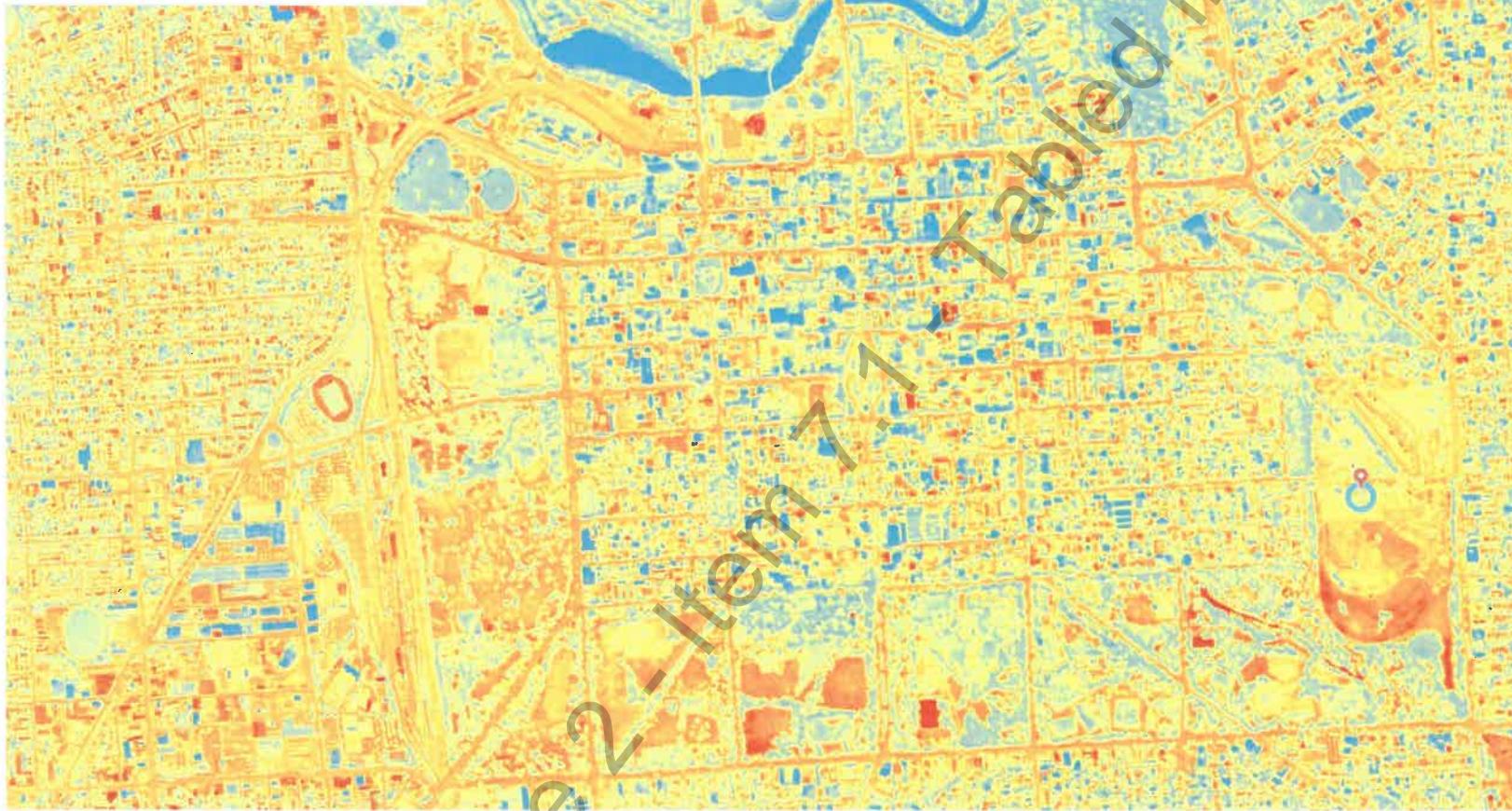
**Satellite Image of  
Adelaide CBD and  
Park Lands**

**Victoria Park /  
Pakapakanhi**

Resilient East & City of Salisbury - Day Heat Map  
10th March 2018

Surface Temperature: 40.3°C

[Further Information](#)



## PICTURE #2

Daytime Surface Heat map

March 10<sup>th</sup> 2018

Adelaide max temp 35°C

Victoria Park surface temperatures range from 30° (blue) to 47° (red)



PICTURE #3

Close up of Victoria Park/  
Pakapakanhi (winter)

Wetland Development

# Audit and Risk Committee – Appointment of Independent Members

ITEM 12.1.2 12/10/2021  
Council

Strategic Alignment - Enabling Priorities

**Program Contact:**

Mick Petrovski, Manager,  
Governance 8203 7119

2019/02483

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

**Approving Officer:**

Amanda McIlroy, Chief Operating Officer

## EXECUTIVE SUMMARY

At the meeting of Council on 12 October 2021, Council is considering the adoption of updated Terms of Reference for the Audit Committee and noting the name change to Audit and Risk Committee.

The Terms of Reference have been updated to reflect new legislative provisions under section 126 of the *Local Government Act 1999 (SA)* (the Act) which are being enacted through the *Statutes Amendment (Local Government Review) Act 2021*.

One of the key requirements of the updated provisions of the Act is the change in name from 'Audit' to 'Audit and Risk' committee and the requirement for the majority of the members of the committee to be independent ie not Council Members. To support this the Terms of Reference now require four Independent Members (previously three could be appointed).

This report seeks a Council decision on the appointment of two Independent Members for the City of Adelaide Audit and Risk Committee.

Consideration in confidence is sought because the applications for the Expression of Interests submitted to Council contain personal information such as address, phone number and place of employment for each applicant and represents an unreasonable disclosure of personal affairs.

## RECOMMENDATION

### THAT COUNCIL

1. Appoints the following persons as external independent members to the City of Adelaide Audit and Risk Committee from 13 October 2021 to 30 September 2025:
  - 1.1. Simon Rodger
  - 1.2. John Oliver
2. In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 12.1.2 [Audit and Risk Committee – Appointment of Independent Members] listed on the Agenda for the meeting of the Council held on 12 October 2021 was received, discussed and considered in confidence pursuant to Section 90(3) (a) of the *Local Government Act 1999 (SA)*, this meeting of the Council do order that:
  - 2.1 The resolution and report (excluding Link 1) become public information and included in the Minutes of this meeting.
  - 2.2 Link 1, 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.
  - 2.3 The confidentiality of the matter be reviewed in December 2022.
  - 2.4 The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the item for which the confidentiality order has been revoked.

## IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities Bold leadership and strategic partnerships to meet challenges and take up new opportunities
Policy	Audit and Risk Committee Terms of Reference
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	The role and function of the Audit and Risk Committee is as per the <i>Local Government Act (SA)</i> , associated Regulations and its Terms of Reference
Opportunities	The Audit and Risk Committee provides advice and recommendations to Council in accordance with its legislative role and its Terms of Reference
21/22 Budget Allocation	Not as a result of this report
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	Not as a result of this report

## GROUNDS AND BASIS FOR CONSIDERATION IN CONFIDENCE

### Grounds

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

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

### Basis

This Item is confidential as it contains information concerning the personal affairs of the applicants, in particular the information provided on the expression of interest.

The disclosure of information in this report could reasonably provide information concerning the personal affairs of the applicants.

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## DISCUSSION

1. On 17 June 2021 the *Statutes Amendment (Local Government Review) Act 2021* (the Amendment Act) was assented to by The Governor of South Australia. The Amendment Act contains the most significant changes to local government legislation since the introduction of the *Local Government Act 1999* (SA).
2. In response to the amendments (specifically amendments to section 126 of the *Local Government Act 1999* (SA) (the Act)), it was timely to review the Terms of Reference for the City of Adelaide (CoA) Audit Committee. The Terms of Reference have subsequently been updated based on the updated legislative provisions, best practice and to provide further clarity. Council has considered these Terms of Reference at this same meeting (Item 10.10).
3. Audit and Risk Committees play a critical role in the risk and financial reporting framework of councils by overseeing and monitoring assurance activities. They also address functions and processes in relation to the management of risk, financial governance responsibilities and legislative compliance in the areas of:
  - 3.1. Financial reporting
  - 3.2. Internal controls and risk management systems
  - 3.3. Business Improvement strategies
  - 3.4. Internal Audit
  - 3.5. External Audit.
4. One of the key requirements of the updated provisions of the Act is the change in name from 'Audit' to 'Audit and Risk' committee and the requirement for the majority of the members of the committee to be independent ie not Council Members. To support this the membership of the CoA Audit and Risk Committee consists of six members, the Lord Mayor (ex officio), one Councillor and four external Independent Members, one of whom is selected as the Presiding Member.
5. The CoA Audit and Risk Committee provides an important independent role between Council and its management and between Council and its community. The Audit and Risk Committee has no management function, delegated financial responsibilities or authority to act independently of Council and can only act in areas covered by its Terms of Reference.
6. At its meeting on 19 November 2019, Council appointed Mr David Powell, Mr Ross Haslam and Ms Paula Davies to the Audit Committee for the 2020-2023 term of the Audit Committee, their terms expire on 30 November 2023.
7. Ross Haslam resigned from his position as independent member effective 19 June 2021 and a recruitment process was undertaken simultaneously with the review of the Terms of Reference noting that if Council adopt the updated Terms of Reference, an additional independent member may be appointed.
8. To facilitate the appointment of two external Independent Members, an Expression of Interest was advertised on Seek, LinkedIn, Local Government Association, Australian Institute of Company Directors and Women on Boards on 28 June 2021 for two weeks.
9. At the closing date, 33 Expressions of Interest were received.
10. The Expressions of Interest were assessed by the evaluation panel against the following criteria:
  - 10.1. Knowledge of Risk Management frameworks
  - 10.2. Experience in governance matters
  - 10.3. Extensive accounting, auditing or legal skills
  - 10.4. Relevant experience in large multi-functional or local government organisations
  - 10.5. Experience in board roles.
11. Applicants Simon Rodger and John Oliver were considered to have the strongest alignment to each of the evaluation criteria and are considered to have the relevant range of experience, skills and attributes to contribute to the effectiveness of the Audit and Risk Committee, their resumes can be found in Link 1 view here.

## DATA AND SUPPORTING INFORMATION

**Link 1 – Independent Member's Resumes**

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### ATTACHMENTS

Nil

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- END OF REPORT -

# City Shed

**ITEM 15.1 12/10/2021**  
**Council**

**Council Member**  
**Councillor Knoll**

2021/00600  
 Public

**Contact Officer:**  
 Amanda McIlroy, Chief  
 Operating Officer

## QUESTION ON NOTICE

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

'What marketing and promotion has the City of Adelaide undertaken to make residents aware that the Adelaide City Shed, located in Makerspace at 100 Franklin Street Adelaide, provides opportunities for socialising and sharing skills & tools for both home and community projects and that it is welcoming of all genders.'

## REPLY

1. The City of Adelaide has closely supported the City Shed administrators and volunteers to give them the connections and capacity to achieve sustainable growth and to confidently promote their facility to the local community, outside of specific City of Adelaide marketing campaigns.
2. Support that has been provided to the City Shed includes:
  - 2.1. To ensure the City Shed is integrated into the local community, we introduced the City Shed Chair to the South West Working Together Group (facilitated by City of Adelaide), which is made up of 17 service providers and organisations operating in the City, including housing providers, schools, not-for-profit organisations, youth services and many more. Connections fostered with this group can enable further access to reach our residents including those who may not engage through traditional means, which will achieve sustainable growth and participation numbers.
  - 2.2. Hosted a launch event with attendance from the Lord Mayor on 12 April 2021.
  - 2.3. Promoted in the Quarter 4 Rates Notice brochure, with 10,000 copies distributed.
  - 2.4. A feature story included on ABC 7pm news bulletin and national coverage on News24 on 13 April 2021 ([Inclusive city shed provides tools to improve mental health and wellbeing | ABC News - YouTube](#)).
  - 2.5. A featured article included in CityMag on 28 April 2021 ([Building bird boxes and friendships at Adelaide City Shed - CityMag \(indaily.com.au\)](#)).
  - 2.6. Development of a webpage on the City of Adelaide website, promoting the launch and benefits of the City Shed.
    - 2.6.1. This website has received 886 page views since launch and users spent an average time of over 4 minutes on the webpage, showcasing we reached an engaged audience.
  - 2.7. Promotional support through the City of Adelaide social media channels, including Facebook, Twitter and Instagram.

- 2.7.1. Although we are unable to confirm the number of residents who follow our channels at this stage, we have 223,433 followers across Facebook, Twitter and Instagram combined and are continually putting strategies in place to increase our following.
- 2.7.2. All related social media content reached 6,112 followers on Facebook and Instagram Stories
- 2.7.3. Content seen 9,161 times across all 3 channels
- 2.7.4. 127 followers clicked through to our City of Adelaide website for more information
- 2.8. Media release sent out on 8 April 2021.
- 2.9. City Shed featured in our City Grapevine newsletter, the City of Adelaide's ageing well publication providing information on coming events, activities and programs of relevance.
- 2.10. City Shed promotional flyers in City of Adelaide Community Centres and Libraries.

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 -

# Kingston Terrace

**ITEM 15.2 12/10/2021**  
**Council**

**Council Member**  
 Deputy Lord Mayor, Councillor  
 Couros

2018/04053  
 Public

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

## QUESTION ON NOTICE

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

'Currently administration have indicated road resurfacing work that is in the planning/design stage for Kingston Terrace (Lefevre Terrace to Jerningham Street). Can administration advise the following:

1. When was this section of the road last resurfaced and the bluestone guttering repaired?
2. Has administration assessed the section of Kingston Terrace between Jerningham Street and Mann Terrace including the kerbing on the park lands side of the road, the condition of bluestone gutters, the substantial step up onto the verge and the slope on the road that causes flooding issues?'

## REPLY

1. Kingston Terrace has the following resurfacing dates and condition, as assessed recently by the asset planning team:

Location	Road Resurfacing Date	Road Surface Condition	Kerb Reconstruction Date	Kerb condition
Lefevre Terrace to Jerningham Street	1997	Poor (being renewed this year)	1986	Good
Jerningham Street to Francis Street	2004	Satisfactory	Not on record (heritage era)	Good-Satisfactory
Francis Street to Mann Terrace	2008	Satisfactory	Not on record (heritage era)	Good-Satisfactory

2. All road, kerb (bluestone) and footpath assets on Kingston Terrace are inspected on an 18-month basis, and any required maintenance works are scoped and scheduled.
3. In February 2020, we were requested to consider design and construction upgrade of Kingston Terrace (between Fuller Street to Francis Street intersections) in the 1920/21 Integrated Business Plan and Budget. Such considerations would include reconstructed road pavement and road surface, blue stone kerb, footpath and landscaped verge. In response to this, investigations have been underway and has identified that the assets are in satisfactory condition and performing well.

4. There is no recommendation to change the assets at this stage, due to the heritage nature of the kerb any intervention would be at a significant cost.

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 -

Minute 19 - Item 15.1 - 15.5 - Tabled Replies

# Rates for Co-working Spaces

**ITEM 15.3 12/10/2021**  
**Council**

**Council Member**  
**Councillor Abrahimzadeh**

2021/0060  
Public

**Contact Officer:**  
Amanda McIlroy, Chief  
Operating Officer

## QUESTION ON NOTICE

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

'Can administration confirm:

- How Council rates for co-working spaces in the City of Adelaide are calculated?
- That all co-working spaces in the City of Adelaide are treated in a consistent manner when calculating their Council rates?'

## REPLY

1. City of Adelaide properties are treated consistently under the Rating Policy and as required by the *Local Government Act 1999*, upholding the principles of fairness and equity across the City.
2. Under the *Local Government Act 1999*, it is not the definition of the co-working space that dictates how rates are calculated but rather their use and occupancy. A co-working space may or may not meet the definition of occupancy under The Act. Occupancy is defined by exclusivity of use and entitlement of possession which is traditionally outlined in a lease arrangement between the lessee and the lessor.
3. In most co-working arrangements, exclusivity of use under the definition of occupancy is not achieved and as a result the co-working space is defined as one area under a head lease. In this instance the occupier is the main lessee and the rates are charged accordingly.
4. In some arrangements, while the intent may be for a co-working area, arrangements are put in place for clearly defined areas and as such create multiple occupants. In this instance, each occupier is rated according to the space for which they have exclusive right of use under their arrangement.

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 -

Jeffcott Street

**ITEM 15.4 12/10/2021**  
**Council**

2018/04053  
Public

**Council Member**  
Deputy Lord Mayor, Councillor  
Couros

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

## QUESTION ON NOTICE

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

'Can administration please provide an update to Council on greening and extra planting for Jeffcott Street, as per the 'Greening of Jeffcott Street' motion endorsed by Council on 8 Jun 2021?'

## REPLY

1. Extra greening and planting on Jeffcott Street are being delivered in stages while the civil kerb and water table works are being completed.
2. The first stage involved the team contacting residents who had requested a new nature strip through our program and we have delivered nature strips as requested at a cost of \$7,500.
3. Stage two will involve further community consultation to understand if other residents would like nature strip greening outside of their houses and identification of other opportunities for greening by the end of March to enable plantings in Autumn.

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

# Central Market Arcade Development

**ITEM 15.5** 12/10/2021  
Council

**Council Member**  
Councillor Martin

2015/00903  
Public

**Contact Officer:**  
Tom McCready, Acting Director  
City Shaping

## QUESTION ON NOTICE

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

'In light of the public statements by the Chair of the Adelaide Central Market Authority, reported in the InDaily on Thursday, 7 October 2021, that the development has "been pushed back from its original September start date", can the administration advise:

1. When the new start date will be;
2. Have any current tenants been given the required 6 months' notice to vacate pending demolition and on what date was that advice issued;
3. If the notice to tenants to vacate pending demolition was not issued, why was it not issued;
4. If the advice to tenants was not issued is the contract with ICD in jeopardy or will it be amended;
5. If the advice to tenants was not issued, what guidance can the Administration give tenants about the likely timeframe;
6. If the advice to tenants was not issued, how has the construction schedule and completion date changed; and
7. When will the sales demonstration residential apartment Administration previously advised would be built going to be built by ICD and on what location?'

## REPLY

1. The Central Market Arcade Redevelopment/ Market Square project is progressing ahead positively including by way of:
  - 1.1. Significant advancement in the project's concept design with ICD Property also initiating engagement with building contractors.
  - 1.2. Market engagement by ICD Property's commercial agents to secure tenants for the project's 15,000m<sup>2</sup> of office space.
  - 1.3. ICD Property preparations for the official launch of the residential sales.
2. The Central Market Arcade Redevelopment/ Market Square will commence in early to mid 2022. As previously communicated with precinct stakeholders this will enable the Central Market Arcade to continue to operate during the 2021 Christmas period and into early 2022. This email update was provided to Arcade traders, ACMA, Grote St precinct, Gouger Street precinct, Chinatown Adelaide, Market Plaza, Courts Administration Authority and Hilton.

3. ICD Property and the City of Adelaide continue to progress the project in accordance with the requirements of the Project Delivery Agreement. In this regard, ICD Property has not issued its notice to the City of Adelaide seeking vacant possession and as a result the City of Adelaide has not issued its six (6) month notice to traders to vacate the Central Market Arcade pending demolition.
4. ICD Property has been constructing its sales display centre within a ground floor tenancy at 211 Victoria Square with the sales display centre to open during October 2021.

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

Minute 19 - Item 15.1 - 15.5 - Tabled Replies